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Contemporary reactions to the Popish Plot and the exclusion crisis

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CONTEMPORARY REACTIONS TO THE POPISH PLOT AND THE EXCLUSION CRISIS

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It is often said that history is made up of the lies of a man's own times. This thesis looks at the highly controversial years, 1678-81, in England the years of the Popish Plot and Exclusion Crisis, through the eyes of men prominent on both sides of the issues. Much of the analysis of contemporary reaction draws from the works of Gilbert Burnet, John Evelyn, Roger North, Roger L'Estrange, William Temple, and George Savile, Marquis of Halifax. These men were all close to the Court or had connections close to the Court, yet they did not see every twist and turn of the Plot and Crisis. But an examination of their writings, especially in contrast to Whig and Tory propaganda, shows that they recorded those issues which they perceived as important and their reactions to those events.
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POPISH PLOT AND THE EXCLUSION CRISIS

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Dates and Spelling

The New Style is used in reference to the year for dates between January 1-March 24. The Old Style, 10 days behind the Continent, is used in reference to the month and day. In quotations, the spelling has been kept as transcribed from the source cited.

Sources

A short biographical sketch of the following men whose writings were major sources for this paper appears in Appendix D: Gilbert Burnet, John Evelyn, Roger L'Estrange, Roger North, George Savile (Marquis of Halifax), and Sir William Temple.
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INTRODUCTION

But is it impossible to be impartial, that is, honest? Cannot a Man avoid telling the Lyes of his own time?

—Roger North, *Examen* (p. xiii)

The answer to this question by a seventeenth century Tory is central to an understanding of the events that constituted the Popish Plot and Exclusion Crisis. Titus Oates, William Bedlow, Miles Franche and Stephen Dugdale have been accused by many historians of being the most notorious liars of their time. Yet many of their contemporaries gleaned much of their knowledge of the Plot from the "Histories" each of these men wrote. Pamphlet warfare also contributed to the abundance of information about the Plot. While valuable to the historian, such sources cannot be respected for their veracity. For a more accurate contemporary version of the hysteria prevalent in the years 1678-81, the historian may examine the diaries, memoirs and journals of the time. Contemporary observers did not
see every twist and turn of the Plot, but they did record as honestly as they could those issues which they perceived as important and their reactions to those events. Contemporaries recording seventeenth century events felt themselves in the midst of a great change, and indeed the years 1678-81 bred many far-reaching repercussions.

In discounting the versions of the Plot by the men who "discovered" it, it does not automatically follow that the diarists wrote completely unbiased and factual accounts. Most of the writers mentioned in this paper were prominent men and women whose information was gathered from a combination of rumor, newsletters, and illegal and official publications. A difference exists between diaries and journals, whose entries were made everyday and published later unaltered, as opposed to memoirs and histories composed years or decades later, after hindsight and reflection had colored the events in a new light. The historian must also take into account the tendency in the seventeenth century and even today to accept any account in a published form as basically true. Whigs and Tories capitalized on this in their pamphlet war, and contemporary writers could hardly escape being influenced. In examining the events of 1678-81 and the crucial years leading up to them, one encounters the same confusion and frustration contemporaries felt. Londoners were bombarded with conflicting information from which they tried to separate the truth from the fiction. An examination of contemporary reactions to the Plot and the Exclusion Crisis can answer Roger North's question.
The scene for an anti-Catholic reaction in 1678 could not have been better set. Throughout the 1670's Charles II labored to overcome his subjects' belief that he was dominated by Catholics. In 1669 his brother and heir, James, Duke of York, was converted by a Jesuit. Charles was duly informed and immediately removed Mary and Anne from their father's supervision. Charles also insisted that James continue to attend Anglican services. But the historic conversion of James was such a tightly kept secret that the pope did not even know it for certain until 1676.

If anyone came to suspect the sincerity of James' presence at Anglican services, they were completely unaware of the greatest threat of all to their government-protected religion. In May 1670, encouraged by his Catholic sister Henriett-Anne (married to Louis XIV's brother), Charles signed a secret Treaty of Dover. The Treaty had two forms; the public Treaty which was a military and political defensive agreement, and the secret Treaty. The secret Treaty described Charles as "being convinced of the truth of the Catholic religion and resolved to declare it and reconcile himself with the Church of Rome as soon as the welfare of his kingdom will permit."¹ This does not necessarily mean that Charles intended the whole country to convert, although he did not discourage Louis from thinking that would be the outcome. Louis sweetened the possibility by promising money and even troops to subdue the Protestants in England. But Charles played the game well and managed to get the money without ever publicly declaring himself a Catholic. How ironic, when hatred of Catholics was the national pastime, that the king himself was

secretly the epitome of his subjects' worst nightmares. The ultimate irony is that the secret Treaty was not publicly exposed until the early nineteenth century, even though contemporary politicians suspected its existence. Seventeenth century Englishmen never knew that their own king was subsidized by France with the understanding that he would declare himself a Catholic.

At this point it is relevant to try to ascertain whether Charles was indeed a Catholic. His sister, mother, two mistresses (the Duchesses of Portsmouth and Mazarin), the Queen, his brother and the latter's wife were all Catholics already, and two top government officials were to convert. But whether the king was at this time a convert will remain mere conjecture. The most telling evidence of his Catholicism is that he died in 1685 after receiving the last rites of the Catholic Church—but purely by chance. The suggestion that a priest should attend the deathbed came not from the king, his wife, or James, but from the king's French Catholic mistress Louise, Duchess of Portsmouth. But the overriding cynicism for which he was noted and which became more pronounced as he grew older is not conducive to strong and heartfelt religious conviction. He was possibly as much a Catholic in his later years as he was a Protestant in his early ones—that is, when it politically and intellectually suited him. Charles also felt he owed a debt to the many Catholics that had supported his father and then him during the Civil War and Interregnum.

On his own initiative Charles published in 1673 a Declaration of Indulgence to ease the restrictions on Catholics and Non-Conformists. He also entered the Third Dutch War on the side of Louis XIV. Louis was
making a name for himself as an authoritarian, militaristic king, notably lacking in patience with his Protestant subjects. · That Charles should align himself with the Catholic Louis, who was a cousin as well, seemed to indicate an ambition to emulate his successful relative. Parliament furiously demanded that Charles withdraw his Declaration, even though it was within his prerogative to issue it. He was forced to issue instead a proclamation ordering the enforcement of the existing penal laws. As a further slap in his face, Parliament passed the Test Act, a measure which enjoined every public servant to take an oath to the king that he denied the powers of the pope, denied belief in transubstantiation, and could offer proof of recently taking Anglican communion.

By making Charles repeal his Declaration of Indulgence and passing the Test Act, Parliament felt it was taking the necessary actions against an arbitrary monarch. With these actions, and in the previous ten years under Charles, Commons had: 1) firmly established its right to appropriate supply, 2) denied by statute the king's right to employ non-Anglicans, 3) successfully resisted the king's attempts by Declarations of Indulgence to allow his subjects more religious freedom, and 4) successfully used the power of the purse strings to dictate foreign policy and defense. 2 The Marquis of Halifax wrote, "The first ground of Prerogative was to enable the Prince to do good, not to do everything." 3 If the Commons had their choice, its members appeared to prefer that the king not do anything.

The passage of the Test Act meant that even Catholics who preferred to look upon the pope as only the bishop of Rome would still be trapped by the transubstantiation clause. The Test Act flushed out some high level Catholics. Among those who resigned because they could not take the oath were Lord Clifford (the Lord Treasurer) and the heir to the throne, James, Duke of York (Lord High Admiral).

James, who was never noted for his responsiveness to the political climate, proceeded to add insult to injury by ending his widower status. He chose as his bride Mary of Modena, a Roman Catholic foreigner, younger than his eldest daughter. After his marriage in 1673, it became harder to induce James to attend the occasional token Anglican service. The marriage to a young woman with a good twenty child-bearing years ahead of her was enough to push certain statesmen over the edge and into the Opposition. Before he remarried, they could at least imagine that on James’ death his Protestant daughter Mary would inherit the throne. Her desirability was increased four years after her father remarried when she married her cousin, the Protestant William of Orange.

The Opposition, also called the Country Party, would soon form the first recognizable party in England. It was also called the Whigs, a derogatory name that referred to the Scottish Covenanters that were a constant annoyance to the government. In contrast, the Court Party was referred to as Tories, an insulting nickname for Irish ruffians. The Whigs were led by Anthony Ashley Cooper, Lord Shaftesbury, a man Charles referred to in exasperation as "the greatest rogue in England."
Shaftesbury was said to have replied, "For a subject, Your Majesty." Shaftesbury had been on all sides of the political arena. He began his career as a Royalist, turned Cromwellian and was made President of the Council in 1654, and then turned Royalist again. He was a man many could admire but few could find anything good to say about him. Lord Peterborough called him "... as proud as Lucifer, and Ambitious beyond whatever entered into the designs of any Man; impatient of every Power but his own, of any Man's reputation; false to that degree, as he did not esteem any Promise, any Engagement, any Oath, of other use than to serve a purpose, and none of these of consequence to bind a Man further than it was his interest."  

It is ironic that this man who proved to be such a threat to Charles in the 1670's and 1680's was the same man who went to Holland in 1660 at Parliament's request to beg Charles to return to England as king. A year later he was created Baron Ashley and appointed Chancellor of the Exchequer. Upon Clarendon's fall, he joined the Cabal and in 1673 was created Earl of Shaftesbury and appointed Lord High Chancellor. In these years he favored toleration for Dissenters, but this did not include Catholics, whom he loudly denounced. Whether Shaftesbury's allergy to Catholics was due to religious creed or politics can only be conjecture. A supposed conversation between Shaftesbury and John Wildman is telling:

The Earl of Shaftesbury was one day conversing with Major Wildman about the large number of religious sects in the world and they finally reached this conclusion: that notwithstanding the infinite divisions caused by the interest of priests and the ignorance of the people all wise men are of the same religion. A lady who happened to be sitting in the same room sewing caught this last remark and

pricking up her ears demanded in some concern what that religion was? 'Madame,' retorted the Earl, 'wise men never tell.'

Shaftesbury loudly warned the government that Catholics were infiltrating high places which earned him the dislike of the king. Charles dismissed him from the Council in September 1673 and, from that time on, Shaftesbury's goal was to get the Cavalier Parliament dissolved and one with a Country Party majority elected. Publicly he opposed James because of his religion, but privately he feared James would become a tyrant if he inherited. Shaftesbury was sure that a Parliament dominated by the Country Party would pass a bill to exclude James from the succession. Charles, with increasing urgency but no success, kept trying to avert the coming crisis by convincing James to convert back to Protestantism. James, like Shaftesbury himself, was stubborn and impossible to influence once he had made up his mind. The Popish Plot became a contest of wills between two men who would not back down from their convictions—James believed the succession must be followed despite his religion, and Shaftesbury believed James' unsuitability should disqualify him to be king.

Thus Charles was forced into the position of an uneasy umpire between the two men. Charles was fully aware of his brother's shortcomings, but felt he had to protect the powers of the monarchy, which would be seriously damaged if subjects or Parliaments were allowed to decide the succession. James he simply regarded as the lesser of the two evils.

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because he represented the rightful succession and the privileges of monarchy. Shaftesbury he personally detested, perhaps more so because he knew that his brother was capable of committing all the disasters Shaftesbury predicted if he became James II.

Out of office but in the House of Lords, Shaftesbury was still a power to be reckoned with. His public line of reasoning is aptly explained in an unlicensed pamphlet of 1674:

> Whether it be not more dangerous to have the Crown placed on a Popish head thereafter than to have the office of Admiral of England executed by a papist now [James had in fact resigned because of the Test Act]; whether therefore it be not high time to consider of settling the succession of the Crown so as may secure us and our posterities from those bloody massacres and Smithfield butcheries, the certain consequences of popish government? 6

The resignation of James and Clifford caused a backlash of ill-feeling toward all Catholics. As a sop to public opinion, Charles felt it necessary to ban all Catholics from the Court. Parliament met in January 1674, uneasy over rumors of another Gunpowder Plot, and all Catholics who were not residents of London were ordered by the government to leave the city. The government was led at this time by the new Lord Treasurer, Thomas Osborne, Earl of Danby, who was anxious to adopt a firm Protestant policy including an alliance with the Dutch. He encouraged the Commons by being the prime mover in a bill to educate all children in the royal family as Protestants and opened peace negotiations with Holland. For the rest of 1674, Danby had a two-fold reason for keeping up the pressure on Catholics—it satisfied public opinion and at the same time increased the Treasury. The current laws provided that any subjects who

did not attend Anglican services were subject to a fine of £20 per month, or forfeiture (sequestration) of two-thirds of their estate, whichever the government preferred. The £20 fine had been enforced spasmodically for years, but in early 1675 officials were notified to collect the two-thirds fine instead. The Secretary of State was plagued with letters of complaint by wealthy Catholics, but again there was the problem of enforcement. Little of the money found its way into the Treasury as it was either not collected or stuck to local fingers. Outside London, many Catholics were able to solve the dilemma by transferring a part of their estates to Protestant friends or relatives. This partly explains why the Popish Plot did not take hold in the countryside to the extent it did in the city. Men might quake at the popish bogeyman, but sheltered their trusted Catholic friends, neighbors, and relatives from the penal laws.

In crowded metropolitan London the attitude toward Catholics was quite different. As one opinionated gentleman wrote in his diary: "As for popery, I have so great an aversion for it that I never willingly conversed with one of that religion; and if God permits me to choose my company, never will." George Savile, Marquis of Halifax, was a respected member of the government during the Popish Plot. Years later he wrote, "Papery is a Plant that may be mowed down, but the Root will still remain, And in spite of the Laws, it will sprout up and grow again; especially if it should happen that there should be Men in Power, who in weeding it out of our Garden, will take care to Cherish and keep it alive . . . ."

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9 Savile, p. 81
Nothing in the seventeenth century could abate this fear, and indeed many events were twisted to confirm it.

Out of an English population estimated at between four and five and one-half million, about 390,000 lived in London. And as for the fears that the English Catholic community was growing, evidence points the other way. J. Bossy estimated that in 1570 the number of Catholics in England was about 50% of the population, but recusancy laws and conversions cut that number in half every generation. By 1670, only about 12.5% of the population was Catholic.\(^\text{10}\) The fact was that in London the Catholics were more in the public eye. There were foreign ambassadors, with their Catholic servants, who held masses open to anyone. The Queen had her own chapel for mass, and the unusual number of conversions in the court was frightening.

The relations of the king with Parliament were declining as Shaftesbury's following was growing. The Country Party was strong enough in the Parliament of early 1675 to refuse Charles supplies. The Country Party began having regular meetings in London, calling itself the Green Ribbon Club. The Club was an open political and social organization that encouraged membership from all classes, and the members freely mixed to exchange ideas. A contemporary wrote of "the meanest and basest of people" that Shaftesbury "bewitches to associate with him." The Club was to provide the manpower to disseminate political pamphlets, influence voters, and gather signatures for petitions. Members met at the King's Head in Chancery Lane and were visited often by the king's illegitimate

\(^{10}\) Some estimates go as low as 2%. J. Bossy, The English Catholic Community 1570-1850 (New York: Oxford University Press, 1976), p. 183. Kenyon in Plot, p. 28 uses an estimate from an ecclesiastic census from 1676 of 4.7%.
eldest son, James, Duke of Monmouth. Unlike his Uncle James, Monmouth was malleable and a staunch Protestant. He also possessed the Stuart charm that James obviously lacked. Monmouth infuriated his uncle by allowing toasts to be drunk to him at the Club as Prince of Wales. Other prominent members at the time included the Duke of Buckingham, the Earl of Essex, Lords Salisbury, Grey, Wharton and Russell, Thomas Thynne, Sir Thomas Armstrong, John Wildman and Robert Ferguson.\textsuperscript{11}

With French money to tide him over, Charles was able to prorogue Parliament for the whole summer of 1675. He ordered Shaftesbury on June 29 to leave London. Shaftesbury and his secretary, John Locke, put their banishment to productive use by penning the "anonymous" pamphlet "Letter from a Person of Quality to a Friend in the Country." The pamphlet, which sold for a modest 1/-, accused Danby of using the military to set up Charles as an absolute monarch. It was so inflammatory that the Lords, meeting in October, ordered it burnt, which only succeeded in escalating the price to 20/-. When copies were discovered in coffeehouses, Danby even attempted to close them down.\textsuperscript{12}

This spring session of Parliament was prorogued after six weeks and it was apparent that Danby's influence there was failing fast. This was the same Parliament that had been elected after the Restoration of the king and had originally been so favorable to him. But it was now clear Parliament was not going to give Charles the money he needed, yet his


\textsuperscript{12}Hester Chapman, Four Fine Gentlemen (Lincoln: University of Nebraska Press, 1977), p. 54, and Ashcraft, p. 143.
government was too weak in prestige to fare any better in a general election. With French money, he was able to rule without a Parliament until February 1677.

Charles was disappointed in his hopes that European or domestic affairs would turn in his favor. James, with his usual inability to grasp the political climate, refused to attend the 1676 Easter Anglican services. This public breach with the Anglican Church caused an outcry at the next Council meeting. One speaker asked, "Is there any more than the breath of our king between that [popery] and us? If the prospective heir of the Crown be a Roman Catholic, what security can be given that the King shall live eight or nine months?" 13

Charles called Parliament to meet on February 15, 1677. The conquests of French armies on the continent made the English uneasy. Charles opened the session with a speech that confirmed his defense of the Anglican Church and a condemnation of autocratic government. He asked for money for ships and for himself. His requests were opposed by the Country Party, which wanted a general election in the hopes of achieving a comfortable majority. Their strategy was to annoy Charles so much that he would dissolve Parliament. Buckingham, Shaftesbury, Wharton and Salisbury tied up the House of Lords by arguing that, under an act of Edward III, a Parliament that had not sat for over a year was ipso facto dissolved. They had misjudged their fellow peers, who were annoyed at this nonsense and advised them to beg the king's forgiveness for their insolence. When they refused, the House of Lords committed them to prison. The four lords, lodged comfortably in the Tower, assumed that as soon as Charles

13 Kenyon, Plot, p. 23.
reconvened the next session of Parliament they would be released. Charles had announced that the next Parliament would meet in May; but before it met, he postponed the session until December 1677.

With the chief leaders of the Opposition reduced to playing cards in the Tower, Danby tried to rush some legislation through the February Parliament. The first government sponsored bill was said to be "for the preservation of the Protestant religion and the more effectual conviction and prosecution of popish recusants." It was immediately rejected by the Commons with the observation that it was not what the title indicated. It asked for a distinction between two types of Catholic laymen, the loyal quiet versus the disloyal and unquiet. Every Catholic that voluntarily stepped forward identifying himself as a Catholic would be considered the former and only pay a fine of one shilling a week for not attending Anglican services. Any persons discovered trying to conceal their Catholicism would be subjected to the full penalties.\textsuperscript{14}

The second bill died in committee but not before having raised the dander of many members. Called "An Act for further securing the Protestant religion by educating the children of the royal Family," it was aimed at providing for a Catholic to succeed. If Charles' successor could not pass the Test Act, ecclesiastical patronage and the education of all his children between the ages of five and fourteen would be taken from him. James' wife was currently pregnant and a son would take precedence over his two Protestant daughters. This bill apparently had the grudging approval of James—but it was as far as he intended to compromise.\textsuperscript{15}

Later, when similar restrictions were argued again they were usually

rejected with the realization that they would be almost impossible to enforce once James was king.

Danby was successful in getting some money from the 1677 Parliament. Parliament voted £600,000 to build thirty warships. French victories caused Parliament to agitate for war against Louis, which Charles, still accepting money from the French, would not sanction. Foreign affairs were wholly the king's prerogative, and their demands only brought on an adjournment.

With infinite sadness Charles watched his favorite child, Monmouth, being groomed by the Opposition as an alternative heir. The once intimate relationship between father and son became strained. Even if James was often a nuisance, he was still the rightful heir, and Charles made no secret of that fact when he said, "As well as I love the Duke of Monmouth, I would rather see him hanged at Tyburn than own him as my legitimate heir."  

Danby had a solution to the problem by having the Court Party present its own Protestant alternative. He proposed the marriage of James' eldest daughter Mary, a Protestant, to William of Orange in 1677. Their wedding was neatly balanced by the birth of a son soon after to James and Mary of Modena, although the boy lived only five weeks. Ralph Josselin, a Nonconformist minister, wrote on November 16: "Heard that the citie was alarmed that the Papists plotted a massacre; was the marriage a pillow to lull us asleep?"

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16 J.P.N. Watson, Captain-General and Rebel Chief (London: George Allen and Unwin, 1979), p. 79.

Josselin was not the only man dissatisfied with the succession. A pamphlet of 1677 by Andrew Marvell, "The Growth of Popery and Arbitrary Government in England," warned of "a design to change the lawful Government of England into an absolute tyranny, and to convert the established Protestant religion into downright Popery." Readers were urged to deliver England from this conspiracy and a secret association with France was implied. Marvell wrote about James: "If a king's Brother can such mischief bring, Then how much greater Mischief is a King?"18

In the winter of 1677/8, Louis began giving money to the Opposition hoping the dissension he caused would keep Parliament from supplying Charles, and keep England out of the war. Charles was furious at his cousin's interference and, in addition to the marriage, he allied with Holland to demand an end to the war. Louis was asked to accept peace terms dictated by Charles and William. When Louis refused, Charles went to Parliament in January 1678 ready for war against France.

Louis placed his bribes well. The Opposition clamored for war but was careful to withhold enough money to wage it. To show its distrust of the government, especially the Treasurer, Danby, it demanded that any monies raised be deposited directly with the Navy to avoid it being appropriated elsewhere. Charles spent money he did not have by pouring soldiers into Flanders, but that did not stop Louis from capturing Ghent and Ypres in late February and mid-March, 1678. The Opposition kept up a

18 Ashley, Wildman, p. 216.
clamor by claiming the army in Flanders was raised for war at home, not abroad.

Charles was in a no-win situation. John Reresby, a Tory MP, was an early admirer of Charles but was eventually to slide into the Opposition camp because he supported Exclusion. He observed, "Great debates have arisen upon this affair, and the reason of the violent opposition it met with was the desire in some to oppose the Crown, though in the very thing they themselves wished for, the nation being ever desirous of a war with France; and a jealousy in others that the king indeed intended to raise an army, but never designed to go on with the war; and, to say the truth, some of the king's own party were not very sure of the contrary." 19 With insufficient money forthcoming to deploy the army, whose arrears mounted daily, Charles decided to cut his losses and secretly opened peace negotiations with Louis.

Danby, whose sympathies were with the Protestant Dutch, reluctantly began secret peace negotiations at the request of the king through the English ambassador in Paris, Ralph Montague. 20 Charles hoped that if Parliament continued to act as if it was ready to go to war with France, then he could drain money out of Louis by promising to prevent it. Unfortunately for this plan, Parliament agitated around the edges of the issue. Parliament declared that the alliance with Holland was unsatisfactory, it wanted legislation against popery, the army disbanded,


20 Montague was an ambitious man, who would later bear a large grudge against Danby for blocking his promotion to Secretary of State. Montague had saved some of these early letters, when Danby and the king were deceiving the people for the sake of a French pension. The most damaging was written by Danby to Montague giving him instructions that clearly conflicted with public foreign policy (see Appendix A).
and some of Charles' ministers impeached. Ralph Josselin echoed the sentiments of many Londoners when he wrote in his diary on May 5, 1678: "Things in a cloud at London . . . . Lord secure England in religion from popery and in libe[rt]y from an army."  

Parliament had also appointed a committee to report on the dangers of popery and how well the Recusancy Laws were being administered. It concluded that the laws were not fully enforced, and in many places they were deliberately bent. For example, in Monmouthshire a scant £40 had been levied against Catholics in fines, yet of this only £4.14s.4d. had been collected and the rest had been discharged by the sheriff. In anger and frustration, the Commons proposed several ideas to check the problems, but none was adopted. Its members seemed unable to comprehend that the terrible fear of popery they cherished in London was only infrequently shared by their country cousins. 

By early July 1678, Parliament felt that a peace treaty was imminent and passed the Disbandment Act granting the king the stupendous sum of £600,000 for disbanding the army and other expenses. On July 15, Charles prorogued it until the fall. But far from disbanding the army, even though the peace was signed at Nimeguen on July 31, Charles kept it intact. The army was virtually his only bargaining lever with Louis.

The money Charles and Danby had successfully squeezed out of Parliament filled them with a false sense of security. Gilbert Burnet, an Anglican minister who favored the Opposition and who was a prolific writer about the Court, wrote in his _History of His Own Time:

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22 Kenyon, _Plot_, p. 49.
The party against the court gave all for lost: they believed the lord Danby, who had so often brought his party to be very near the majority, would now lay matters so well as to be sure to carry the session. And many did so despair of being able to balance his numbers, that they resolved to come up no more, and reckoned that all opposition would be fruitless, and serve only to expose themselves to the fury of the court: but of a sudden an unlooked for accident [the Popish Plot] changed all their measures, and put the kingdom into so great a fermentation, that it well deserves to be opened very particularly. I am so well instructed in all the steps of it, that I am more capable to give a full account of it than any man I know. And I will do it impartially, that no party shall have cause to censure me for concealing, or altering the truth in any one instance. 23

The army Charles refused to disband provided him and his court with a novel entertainment throughout the rest of the summer. The king enjoyed watching it drill and those about the court would sometimes accompany him. Some were not as amused. The diarist John Evelyn recorded such a jaunt: "We saw the newly-raised army encamped, designed against France, in pretence at least; but which gave umbrage to the Parliament." 24 Diplomatically, the army proved to be an unnecessary expense. By the time Parliament met in the fall, Charles found himself in the unenviable position of being forced to explain his empty pockets and the existence of a full standing army. Judging from the actions of Parliament in the previous spring, when they had discussed impeaching those ministers whose policy they disliked, someone was going to pay for the mismanagement of funds and the flaunting of the Disbandment Act. That person was likely to be Danby. Parliament was not privy to the secret negotiations that made


up the king's foreign policy but the outward maneuvering it saw filled them with fear and apprehension. By the time Parliament met in the fall, all it could see was a king surrounded by Catholics in his court, with a Catholic heir, and maintaining in direct disobedience of the Disbandment Act an army that had not been necessary for four months.

It was these fears and apprehensions that made the founders of the Popish Plot so forward. The manufacturers of the Popish Plot were two odd characters. One was a demented Anglican clergyman named Ezrael Tonge and the other was a colorful twenty-eight year old drifter and ex-Jesuit named Titus Oates. Both men must be given credit for trying to discover a real plot, but lacking that, they decided to invent one. Tonge had the paranoia and zeal, and Oates had the background knowledge to create a masterpiece of fiction. Their tale of a plot contrived by Catholics to include assassinations and foreign invasion was met with incredulous belief. As Sir Robert Southwell, a clerk of the Council, explained, belief in Oates and the Plot was

A thing [which] could never arise out of the industry or evidence of one single man, and especially a man under the disadvantage of many known failures in his life, and conversation, if it were not for other considerations; the first of which I take to be the manifest indulgence which for so many years has been extended to the[sel] people, and wherein some of them have so impudently triumphed that it became the grief and scandal of many, and turned itself into so much combustible matter against the day of wrath. 25

The first "discoverer" of the Plot was Ezrael Tonge. He received a doctorate in divinity from Oxford and moved from place to place as a pastor. He was in his late fifties, an eccentric, a dabbler in children's education, an amateur botanist, an alchemist, and violently anti-Catholic.

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25 Kenyon, Plot, p. 48.
It was generally thought that the Great Fire of 1666, which destroyed his church in London, had also cost him his wits. He became an expert on the Fire, and was certain it was started by the Jesuits and he lost no opportunity of sharing this theory with anyone who would listen. Burnet called him "full of projects and notions," "credulous and simple," but "sincere." In the winter of 1676/7 he met Oates, whom he was delighted to learn shared his feelings about Catholics—Jesuits in particular. Tonge fancied himself knowledgeable about the Jesuits and wrote a three volume work called *The Jesuits' Morals*. He was much more successful in writing about the flow of sap in trees, for which he is also remembered. His *The Jesuits' Morals* was so incomprehensibly written that after poor sales of the first two volumes, the third was never published. Yet nothing could dampen Tonge's zeal to discover the conspiracy he was certain existed in the Jesuit community. But he needed a way to infiltrate their organization.

Titus Oates was the logical person. Oates was the son of a Baptist minister in the New Model Army. Though a young man when he met Tonge, he had already distinguished himself in the sheer number of institutions from which he had been expelled. He never mastered Latin, necessary for a seventeenth century education, but he did have an expansive memory, especially in relation to slights, real or imagined, to himself.

Oates proved unable to hold a job for long. He took Anglican orders and settled down in a curacy but was ejected within a year by his parishioners who were offended by his drunkeness, which caused him to utter "some very indecent expressions concerning the mysteries of the

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26 Burnet, p. 281.
Christian religion." A former schoolmaster, William Smith, said the dismissal was for theft of his neighbor's pigs and hens. Oates returned home and aided his father in a quarrel with a local family, the Parkers. The elder Oates had accused Mr. Parker senior of treasonable utterings and his son of sodomy. The Privy Council declared the elder Parker innocent and local officials cleared his son, who promptly sued Oates for perjury and asked for £1,000 damages. Rather than face this unpleasant prospect, Oates signed up as a chaplain on a ship bound for Tangier.

The probable reason for his expulsion from several schools appeared when his ship returned from Tangier. Oates was fired for homosexual practices and was fortunate to avoid being hanged. In early 1677, he found employment in the London household of the Catholic Earl of Norwich as chaplain to the Protestants in his employ. Dismissed three months later in March 1677, he immediately joined the Catholic Church.

His previous exploits in the Protestant community had made him unemployable as an Anglican minister. Jesuits and Catholic priests took aliases and kept low profiles, and with such a cover Oates would be assigned a position without too many questions being asked about his past. With this purpose uppermost in his mind, he chanced to run into his old teacher in London, William Smith, and asked him to write for his former pupil some verses in Latin, and include some specifically praising the Virgin Mary. He told Smith he needed them to get a job teaching the children of Catholics. Smith agreed to the favor but luckily decided to

27Kenyon, Plot, p. 54.
29Kenyon, Plot, p. 54. 30Kenyon, Plot, p. 55.
omit the praises of Mary, which might have landed him in much more trouble later when Oates' accusing finger pointed his way.  

What were the Catholics getting in their new convert? Physically, Oates was such a spectacle it is no wonder he made such a lasting impression on all he met. His complexion was variously described as "rainbow-coloured" and "purple," and his most outstanding feature was a chin so long that his mouth appeared to be in the center of his face "and a Compass there would sweep his Nose, Forehead and Chin within the Perimeter." "In a Word," said Roger North with no pretence at being impartial, "he was a most consummate Cheat, Blasphemer, vicious, perjured, impudent and fawcy, foul-mouth'd Wretch." The Jesuit historian John Warner described Oates as possessing "the speech of the gutter, and a strident and sing-song Voice, so that he seemed to wail rather than to speak. His brow was low, his eyes small and sunk deep in his head; his face was flat, compressed in the middle so as to look like a dish or discus; on each side were prominent ruddy cheeks . . . [and] his chin was almost equal in size to the rest of his face. His head scarcely protruded from his body, and was bowed towards his chest." Burnet summed up his character as "proud," "ill-natured [and] haughty."  

The Catholics were not terribly enthusiastic about their new convert and Oates' first weeks as a Catholic were not reassuring. Berry, the priest who received Oates into the Church, was scarcely more religiously

31 Smith, p. 7.  
33 Kenyon, Plot, p. 56.  
34 Burnet, p. 282.
stable than Oates, having begun life as a Protestant, converted to Catholicism, then back, then to Catholicism again. Instead of looking after the new recruit, he left him to starve. But Oates was lucky enough to meet Richard Strange, the English Provincial of the Society of Jesus. He took Oates under his wing, provided him with money and arranged for him to leave immediately for instruction at the Jesuit college in Valladolid, Spain. 35

Oates' guardian angel was about sixty-six years old, and was to retire as Provincial in seven months. He sent Oates off in May to a school that did not begin classes until October. Classes were taught in Latin or Spanish, neither of which Oates could understand. The instructors divined this as soon as school began, and he was returned to England. But he had gathered valuable information about the Jesuit organization and made the acquaintance of a man who would later be his partner in perjury, William Bedlow. 36

Back in London, the most pressing question for Strange was what to do about this ex-Anglican minister who wanted to be a Jesuit, but did not understand Latin. The deficiency in his education was to be repaired, Strange decided, by education at St. Omers, an English Catholic school for young boys on the Continent. Strings had to be pulled because of Oates' age but he was accepted and arrived at the school on December 10, 1677. 37

Considering his intemperate speech and sexual preference, it is amazing that he lasted six months. After Strange stepped down in December 1677, his successor Thomas Whitbread began a visitation of Catholic colleges that included St. Omers in June 1678. He saw through Oates

35 Kenyon, Plot, p. 55. 36 Kenyon, Plot, p. 56. 37 Kenyon, Plot, p. 57.
immediately and expelled him. 38

By the end of June Oates was back in London, with little more than a fake "Dr." he added on his name to show for his troubles. He was seething with hatred of the Jesuits for expelling him and anxious to avenge himself. He met Tonge again, who had been trying that spring to convince members of Parliament of the existence of a papist conspiracy. Tonge was frustrated by the lack of evidence, but upon hearing of his friend's experiences convinced Oates to record what he had seen. The results far exceeded anything Tonge could imagine. The rambling discourse Oates prepared contained enough fact (basically, the names of real people in the Jesuit organization) to fluff out a fictional international conspiracy to kill Charles II. In explaining his own presence in London, Oates did not tell Tonge that he had been expelled from the Jesuit school. Instead he was thoughtful enough to flatter and frighten Tonge by telling him that he had been sent from St. Omers by the Jesuits with a promised reward of £50 to assassinate Tonge, as the author of The Jesuits' Morals. 39

Several weeks were spent writing and re-writing Oates' manuscript of the Plot. By early August, he had forty-three paragraphs of information. Tonge wanted to take it to the government but Oates became increasingly shy. Communication between the two was a charade. Tonge was afraid the Jesuits were still out to assassinate him, and Oates refused to be seen with him because he was still supposedly a Jesuit, moving about within the Jesuit community to spy on them.

Tonge was friendly with a chemist in the king's laboratory, Christopher Kirkby, who shared Tonge's fear of popery and agreed

38 Kenyon, Plot, p. 58. 39 Kenyon, Plot, p. 58.
enthusiastically to serve as go-between for Tonge and Oates by alerting Charles of this danger. On August 13, 1678, after trying unsuccessfully the previous day to catch Charles alone, Kirkby approached the king in St. James Park as he began his morning walk and warned him that there was a plot to take his life and that he might be killed on that very walk. Charles appeared unconcerned about the impending danger, but before continuing his walk arranged to meet Kirkby and Tonge alone that evening.40

Charles had every reason to be concerned. The enforced repeal of the Declaration of Indulgence and the enforcement of the penal laws caused resentment in the Catholic community. Charles knew it appeared to Catholics that he was making life tougher for them in England. Protestant propaganda since the excommunication of Elizabeth I in 1570 had emphasized that the Catholic Church encouraged its members to overthrow a Protestant monarch. When Charles took the oath at his coronation to uphold the Anglican Church it was understood that to fulfill that oath he must inhibit the religious activity of all Dissenters, whether he personally sympathized with them or not. With the conversion of James, the more fervent Catholics thought they would have much to gain if Charles died and James succeeded. All these factors, plus the king's confusing foreign policy, were to give the Popish Plot, as it unfolded, more credence than it ever deserved.

40 Kenyon, Plot, p. 60.
CHAPTER II

THE PLOT IS REVEALED

The more Nonsensical the better; if we cannot bring them to swallow worse Nonsense than that, we shall never do any good with them.

—Lord Shaftesbury’s reply to Roger North’s query, how could people believe in the Plot? (Helm, p. 41)

Charles was told at the meeting with Tonge and Kirkby that three Catholics had resolved to shoot him, and should they fail, the royal physician, Dr. George Wakeman, had agreed to poison him. Tonge read out some of the forty-three articles, and in his zeal added some more (that on Charles’ death, the three kingdoms would rise against James and be divided into pieces to be ruled by France). Charles was not convinced, especially when they accused Dr. Wakeman. He asked what other “persons of quality” were involved. Tonge admitted to knowledge of none but Wakeman and Lord Petre (but Petre did not know of the assassination plan as “he had a particular love and tenderness towards his Majesty’s person”). When Charles asked for the author of the articles, he was told that the man wanted to still mix in the London Jesuit society to find out more, and
that was why he had not come forward.¹

Charles concluded that this was a matter for Danby to untangle, and dismissed them. He later told Burnet that he "knew not what to make of [it]: yet among so many particulars, he did not know but there might be some truth."² He did agree, at Tonge's request, to keep the matter secret from James, who actually walked in while they were taking leave of the king.

Charles sent the forty-three articles to Danby the next morning. Danby was not likely to disregard the investigation of a plot on his sovereign's life, especially when he could immediately conceive of a way this could be politically advantageous. Such investigations were usually routine, as plotting might be deemed a seventeenth century form of entertainment. Even at that moment, Cromwell's son-in-law was in the Tower accused of a plot to ambush Charles and James on their upcoming trip to Newmarket.³

Danby agreed with Tonge that his mysterious source (Oates) should stay under cover to collect evidence. Danby had the four men who were supposedly to kill the king followed. Two of them got wind of Oates' involvement and escaped. Three times, Danby and the king were forewarned by Tonge of an assassination attempt. Each time, Tonge had to explain to them why the assassins did not show up. "And the king concluded, both from these evasions, and from the mysterious, artificial manner of communicating evidence [Oates still refused to materialize], that the

whole was an imposture." As a last resort, Danby suggested to Tonge that they might get evidence if they intercepted the correspondence of James' Jesuit confessor, Bedingfield, who was implicated by Oates.

Danby's suggestion put Oates in a panic, and he wrote five misspelled, ungrammatical and obviously incriminating letters, signed them with the names of various priests he had accused, and mailed them to Bedingfield. Danby's men missed intercepting them, and on September 1, a very confused Bedingfield took the letters he had just received straight to James. James angrily showed them to Charles and demanded a full investigation.5

About this time, the first rumors that something was up were bandied about London. Gilbert Burnet was approached by Tonge, with whom he was previously acquainted, who told him of "strange designs against the king's person." Burnet assumed he was crazy, or trying to involve him in misprision of treason. He immediately reported the conversation to government officials, who replied that they knew already and thought Tonge was just trying to get a deanery. Burnet informed several other members of the government. Two of them thought it was "a design of lord Danby's, to be laid before the next session, thereby to dispose them to keep up a greater force, since the papists were plotting against the king's life; this would put an end to all jealousies of the king, now the papists were conspiring against his life . . . ." Halifax believed it would prove to the detriment of the court, "considering the suspicions all people had of the duke's religion, he believed every discovery of that sort would


5Kenyon, Plot, pp. 67-8.
raise a flame, which the court would not be able to manage." Halifax, who was at this time a member of the Opposition, was soon proved to be correct.

After the farce with the forged letters, Danby's investigative zeal waned. Burnet unfairly criticized Danby, saying that had he pursued the matter wholeheartedly and quickly, "either the truth or the imposture of the whole affair might have been made [to] appear." But as far as Danby and Charles were concerned, all they had to show after several weeks of investigation was a packet of forged letters. James was still worried over Charles' safety, since he refused to curtail his public exercise. Charles only laughed at his concern, and told him, "No kind of danger, James, for no man in England will take my life away to make you king!"

From September 6 to September 20, Kirkby and Tonge continually pestered Danby and other members of the government to notice their plot. Every time, they were firmly rebuffed. This did not stop Oates, in hiding, from continuing to elaborate and recopy his forty-three articles. By the end of September, they had grown to eighty-one articles, and were committed to Oates' memory.

Oates was still a mysterious informer to the government, and had not met Tonge for several weeks. Tonge had that time to imagine what would happen to him if Oates just disappeared. James was furious about the forged letters, and Tonge was not about to face that fury alone. When Oates finally did show up (wandering into Tonge's church), he was seized. Tonge had figured out a way to prove Oates' existence, and insure that

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6Burnet, pp. 281-2. 7Burnet, p. 282.

the government could not hush up the Plot. He took Oates to a well-respected JP, Sir Edmund Berry Godfrey, on September 6, and had Oates deposit the forty-three articles with him. Burnet knew Godfrey and respected his abilities as a magistrate. He wrote of Godfrey:

He had the courage to stay in London, and keep things in order during the plague; which gained him much reputation, and upon which he was kniughted . . . . He was thought vain, and apt to take too much upon him. But there are few men of a public spirit, that small faults, though they lessen them, yet ought to be gentle censured. I knew him well, and never had reason to think him faulty in that way. He was a zealous protestant, and loved the church of England; but had kind thoughts of non-conformists, and was not forward to execute laws against them.  

Tonge spent the rest of September vainly visiting government officials who showed no sign of interest in the Plot until September 27, when at James' insistence, Tonge was asked to meet the Council the next day. For security, Oates and Tonge again visited Godfrey, this time to swear to eighty-one articles, which included Oates' supposed discoveries during August and September. Tonge then went to the Council.

Unknown to Oates and Tonge, one of Godfrey's Catholic friends was named in this deposition. At Danby's suggestion, Oates had included a former secretary of James, Edward Coleman, as one of the plotters. Torn between his duty as a magistrate and his friendship with Coleman, Godfrey decided to warn his friend, who then burned any incriminating evidence. Unfortunately, Coleman's bonfire was not large enough, for he missed some letters from 1674-6 that were to prove his own undoing.

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9Burnet, p. 284.
The Council meeting began inauspiciously. Danby laid before the Council the eighty-one articles (which they did not have the time to read), as well as a confidential letter Tonge had written Danby to ask that Secretary Sir Joseph Williamson and Lord Chancellor Daniel Finch be left out of the investigation because of their animosity towards Tonge. Tonge's rambling testimony left many counselors smiling behind their hands. When asked for a condensed version of the eighty-one articles, Tonge was unwilling to even try, and suggested sending for Oates that afternoon. Expecting the afternoon session to be as boring as that morning's, Charles, Monmouth, James and several others left for the horse races at Newmarket.\(^{10}\)

The Council Oates faced on the afternoon of September 28, 1678 was chaired by the ill and rapidly aging Prince Rupert, a man whose bodily agility still outweighed his mental powers. Danby and Finch were again present, as was the Duke of Lauderdale, Charles' man in charge of Scotland, who despised papists. Williamson, two clerics, and about a half-dozen peers rounded out the group.\(^{11}\) Oates began, at their request, with a summary of the eighty-one articles, during which he was often interrupted with their questions. His supreme self-confidence, memory (the articles included 120 conspirators alone), and obvious knowledge of the Jesuit organization in England, Valladolid and St. Omers was convincing. Oates told them the plot was organized by Jesuits to murder Charles by shot, knife, or poison. Indeed he listed several dates in the spring and summer when attempts had been made—but each time something had

gone wrong (the pistol was loaded incorrectly, or they had forgotten the gunpowder, or their horse had gone lame at the last moment). The French and Spanish governments were providing money, 40,000 Irish were ready to rise, and English Protestants would be massacred. The plot was hatched at a Jesuit meeting on April 24, 1678, at the White Horse Tavern in the Strand and Oates was present, acting as their messenger (though he was really at St. Omers then).

Oates made no attempt at this time to implicate James. Instead he defended him. Oates claimed to have overheard one of the plotters say that "... the Duke was not the strength of their trust, for that they had another way to effect the setting up of the Catholic religion; for when they had destroyed the King they had a list of 20,000 Catholics in London, that were substantial persons and fit for arms, that would rise in twenty-four hours and less; and if James did not comply with them to the pot he must go also."¹²

Oates was still unsure how far he could go. It was safer to say little about a lot of people, and then wait to see who the Council would pounce on. They seemed most interested in the two people Oates named that were intimate servants of the royal family—George Wakeman, the Queen’s physician, who was accused of agreeing to poison the king and Edward Coleman, secretary of James’ wife, who allegedly got the money from the French government to pay Wakeman for it.

But most of Oates’ credibility was built upon his treatment of the forged letters sent to Bedingfield. Oates was expected to trip up on

¹²Kenyon, Plot, p. 74.
them, after which the Council could politely send him home, close up his file as another sham plot, and go enjoy themselves at Newmarket. Sir Robert Southwell recorded what actually happened:

At last thinking to confuse him by the said five letters, which contained such palpable matters of forgery as well as from the treason so grossly disguised in them as from the handwriting all appearing to be counterfeit, I was commanded there in their Lordships' view to show him those letters one by one, to see if he knew the hands. Which I did as much to his disadvantage as I could, by folding and exposing only a line or two of each; but he at a glance could name all the hands.

The Council was much impressed, but they still wanted to know why the handwriting and spelling differed from those men's usual handwriting. Oates confidently explained that the Jesuits often disguised their handwriting. Southwell reported that "this very thing took like fire, so that what he said afterwards had credit." The Council became "much changed in their opinion, and began to apprehend that there was some danger and mischief contrived against His Majesty."\(^{13}\)

If Oates wrote the letters, of course it would be easy to identify each at a glance. No one thought to ask him how he was able to identify the authors when their handwriting was deliberately altered to preserve anonymity.

The Council was convinced enough to issue immediate orders to pick up the five men who had allegedly been trying without success since spring to kill the king (Fogarty, Grove, Pickering, Conyers, and Fenwick). Charles was requested to return and chair an emergency meeting the next day, when Wakeman and Coleman were among those questioned. Oates did not fare as well at this session. One man refuted Oates' allegations so strongly that

\(^{13}\) Kenyon, *Plot*, pp. 79-80.
he was let go and never summoned again. One of the priests accused of writing one of the letters to Bedingfield scoffed at the illiteracy and produced a sample of his own handwriting, plus an alibi. This session was so unsuccessful that Oates retired, saying he was exhausted from staying up the past two nights helping to arrest suspects. The Council issued an order for the Lord Lieutenants to disarm all papists in the country. If nothing else, this one action aroused the attention of the rest of the country.¹⁴

The examinations continued. One young man who was accused cried out in anger and frustration—who was Oates, that he could threaten the lives of so many? And he warned the examiners to remember they must answer for their actions at the Day of Judgment. Wakeman was brought in, though not charged. He reminded them indignantly of his history of loyalty to the Stuarts and even demanded an apology. Coleman then offered himself freely to be examined. A brash young man, he appeared to have totally forgotten what was in some of his old correspondence, so sure was he of his innocence. They believed him enough to let him go home, although a guard was sent to stay with him.¹⁵

Charles had taken a strong dislike to Oates, and questioned him thoroughly in two days of meetings. Oates mentioned Lord Belasyse and Lord Arundell, and Charles defended them as loyal subjects who could not be accused "unless the proof against them were very clear," and Oates replied "he did not say they knew it, but were to be acquainted with it." A month later his memory got clearer and he claimed they accepted

commissions from the pope. He mentioned he had met Don Juan in Madrid.
Charles asked him to describe Don Juan, and Oates said he was a tall man
with black hair. Charles laughed, because Don Juan was short, fat and
red-headed. Oates replied smoothly that the man he met was only called
Don Juan, and "he could say no more [than] he was told." Charles stomped
him again on the layout of Paris, because Oates had never been there,
though he claimed to have delivered letters to La Chaise, Louis XIV's
Jesuit confessor. Oates claimed the Jesuit college was near the Louvre,
and Charles again laughed (because that would be like claiming St. Pauls
was on the banks of the Thames). Oates also had some awkward moments in
explaining why he spelt La Chaise's name LeSree after delivering several
letters addressed to him. He talked about Coleman's correspondence with
La Chaise, and mentioned "that if his papers were well looked into there
would appear that which might cost him his neck."16 Either Oates
suspected something, or was just incredibly lucky in pointing to Coleman.
Charles himself disliked Coleman (he thought the man meddlesome), and had
several times asked James to dismiss him. Of all the people executed or
accused in the Plot, Coleman was the only one Charles believed to be
guilty. Oates might have assumed that if enough suspects' papers were
confiscated, something was bound to turn up. The government had to
purchase several chests to hold all the Jesuit papers taken, but in all of
those papers only one or two were ever used as evidence. And the five
forged letters were never used in court, although they were enough to land
Bedingfield in jail, where he subsequently died before trial. Orders were

16Kenyon, Plot, pp. 80-81.
issued that night for the seizure of Coleman's papers and the arrest of at least nine suspects. At this point, everyone was confused and tired, and Charles decided to return to Newmarket and leave the rest to a secret committee of the Council consisting of Prince Rupert, Finch, Danby, Coventry, and the Bishop of London (who had not yet attended a meeting). Charles told the French ambassador before he left that he did not believe Oates and thought him "a wicked man," though he recognized that his accusations must be investigated. Sir Robert Southwell grasped the situation by commenting, "What should herein be omitted at the Council Board will infallibly be taken up at the House of Commons." 17

At the conclusion of this meeting, the still sceptical Coventry wrote about Oates, "If he be a liar he is the greatest and adroitest I ever saw, and yet it is a stupendous thing to think what vast concerns are like to depend upon the evidence of one young man who hath twice changed his religion." 18 The Lord Chancellor wrote, "Amongst the many bags of papers that have been seized there doth not appear one line relating to this matter; so that all depends upon what one witness will swear he saw, or heard read, without any concurrent circumstance to confirm his testimony." 19 To try anyone for treason, the law required two witnesses, as Coventry recognized when he wrote on October 8: "Would two witnesses swear but half that which one doth, there would be enough to hang a great many men." 20 So despite the wealth of evidence from Oates, the government could not prosecute until another witness stepped forward.

Charles and James could see through other parts of Oates' "evidence"

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17 Kenyon, Plot, p. 84. 18 Helm, p. 41. 19 Kenyon, Plot, p. 86.
but dared not reveal where he lied. How could they announce that the French government could not want to assassinate Charles and make England Catholic when he had already agreed with Louis to impose Catholicism in England at a future date? How could James contradict Oates' evidence of a Jesuit consult he swore was held at the White Horse Tavern on April 24, when in fact it was held in James' apartments at St. James Palace? It really says something for the self-discipline of the Jesuits that many who were arrested knew the meeting was at St. James, but none revealed the secret (indeed it was not discovered until the early nineteenth century). It is possible that Oates did know the meeting was in James' apartments, but changed the location for his own protection. When the plot gained strength and Oates became a feather in the Whigs' cap, what a potent piece of blackmail that information could form. Anyway, the most damaging papist correspondence was to be found in Charles' and James' closets. Luckily the secret Treaty of Dover was also not discovered until many years after Charles' death. Charles' ability to keep his head in the coming crisis was admired by contemporaries. But knowing what historians know today, his performance was masterly.

Reading the incredible detail of Oates' narrative and knowing that no one could recall from memory such a profusion of detail covering each day, the confidence he inspired is almost understandable. Real meetings interspersed with fictional ones, real people mingling with others of whom no trace could be found—had Oates lived in a later century he could have
made a living as a writer of historical fiction. It proved easy to smear a religious minority that was already viewed with intense suspicion and fear. Once the Opposition and the press got hold of Oates' information, they cemented the impression of the people that the Catholics were actively seeking a chance to stab their Protestant neighbors in the back.

As John Evelyn observed in his diary on October 1, 1678:

The Parliament and the whole Nation were alarm'd about a conspiracy of some eminent Papists for the destruction of the king and introduction of Popery, discover'd by one Oates and Dr. Tongue, which last I knew, being the translator of the 'Jesuits' Morals'; I went to see and converse with him at White-hall, with Mr. Oates, one that was lately an apostate to the Church of Rome, and now return'd againe with this discovery. He seem'd to be a bold man, and in my thoughts furiously indiscreete; but every body believ'd what he said; and it quite chang'd the genius and notions of the Parliament, growing now corrupt and interested with long sitting and court practices; but with all this, Popery would not go down. This discoverie [the Plot] turn'd them all as one man against it, and nothing was don but to find out the depth of this. Oates was encourag'd, and every thing he affirm'd taken for gospel; — the truth is, the Roman Catholics were exceeding bold and busy every where, since the Duke [James] forebore to go any longer to the Chapel. 21

"Bold and busy" certainly turned out to be an apt description of Coleman. The search of Coleman's house turned up some forgotten letters from 1674, 1675, and part of 1676. Without James' knowledge, Coleman was trying to get the same advantages for James that Charles had gotten from Louis in the Treaty of Dover. The bulk of the correspondence was taken up with pleas for money to support James' friends and protect his interests. Coleman spoke very indecently of the king in comparison with his saintly brother, who would be the savior of his people. "God has given us a

prince [James] who has by a miracle, become ardently desirous of being the author and the instrument of this glorious enterprise; but we are certain to meet with so many obstacles and so much opposition, that it is important to afford us all the help that one can."\textsuperscript{22} Even Charles was shaken—this was the closest thing to treason Oates would find. Charles publicly said that Coleman would not escape the death sentence if justice were done. But the one phrase that confirmed the public's worst nightmare was in a letter to La Chaise, in which Coleman wrote, "We have a mighty work on our hands, no less than the conversion of three kingdoms, and by that perhaps the subduing a pestilent heresy which has domineered over part of this northern world a long time." Coleman was a bungling amateur plotter, who vainly thought his correspondence with great men made him great himself. It was just icing on the cake that Coleman's correspondence was written in an easily broken cypher.\textsuperscript{23}

Coleman's bombastic insinuations were taken as confirmation of Oates' plot. Any doubts raised by Charles' questions at the last meeting were forgotten. Tonge, in glorious triumph and installed with Oates in apartments at Whitehall, asked Gilbert Burnet to call on him there. Burnet wrote of the meeting:

\begin{quote}
I found him [Tonge] so lifted up, that he seemed to have lost the little sense he had. Oates came in, and made me a compliment, that I was one that was marked out to be killed. He had before said the same to Stillingfleet of him: but he made that honour which he did us too cheap, when he said Tonge was to be served in the same manner, because he had
\end{quote}


translated the Jesuits' morals into English. He broke out into a great fury against the Jesuits, and said, he would have their blood. But I, to divert him from that strain, asked him, what were the arguments that prevailed on him to change his religion, and to go over to the church of Rome: He upon that stood up, and laid his hands on his breast, and said, God and his holy angels knew, that he had never changed, but that he had gone among them on purpose to betray them. This gave me such a character of him, that I could have no regard to anything he either said or swore after that.24

If Coleman was Oates' first piece of luck, the next was forthcoming. By October 12, Godfrey was no doubt extremely troubled about his friend Coleman, and perhaps fearful that Coleman might tell who warned him to destroy all his other papers. He left his house in a melancholy mood, completed several errands in the City, and then disappeared. Within days, rumors that he had been assassinated were about. On October 17, his body was discovered on Primrose Hill. An autopsy also showed he had not eaten for two days prior to his death. Gilbert Burnet and Dr. William Lloyd were among the first to view Godfrey's corpse. Burnet recorded what they (and many other Londoners) saw:

His sword was thrust through him; but no blood was on his clothes, or about him. His shoes were clean; his money was in his pocket, but nothing was about his neck [his cravat was missing, and was presumed to have been used to strangle him]; and a mark was all round it, an inch broad, which showed he was strangled. His breast was likewise all over marked with bruises, and his neck was broken. All this I saw; for Dr. Lloyd and I went to view his body. There were many drops of white wax-lights on his breeches, which he never used himself. And since only persons of quality, or priests, use those lights, this made all people conclude in whose hands he must have been. And it was visible he was first strangled, and then carried to that place, where his sword was run through his dead body. For a while it was given out, that he was a hypochondriacal man, and had killed himself. Of this the king was possessed, till Dr. Lloyd went and told him what he had seen. The body lay two days exposed, many going to see it, who went away much moved with the sight. And indeed men's spirits were so sharpened upon

24 Burnet, p. 284.
it, that we all looked on it as a very great happiness, that the people did not vent their fury upon the papists about the town.\textsuperscript{25}

In the centuries since the crime, many different solutions have been offered—from suicide to murder by a homicidal peer that had a grudge against Godfrey. But no solution satisfies all the evidence. The least likely solution is the one that every Londoner believed—that the Jesuits killed Godfrey when he refused to give them the eighty-one articles. Parliament was due to meet in less than a week, and London was gripped by a hysteria fanned to its fullest by the new twosome of Shaftesbury and Oates.

Until Godfrey's death, Oates had been guided by Danby's hand, who had hoped a threat on Charles' life would bring the king sympathy in the upcoming Parliament and soften their anger over the army. Oates had taken care to exonerate James, who was on the list to be assassinated anyway because the Jesuits thought his love of his brother would not endear James to them once they had killed Charles. But just as Danby wanted to get political advantage by using the Plot, so did Lord Shaftesbury. He commented on Danby's support of the Plot, "Let the Lord Treasurer cry as loud as he pleases against Popery and think to put himself at the head of the Plot. I will cry a note louder, and soon take his place."\textsuperscript{26} When Oates had been at court long enough to notice who was in the stronger position, he allowed Shaftesbury to entice him into the opposite camp.

\textsuperscript{25}Burnet, p. 285.  \textsuperscript{26}Chapman, p. 63.
Roger North picturesquely described Shaftesbury as the nurse who "took Charge of leading the monstrous Birth [Oates], till it could crawl alone." Oates began to "remember" evidence to give the Plot a new direction. The Opposition's whole purpose was to force Charles to dissolve Parliament because they knew they would gain control of the Commons in a new election. Charles, for the same reason, would do everything possible to appease Parliament. Charles formed a committee under the Duke of Monmouth to investigate Godfrey's death. The committee members visited the scene of the crime and interviewed witnesses. But the Whigs would not be satisfied with any of the government's actions. In the next two months, Charles would be stretched to the limits of endurance as the Opposition used the hysteria generated by the Plot in an attempt to crucify his chief minister, his brother, and even the Queen.

27 Helm, p. 41. 28 Watson, pp. 91-2.
CHAPTER III

THE POPULARIZING OF THE PLOT

A Cheat to the Publick is thought infamous, and yet to accuse him is not thought an honourable part. What a Paradox!

—George Savile, Marquis of Halifax

"Of Punishment" (Savile, p. 229)

For Edmund Calamy, diarist and son of a Non-Conformist minister, one of his earliest memories as an adolescent was the atmosphere in London after Godfrey's death:

The discovery of this plot put the whole kingdom into a new fermentation, and filled people universally with unspeakable terror. To see the posts and chains put up in all parts of the city, and a considerable number of the Trained Bands drawn out, night after night, well armed, watching with as much care as if a considerable insurrection was expected before morning; and to be entertained from day to day with the talk of massacres designed, and a number of bloody assassins ready to serve such purposes, and recruited from abroad to support and assist them (which thing were the general subjects of all conversation) was very surprising. . . . . The frequent execution of traitors that ensued and the many dismal stories handed about continually, made the hearts, not only of the younger, but the elder persons to quake for fear. Not so much as a house was at that time to
go met with but was provided with arms nor did any be to rest at night without apprehensions [that something] very tragical might happen before morning.¹

A good way to gauge the temper of the Londoners is by the number of men sent to patrol the streets at night in an emergency. The London trained bands were first called upon on October 5, 1678 to disarm all papists in the City. On October 29 a regiment was posted throughout the city and until December 1681 London was guarded from one day to the next by trained bands varying in size. From October 29, 1678 to March 8, 1679, the City was guarded by one regiment (between 1,252 and 1,660 men). Charles realized that the people's fear was partly maintained by the soldiers in the streets and in March 1679 he cut the number in half. The Whigs watched in dismay as the companies were reduced. They realized that Shaftesbury's "papist-baiting rhetoric was most powerful when he could point his finger to the militiamen in the streets and hail them as the City's necessary security against the evils he had catalogued." The Whig leaders continued to request more soldiers on guard, and the city continued to politely refuse their request.²

Southwell commented that living in London "during that intevall I could have lived with more ease in a powder mill."³ The author of a pamphlet that declared Godfrey's death was suicide was pilloried and stoned by a London mob.⁴ Godfrey's body laid in state until October 31. Londoners filed past the corpse, shook their fists and called for

vengeance. A commemorative medal was struck in Godfrey's honor, and on October 20 the government declared a £500 reward for information that led to his murderers. Excitable Londoners expected nightly to be massacred, as the City Chamberlain declared, by "the next morning, we may all arise with our throats cut." Shaftesbury insisted that his wife carry a pistol in her muff, and other fashionable ladies rushed to do the same. Rumor and speculation were rampant. Officials in Yorkshire had received reports of the situation in London: "That daily carts are loaded with arms found in papists' houses and carried to the Tower, and that an absolute change of government was intended if it [the Plot] had succeeded, and that a model of that intended government was found among Coleman's papers [which was not true]."5

A Frenchman was arrested near Whitehall because he was found to be in possession of a considerable amount of explosives. He turned out to be the king's fireworks-maker. Some children were interrogated by the government after reporting they had seen a man transporting fireballs (another Papist, they were sure, who was preparing to burn the city). Nothing was too outrageous to be investigated. The Countess of Sunderland, whose husband was in the thick of events, wrote her friend John Evelyn from Whitehall on October 28:

I can never want inclination to give you any satisfaction in my power, but there is yet little discovery made. On Saturday the Commons made an address to the King to banish all the Catholics to twenty miles from London, which was favourably answered. There were named to go to-night to visit the prisoners in Newgate Lord Treasurer [Danby], Lord Shaftesbury, Lord Essex, Lord Clarendon, and the Bishop of London, in order to examine them, and to report to the House; but they could not learn any thing of them; found Coleman very insolent, and not at all inclined to enlighten

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5Kenyon, Plot, p. 80.
them. They are to go again to-day, to try for better success. This day the two Houses were much alarmed with Sir Edward Rich, of Lincolnshire, coming in when they were sitting, and bidding them begone, or they would all be blown up; upon which there was search made, but nothing found, and he looked upon as a madman. The Commons sent up to the Lords to join them in making all papists incapable of sitting in either House, but as yet they have done nothing in it. There is a strange consternation amongst all sorts of people. I beseech God to fit us to bear all the sad things we have in prospect prepared for us. Madame Mazarin [an ex-mistress of Charles] was named in the House of Commons to-day for one of the Pope's emissaries: 'twere to be wished that assembly would stick to the weightier concerns of our laws and religion, but God knows what is best for us. When there is anything new, assure yourself you shall hear from yours very sincerely,

A. Sunderland. 

As the rumors flew, party policies and party members formed and regrouped. The Whig membership included such influential men as Shaftesbury, Halifax and Essex—and soon Oates and Mounmouth. The Tories included the king, James, Danby, and William Temple, the highly respected ambassador to Holland. The political weight was almost even—and when later Halifax and Temple switched sides over Exclusion, they even switched about the same time. The fight for control was all the more bitter when every single vote counted.

Sometime in October 1678, it was proposed to Charles that he divorce Catherine the Queen and remarry to start a legitimate family, which would supercede James in the succession. He refused without hesitation; "They think I have a mind for a new wife; but, for all that, I will not see an innocent woman abused." It was suggested that he could pass over James for William and Mary, but that was a gamble for both the Court and Country

6Evelyn, pp. 251-2. 7Norman, p. 165.
parties. No one seriously believed James would keep the peace if he saw his crown handed over to anyone else. The Opposition did not favor William and Mary for several reasons. They had no children after five years of marriage, William was a Stuart who might not accept the shackles Parliament would insist upon, and James' wife was only twenty and might still have a living son to complicate Mary's inheritance.

Shaftesbury's and the Whigs' chief qualification for a potential king was a man who would be malleable and grateful to the party that gave him the Crown. Monmouth was the perfect choice. From the early 1670's, Charles had given him increasing responsibility. He had successfully commanded the English troops at Maastrict, soon after the Test Act. After James' resignation as Lord High Admiral, James was known as the Catholic Duke, and Monmouth was called the Protestant Duke. Lines were drawn between uncle and nephew, who previously were quite friendly. How could James help but be jealous of this handsome and popular young man? And Monmouth, perhaps unwittingly, fed his jealousy. When Monmouth was offered governorship of Scotland and Ireland, he "modestly refused it, telling his Majesty that he desired to appear in action while the war continued and in time of peace he feared that employment would draw upon him the envy of the Duke [James]." James was an experienced soldier and sailor, but was not allowed to see action because Charles feared for his safety as his heir. It was galling for him to watch his nephew taking all the laurels, while he was sidelined like a timid old man.

As a candidate for kingship, Monmouth was just vain enough to want the Crown, popular enough to make a stab at it, but smart enough to

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8Watson, p. 69.
realize he needed a political party behind him. A year before, Shaftesbury had wiled away his sojourn in the Tower by composing a list of peers, each of whom was given a rating. Monmouth got three V's, for Vileness to the third degree. But it was just that weakness in his character that Shaftesbury was able to exploit. He wooed Monmouth into the Whig party without ever publicly saying he would make him king.\footnote{Haley, pp. 464, 466.}

The upcoming Parliament was to be the battlefield. The Whigs were determined to agitate Charles to such an extent that he would dissolve Parliament, and Charles was just as determined not to be baited. Charles was more concerned with the international situation than the Commons squabbling over the papists and Godfrey's murder. Charles believed that his government had the situation under control; a reward was offered, a committee set up to investigate all leads, and an order was out to the Lord Lieutenants to disarm all papists. Parliament finally met on October 21, 1678, hungry for news of the Plot, and Charles angered them in his opening speech focusing on the international situation—regularly punctuated by requests for money. He only mentioned the Plot when he said he was taking all the necessary precautions and intended to leave the matter to the law. The Commons was angry that the Council did not offer to share with them the information they had gathered—it only made them suspect that Danby and James were attempting a cover-up.

The Commons chose a committee with a Whig majority to draft legislation to protect the king. The banishment of papists from London referred to by Lady Sunderland was passed on October 30, and chains were
put across the streets at night. The House of Commons and the Lords each chose a committee to inquire about Godfrey's death, and the Lords successfully requested of the Council the mass of papers (largely unread) that they had taken in their searches. By October 23, the Lords had read enough to want Coleman tried. The Commons, who did not have access to the papers, requested Oates appear before them. He made a big show of asking for an armed escort before he would appear.

The Commons swallowed Oates' story whole, and was also impressed enough to grant him a pension of £1,200 a year, apartments closer to the king's at Whitehall, and a bodyguard at his disposal. Oates returned the next day, and began adding to his original testimony. The Commons heard the first reading of a bill to exclude Catholics from both Houses, and arrested some more of the men Oates had accused. James wrote to his son-in-law, William of Orange, "When he will make an end of accusing people the Lord knows." 10

Many of the Catholic aristocracy did not wait for Oates' accusing finger. The number of groups who left the country legally, by getting a pass from the Secretary of State, was sixty-five by the end of January 1679, and between February and July 1679, a further ninety people left. The usual number was two or three a month. 11 The Tory government considered them an embarrassment, not a threat, and it was usually easy to leave. Beginning in November 1678, Charles issued proclamations aimed at enforcing the laws already in existence against Catholics, hoping to reduce the pressure for new laws. Of all the new laws proposed, only the

10 Arthur Byrant, King Charles II (London: Collins, 1955), pp. 220, 222. A sentiment echoed endless times over the next several months.

11 Kenyon, Plot, p. 225.
Second Test Act was passed. Suspected Catholics had to refuse the oath to be convicted of recusancy, and the government could not track down those that left the country to administer the oath. Those that stayed behind dared not voice their sentiments about the Plot. As Roger North explained:

It was not safe for anyone to show scepticism. For upon the least occasion of that sort, What, replied they, don't you believe in the Plot? (as if the Plot were turned into a creed.) Then, if one was not straight converted, the word was, do you believe there is a Plot? That must be admitted [that papists since the Reformation have sought reintroduce their own model of Church and State]. But what is all that that to Oates? Nay, say they, if you will allow there is a Plot, we will make no doubt that this is it. And this sort was the reasoning at that time even amongst the better sort of people who should know better.

North's description of Godfrey's funeral throws some light on the growing hysteria in the streets. A huge crowd gathered for the funeral sermon, and two burly divines stood on each side of the preacher to protect him from assassination by the papists. Actually, the likelihood of any Catholic surviving an attendance at that ceremony was doubtful. North described the atmosphere in the crowd as being "so heated that anything called Popish, were it cat or dog, had probably gone to pieces in a moment." Most Catholics thought it wise to stay home that day, but nevertheless there was "upheld among the common people an artificial fright, so as almost every man fancied a Popish knife just at his throat."

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13Kenyon, Plot, p. 111.

14North, Examen, p. 203.
The Marchioness of Worcester wrote to her husband in November 1678: "I cannot but lament the unhappy age we live in, when a man whose whole life hath been nothing but villainy and pageantry, and whose word would not have been taken for sixpence, shall now have it in his power to ruin any man."\textsuperscript{15} Much as this description would apply to Oates, it was actually written about the newest informer, William Bedlow.

Bedlow was a con-man with an international reputation. After years of swindling Englishmen, England got too dangerous for him, and he left with his brother for the continent. There William posed as a nobleman, and his brother James as his valet, and they robbed their way from Holland to Spain. Bedlow also picked up extra money as a courier for the Jesuits, and perhaps in that capacity met up with Oates in Valladolid. According to later testimony of Bedlow's sister, the two discussed in Spain their knowledge of the Jesuit organization and how they might use it. They met in Oates' room at the college, and when he temporarily left to fetch them something to eat, Bedlow stole ten crowns from Oates' drawer and disappeared. About a year later, Bedlow was so impressed by the scene Oates was creating in London, that he wrote the Secretaries of State that he also knew about the Plot.

When Bedlow arrived in London, he pretended he had never met Oates before. But he forgot to rehearse his mother and sister who were also questioned, and they told the government of the two men's meeting in Spain.\textsuperscript{16} That Oates and Bedlow were not taken to task for such an outright deception shows again the maxim of those times—the majority of

\textsuperscript{15} Kenyon, \textit{Plot}, p. 110.

people believed because they wanted to believe. Bedlow claimed to know about Godfrey's murder. The government wanted a conviction in that case, in the hope that the furor would subsequently die down. The Opposition wanted Bedlow, too, when it became clear he would perjure himself without a qualm for notoriety and money. However, he was initially brought in by the Court Party, who hoped he would be a witness they could manipulate. He was rushed in to be questioned personally by the king on the day he arrived in London. Bedlow said the murder had been committed at 2:00 P.M. by two Jesuits, Le Faire and Walsh (who were never found), a servant of Lord Bellayse and a man who served in the Queen's Chapel. They had cornered Godfrey in a yard and demanded Oates' depositions. When Godfrey refused, they smothered him with a pillow (he added the next day when he heard of the autopsy's report that they strangled him). Bedlow arrived after Godfrey was dead and helped move the corpse to the Queen's Chapel. Later they moved it to Lord Bellayse's house, then dumped it on Primrose Hill. Bedlow was asked why the Jesuits killed Godfrey over Oates' depositions. He replied that the Jesuits supposed if Oates had to repeat them, they might be different from the first ones, which would throw doubt on them. Under further questioning, he named several country gentlemen who were each to raise 20,000 men when Charles was murdered. But he kept his testimony vague because he had not yet met with Oates. The next day he testified in the House of Lords with a longer and more specific story than he had given the king. Charles noted sourly that the man had obviously been coached overnight. 17

17 Petherick, pp. 68-70.
Bedlow had changed certain crucial points. James pointed out that the yard at Somerset House at 2:00 P.M. was quite busy, and records showed that a company of foot was on guard that day because the king was visiting the queen. Bedlow "remembered" the murder had happened later in the day, and that Godfrey was smothered, then strangled. He also changed the list of those he saw at the scene of the murder. He had learned that Samuel Atkins, a servant of Samuel Pepys, was in jail accused of complicity in Godfrey's murder. So he added that there had been one more man around Godfrey's corpse, who had obligingly identified himself as "Mr. Atkins, Pepys's clerk." This infuriated the rogue whose accusation had landed Samuel Atkins in jail, as he wanted the £500 reward for himself. With the most embarrassing kinks worked out of his testimony, he appeared before the House of Commons. Bedlow made no attempt to hide his past profession; quite the contrary, he appeared rather proud of his scams. When he first appeared before the House of Commons on November 10, 1678, he announced, "Mr. Speaker, I have been a great rogue, but, had I not been so, I could not have known those things I am now about to tell you." After telling his story to the Commons, he showed that he was still apprehensive about his past victims catching up with him. He asked for a pardon for all offenses committed before November 1, 1678. Oates had received a similar pardon before he would testify. But he was not satisfied unless the murder of Godfrey was specifically listed in the pardon. Charles refused that condition, and Bedlow had a nervous week to endure until Charles could be brought to sign the amended pardon.

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18 John Harold Wilson, The Ordeal of Mr. Pepys' Clerk (Columbus: Ohio State University Press, 1972), pp. 57-58.
19 Petherick, pp. 70-74.
The initial question is, why did Bedlow believe that he needed a pardon for a crime he was accusing others of committing? He apparently felt he would later be accused himself.

Bedlow became as popular as Oates. The Country Party discussed raising a statue to him, and his portrait was sold in the streets. He was awarded the £500 reward for identifying Godfrey's murderers, a £10 a week allowance from the Secret Service funds, and apartments similar to Oates' in Whitehall. But not everyone was charmed. Roger North later recorded his impression of Bedlow: "But if I ever saw an imposter, or have any guess at one from the air of his procedure, this was a rank one."\(^\text{20}\)

The reward for information on Godfrey's murderers, with a pardon for the informants, brought scores of professional and amateur perjurers out of the criminal underworld. But it took persistence and luck to get past the first interview with the Secret Committee—those Whig members of a committee to sort through the tales of informers. On October 30 one such informer, Captain Charles Atkins, came to the Committee with a vague tale implicating a disreputable friend, John Child. The Committee did not find him convincing and, after hearing Child's vehement denial of the accusation, thanked Atkins and sent him home. Child was sent to Newgate just in case. But Captain Atkins decided to make a second try for the hefty reward, and settle an old score as well. Atkins was currently out on bail, awaiting a court martial for cowardice. His list of grievances against Samuel Pepys culminated in the fact that Pepys was arranging his court martial. Captain Atkins styled himself a friend of Pepys' young

clerk, Samuel Atkins (no relation), from whom he was accustomed from time to time to borrow money that he had no intention of repaying. The Captain knew Pepys had been in Newmarket with the king when Godfrey was murdered. But in accusing his clerk, he could cause Pepys trouble, perhaps stall his own court martial, and collect the £500 reward as well.\(^{21}\)

On November 1, helped in particulars by his uncle, Sir Philip Howard, a JP who took his nephew's testimony on oath, Captain Atkins swore that Samuel approached him to ask if Child would be willing to kill Godfrey. He claimed that Child then met with Pepys, agreed to perform the murder, and asked Captain Atkins to assist him. Sir Philip Howard delivered the declaration to Secretary Coventry, then rushed off to tell a delighted Shaftesbury. Shaftesbury had his own grudge against Pepys, who was also known to be a favorite of James, with whom he had worked in the Navy. The Secret Committee, consisting of Shaftesbury, Halifax, Essex, Buckingham, the Bishop of London and Bishop of Winchester, met with Sir Philip that night, and sent out a warrant for Samuel Atkins. He was arrested (for what he was not told) and brought to the Secret Committee the same evening to be interrogated. They first introduced him to John Child and were angered that the two did not know each other. He was then accused by Captain Atkins to his face of planning, with Child, Godfrey's murder. Samuel was so angry that he did not stop with a denial of the Captain's story, but also went on to inform the Committee in detail of a swindle Atkins had tried to involve him in, and the circumstances for which he was due to be court-martialled. The Committee listened to him with impatience,

\(^{21}\)Wilson, Clerk, pp. 27-8.
and when he finished tried again to coax him into admitting the Captain's allegations.\textsuperscript{22}

When it became clear that the stubborn twenty-one year old clerk could not be won over with wheedling words, the Committee became belligerent. But even threatened with imprisonment, Samuel stood fast, "I know also the laws of God bring me under a worse guilt if I tell a lie, which I must do if I say anything in this matter different from what I have done."\textsuperscript{23}

If things looked bleak his first night in Newgate, it became worse the next week when Bedlow heard about him and decided to exercise creative license and work Samuel Atkins into his previous testimony. This opened up new possibilities for the Opposition Party. If they could get Samuel to "admit" that Pepys hired Child, then it would take only one more step to "prove" that James had asked Pepys to do it.\textsuperscript{24}

To read Samuel Atkins' account of his arrest, interrogation, imprisonment, and trial is to see how the hysteria of the Plot and the legal system were intertwined. Atkins' first days in jail were all the more hellish because he could not honestly remember where he was on one particular night several weeks before. As was often the case in seventeenth century trials of this nature, he was not allowed counsel (the judge was supposed to protect the defendant's interests in court), nor the right to subpoena witnesses for his defense. If a witness did voluntarily appear to testify on his behalf, witnesses for the defense were not allowed to testify under oath even though those for the prosecution did.

\textsuperscript{22}Wilson, Clerk, pp. 28-36. \textsuperscript{23}Wilson, Clerk, p. 40. \textsuperscript{24}Wilson, Clerk, p. 58.
Atkins himself could cross-examine witnesses and make a statement, but again not on oath. The judge was responsible for listening to the prosecution, supervising the defense, and examining the witnesses. The judge was an active participant, and did the summing up for the jury.\textsuperscript{25} The deck was stacked in favor of the prosecution, and only the favor of the judge (who usually ran with public opinion in trials such as those of the Popish Plot) might cause an acquittal.

In Atkins' case, his jailor had allowed him paper after he had been for some time in Newgate, and Samuel had used it to write out exactly where he had thought he had been on the night in question to aid him in forming a defense. His jailor then illegally appropriated all the papers and delivered them to the prosecution. The prosecution, backed by the Opposition, realized that Samuel, with Pepys' gathering witnesses for his defense, was going to present a very strong case. Bedlow was warned and altered his testimony to say he could not swear for sure it was Samuel, but that someone introduced to him as "Mr. Atkins, Pepy's clerk," was at Somerset House between nine and ten at night. Since Bedlow had never positively identified Samuel as the man he saw that night, Samuel's acquittal would not destroy Bedlow's credibility as witness. Bedlow had wiggled out of a potentially disastrous situation, for Pepys had brought in many witnesses to swear to Samuel's exact whereabouts the whole weekend his master was in Newmarket.\textsuperscript{26}

The testimony of these witnesses provided the only comic relief of the whole Plot. The first night Pepys had been away, Samuel had gone to a

\textsuperscript{25} Helm, p. 10. Also see John Pollock, \textit{The Popish Plot} (London: Duckworth & Company, 1903), pp. 289-291.

\textsuperscript{26} Wilson, \textit{Clerk}, pp. 84-88.
play with friends. The second night, he had gotten drunk with the same friends, was involved in a brawl, and spent the next morning with a hangover. The third night, on which Bedlow had originally sworn he had seen Samuel over Godfrey's corpse, Samuel had gone directly after work on a cruise with a Captain Vittles and two lady friends. All were ready to testify that Samuel was "soundly foxed" with wine when he got off the boat at 10:30 that night. He took one of the ladies home with him, which was confirmed by his landlady and her maid, both of whom discovered them in Samuel's room the next morning, for which he was given a severe scolding by the landlady.27

Bedlow (who decorated himself with the title of "Captain," which he deserved as much as Oates deserved the title "Doctor"), had struck out with the case against Samuel Atkins, and he needed to re-establish himself as an informant. The two Jesuits he accused of Godfrey's murder could not be found, so he accused Miles Prance, a Catholic silversmith who had been unfortunate enough to be heard saying the Jesuits were honest men. Crazed with fear, Prance saved himself by "confessing" his guilt and implicating three of the Queen's servants, Green, Berry, and Hill. The men were all innocent, and Prance recanted his confession to Charles in person. He later recanted his recantation, and said they were guilty, then said they were innocent, and lastly, freezing in a cell in prison, got himself freed by saying again they were guilty. He saved himself, but three servants of the Queen died because of his evidence.28 He followed Oates around like a pet, and wrote his own history of the Plot. His was a classic example of

27Wilson, Clerk, pp. 68-75.

how a weak man could be frightened or, in his case, frozen, into compliance.

Others were not so lucky. Coleman's trial in late November was a foregone conclusion. Oates and Bedlow, testifying in their first big trial, did so poorly that Justice Scroggs hustled them out before they could further damage to their reputation as witnesses. But as Burnet wrote,

There are seasons of believing, as well as of disbelieving; and believing was then so much in season, that improbabilities, or inconsistencies, were little considered. Nor was it safe so much as to make reflections on them. That was called the blasting of the plot, and disparaging the king's evidence; though indeed Oates and Bedlow did, by their behavior, detract more from their own credit than all their enemies could have done. The former talked of all persons with insufferable insolence; and the other was a scandalous libertine in his whole deportment. 29

There was enough in Coleman's own papers to convict him, and he was executed December 3, 1678. The first of several laymen, a Catholic banker, William Staley, was also tried and executed. He had been convicted of calling the king a rogue who persecuted Catholics, and boasted he would stab the king himself if no one else would. The two witnesses whose testimony convicted him had tried to blackmail Staley first, but when he refused to pay they took their testimony to the authorities. Gilbert Burnet made the mistake of mentioning to certain prominent people that he did not believe the witnesses, and that though he "wished they would make use of the heat the nation was in to secure us

effectually from popery," he also "wished they would not run too hastily to the taking men's lives away upon such testimonies." Shaftesbury warned him that those who did not believe the evidence could be considered "public enemies," and "it went so far that I was advised not to stir abroad for fear of public affronts." Burnet, whose political sympathy was with the Whigs, but whose moral sympathy was aroused by those he saw victimized, was able to subjugate his moral objections after that. Halifax noted the same of Charles; in the coming months he had to acquiesce to the executions of many men he believed innocent. Charles also let his political judgment overrule his moral judgment. Halifax observed of the king: "It must be allowed he had a little Over-balance on the well-natured Side, not Vigour enough to be earnest to do a Kind Thing, much less to do a harsh one; but if a hard thing was done to another Man, he did not eat his Supper the worse for it."  

Londoners' apprehensions that winter of 1678/9 were constantly fed by a flurry of trials. The Popish terror was at its height during these trials, and they were loudly supported by the London crowds. Although it was illegal to publish word for word the debates of Parliament, state trials were published and read eagerly by the people. Many political maneuverings were glossed over in the public's fascination with the trials and informers' discoveries. 

Samuel Atkins was arrested on November 1, 1678. The Catholic banker William Staley was tried for treasonable utterings on November 21, and executed on November 26. Coleman's trial was on November 27, and his

30 Burnet, pp. 287-8. 31 Savile, p. 205.
execution on December 3. On December 13, after stealing Atkins' papers in prison and interviewing Captain Vittles, the Secret Committee postponed Atkins' trial. On December 17 came the trial of those Catholics (Whitbread, Fenwick, Ireland, Pickering and Grove) accused by Oates in his articles of conspiring to murder the king. Bedlow, who was supposed to be the essential second witness, was unnerved at having been shown up by Atkins' alibi, and would not commit himself to testify against Whitbread and Fenwick. The other three were convicted but Whitbread and Fenwick were retained in jail until Bedlow's confidence returned.

Miles Prance came into the Plot on December 21, 1678. His lodger, who owed him several months rent, accused him of being away from his home when Godfrey was murdered. Bedlow planned a surprise encounter with Prance, where he exclaimed that Prance was one of the rogues he had seen about Godfrey's corpse. After much wavering, Prance turned king's evidence and joined Oates and Bedlow as informers on January 14, 1679. On January 24, two priests accused by Oates were hung, drawn and quartered. Charles reprieved another priest until May 9—the man had a solid alibi, but the jury had convicted him anyway. Edmund Calamy remembered the executions and Whig pope-burning ceremonies. "Though I was at that time but young, yet can I not forget how much I was affected with seeing several that were condemned for this plot, such as Pickering, Ireland, and Grove &c go to be executed at Tyburn: and the pageantry of the mock processions, on the 17th of November [to celebrate the champion of Protestantism, Elizabeth I's, ascension]."

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32 Wilson, Clerk, pp. 85-97.
33 Edmund Calamy, Historical Account of My Own Life (London: Chatto and Wondus, 1875), p. 84
Green, Berry, and Hill to be indicted for Godfrey's murder. To his credit, he had first accused two Irish priests he knew to be out of the country. On February 10, Green, Berry, and Hill were tried and condemned on the combined testimony of Prance, Oates, and Bedlow. On February 11, Samuel Atkins, who had been eagerly awaiting a chance to vindicate himself in court for three months, was finally tried and acquitted. All these trials were public, and attended faithfully by the London mob. At Atkins' trial, the press of the crowd was so bad that it even squeezed into the jury's box, and had to be forced out.\textsuperscript{34} Oates, especially, was ludicrous in the number of people he accused; 120 in his original deposition alone, and many were friends and acquaintances. Among them was a Catholic priest, a Father Preston, who had been Oates' confessor. His former schoolmaster, William Smith, wrote of the priest: "This Mr. Preston was known to be so deaf, that he could scarce hear, when he was whoop't and hollow'd to; so that Oates and his Confessor must have chose Salisbury Plain for their Chappel, unless they had a mind all People should hear them: Yet Mr. Preston upon this Oath lay in Newgate two or three Years."\textsuperscript{35}

At the end of October, Oates accused five elderly Catholic peers of plotting with the Jesuits to assassinate the king. The Lords Arundell, Powis, Petre, Stafford, and Belasyse were committed to the Tower. The House of Lords was upset at the arrest of its members, and began to side more with the king than the violent Whigs dominating the Commons. The Commons was determined to keep the pulse at fever-pitch and on October 31

\textsuperscript{34}Wilson, Clerk, pp. 85-97. \textsuperscript{35}Smith, p. 11.
passed a resolution "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 protestant religion." 36

William Smith wrote of a visit in early 1679 to Oates, Bedlow, and Prance in Whitehall. He found Oates talking about Godfrey:

Oates Laught at the business, and said, Here is Bedloe, that knew no more of the Murder than you or I did. But he got the Five Hundred Pound, and that did his work, and gave this Blockhead 301. of it. He pickt him up on the Lobby of the House of Lords [where Bedlow first saw Prance, before he arranged to "recognize" him in a cookshop], and took him for a Loggerhead fit for his purpose; at which Bedloe laught heartily, and Prance look'd a little dull, as displeased. At this Rate I have heard Oates and Bedloe Discourse very often, who used always themselves to make the business of Godfrey a Ridiculous Story, and Entertain'd themselves when in Private with the Jest on't. 37

The ridiculous picture Smith painted of these three primary witnesses was countered by a more serious one. Stephen Dugdale was a Catholic in his late thirties, moderate in speech and well-mannered. He was a more dangerous type of criminal—one whose appearance and manners gave no indication of his morals. He had been dismissed as steward from the Catholic Lord Aston's household in September 1678 for skimming money off the estate, but this information did not become public for some time.

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37 Smith, p. 25.
Lord Aston was frequently visited by prominent Catholics, and Dugdale used information he had gleaned or made up to corroborate some of Oates' accusations against the five Catholic lords and Wakeman. Burnet described Dugdale as "a man of sense and temper; [who] behaved himself decently; and had somewhat in his air and deportment that disposed people to believe him; so that the King himself began to think there was somewhat in the Plot, though he had very little regard either to Oates or Bedloe." The presence of Dugdale at the trials of Wakeman and Lord Stafford lent the government some degree of respectability.38

On November 2, 1678, Shaftesbury urged in the House of Lords that James be dismissed from the Council. Shaftesbury was pleased to see that a bill to prevent Catholics from sitting in the House of Lords, as well as preventing employment in the royal households was read with favor. At Charles' insistence, James agreed to drop out of the Council. Charles told both Houses that he was ready to support them in anything they thought necessary to protect the Protestant religion.39 But James, now out of the Council, was not ready to give up his seat in the Lords as well. James asked the House of Lords for a special proviso to specifically exclude him from the bill. The Lords were already angry about the arrest of the five other Catholic Lords, and heard James with some sympathy. James argued that, while he could not take the oath, he

38 Kenyon, Plot, pp. 158-9. When it became known why Lord Aston let him go, and that Dugdale had tried to bribe others to back him up at Stafford's trial, his credibility was seriously questioned. He gave way to alcoholism and after Stafford's execution, had hallucinations about seeing Stafford in the streets. He drank himself to death by March 1683. Dictionary of National Biography, vol. 6, p. 135.

39 Fraser, p. 361.
still had no intention of subverting the government, and ended by warning them that if they did not exempt him, he did not know what he might be forced into doing. The House of Lords voted to exclude him from the act by a majority of between six and twenty votes. He was exempted by the House of Commons by two votes. It was more important to the Opposition to have James out of Parliament than any number of Catholic Lords. James' exemption from the act was a defeat for the Opposition, who had caught the small fish, but missed the big one.

The small majority of votes that Danby had mustered to get James his special proviso showed how Shaftesbury's party was growing, and he was dangerously close to achieving a majority in the House of Commons. He held all the cards—either Charles could agree with whatever Parliament wanted, or he must dissolve it and risk a general election which would be the first in almost two decades. Parliament became more and more demanding. On November 4, William Sacheverell was the first to suggest in Parliament that the king and Parliament could determine at will the succession of the crown. Charles continued to show a willingness to consider safeguards in the event of a Catholic succession, but he still insisted the succession must be followed.

40 There is disagreement between sources as to how many votes made up the majority.

41 Haley, p. 481.
CHAPTER IV

THE SIGNIFICANCE OF THE GREEN RIBBON CLUB AND THE FALL OF DANBY

A Minister turned off is like a Lady's Waiting-Woman, that knoweth all her Washes, and hath a shrewd guess at her Strayings: So there is danger in turning them off, as well as keeping them.

—George Savile, Marquis of Halifax

(Savile, p. 197)

At the end of November, the House of Commons passed a bill to place control of the Militia in its own hands. Besides being an attack on the king's prerogative, it was the very measure that had begun the Civil War. Charles used another one of his prerogatives—the veto—for the first time in his reign, to quash the bill.¹ Josselin wrote worriedly in his diary: "... god prevent a breach to sever the parliament. the army is to bee disbanded, god in mercy watch over us, some threat as the greatest revolution wee ever saw, were at the doore . . . ."²

¹Fraser, p. 364. ²Macfarlane, p. 616.
The forthcoming struggle was waged on two levels: within the upper echelons of the Court and the House of Lords, and among the lower classes of the House of Commons and the citizens of London. The expression "mob" (short for the Latin "mobile vulgus") came into use at this time. The Court Party was slow to realize the efficacy of propaganda for the masses—they fought Shaftesbury within the confines of Parliament. The Country Party was much more adept at public relations and played on the paranoia of the mob.

It was the integrated membership of the Green Ribbon Club that made it possible for the lower classes to hear about parliamentary debates and other political maneuverings. They took up collections and established a common fund to finance party projects such as co-ordinating electoral campaigns, and publishing and distributing party literature. It was their efforts to involve every social class all over England that made them so formidable and inclined historians to point to them as the first real party in England.³

The Whig literature they helped distribute forced Protestants to conclude that they would have no security of life, liberty or property under a popish king. As John Locke asked, what possible security could there be against oppression and violence when the throne was occupied by "a declared enemy to society and mankind?" Another Whig succinctly concluded,

I would fain to see how it is possible to live in quiet with a people whose religion obliges them to destroy all converse

³Ashcraft, pp. 144-5, 175.
or human society, to murder their neighbors, assassinate their king, and subvert the government ... brutes and christians can never live and converse together.\(^4\)

The "No Popery, No Slavery" cry of the Green Ribbon Club reinforced the belief that a popish successor would have to rule by force. As early as 1675, Shaftesbury said in a public speech: "If ever there should happen in future ages (which God forbid) a King governing by an army without Parliament, it is a government I own not, am not obliged to, nor was born under." "No Slavery" also referred to property rights. Whig pamphlets constantly threatened that a popish king would repossess old church lands, or any the king fancied, to re-establish Catholic orders. Whig literature pointed out every possible pessimistic extreme that could take place under a popish king. William Lawrence wrote in 1680 that popery was characterized by kings who exercised "lawless arbitrary power" against their subjects "to dispose of their lands, goods, persons, liberty and property, at their [the king's] pleasure." Pamphlets on Exclusion argued with history, law, scripture, nature and reason in their efforts to persuade.\(^5\) Shaftesbury made it clear as he could, short of treason, that James' exclusion would mean a complete change in the way England would be governed. By his vagueness in what this change would entail, he could be all things to all people. Republicans, monarchists, and all types of revolutionaries, if not on his side, were sympathetic to his efforts in the hope that their preference of government might be adopted.

\(^{4}\)Ashcraft, pp. 196-7.

\(^{5}\)Ashcraft, pp. 201-203, 224, 240. The Court was late in answering, but an estimated 64,000 copies of literature by L'Estrange circulated in London between 1679-81.
While the Country Party publicly espoused no particular type of government should James be disinherited, the religion of that future government was not in doubt. In this resolve, Shaftesbury was firmly backed by the citizens of London. Whenever their hatred of papists began to cool, the Green Ribbon Club would hold a pope-burning procession, or distribute a scurrilous pamphlet to raise their passions. James wrote to William of Orange, "I cannot now but look on the Monarchy as in great danger, as well as his Majesty's person, and that not from the Papists, but from the Commonwealth party, and some of those . . . that govern the Duke of Monmouth, and who make a property of him to ruin our family."

The Green Ribbon Club was not the only political organization in London although they were the best known. Coffeehouses and political clubs were abundant and the middle and lower classes filled them with heated discussions on the current state of affairs. A cavalier wrote, "Yea, they have of late made our citizens statesmen, too, who[se] business lies quite another way, one would think; every little ale-draper now can tell what the privy council intend to do a month hence, and what the king ought to do . . . Very fine, by my troth!" Members of the Green Ribbon Club wore their green ribbons to proclaim their allegiance in street scuffles. The club encouraged everyone to join, especially gentlemen's sons new to London. Discussions at the King's Head centered on slavery and popery, and how to defend Englishmen from each.

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6 Watson, p. 95. 7 Craik, p. 871.
Rumor was another powerful weapon often exploited by the Whigs. Narcissus Luttrell noted in early December, 1678 that "about the 7th or 8th was a report of great numbers of men having landed in the Isle of Purbeck in Dorsetshire, which so alarmed that country, that they all rose immediately in arms; but, upon examination, it prov'd a mistake." During the winter of 1678/9, Spanish galleons were reported headed for Milford Haven, a Catholic army supposedly landed at Purbeck, and Godfrey's ghost walked through the Queen's Chapel during mass. Oates, who by now was claiming descent from John of Gaunt, did his part with inflammatory weekly sermons to the citizens of London. John Reresby met Oates for the first time during a large dinner party at the Bishop of Ely's. Oates got very drunk, and stridently denounced the late Henrietta Maria and the present Queen, as the other guests sat in an embarrassed silence. Reresby was a firm admirer of the Queen and as hot-tempered and opinionated as Oates himself. He stood up and called Oates a liar. Oates was astounded and enraged, but kept his head enough to leave the room without replying—no doubt aware of Reresby's reputation as a formidable duelist. The bishop apologized for Oates' behavior, "This is his usual discourse," he explained, as the party broke up.

Reresby was one of the few to have the last word in a dispute with Oates. It was in Oates' search for new profanities with which to disgrace his opponents that Defoe claims he invented the party's label. Oates "could never hear any man after this talk against the Plot, or against the Witnesses, but he thought he was one of those Tories, and call'd almost

9 Chapman, pp. 182-3.
every Man a Tory that oppos'd him in Discourse; till at last, the word Tory became Popular, and it stuck so close to the Party in all their Bloody Proceedings that they own'd it . . . " It was shortly after this that the Country Party retaliated by calling their opponents Whiggs (original spelling), after Whiggamores, the Scottish Presbyterians who caused trouble in the Highlands. 10

Oates was acknowledged the hero of the common people. Such was his personality that he took it to heart, and felt he should be rewarded like a hero. A contemporary observed that Oates had the nerve to tell the House of Lords that he wanted more money, and

If they would not help him to more Money, he must be forced to help himself. He put on Episcopal Garb . . . and was called, or most blasphemously called himself, The Savior of the Nation. Whoever he pointed at was taken up and committed, so that many People got out of his Way, as from a Blast, and glad they could prove their last two Years Conversation. The very Breath of him was pestilential, and, if it surely poisoned Reputation, and left good Protestants arrant Papists, and something worse than that, in Danger of being put in the Plot as Traitors. 11

The religious and political fear of Catholics was so engrained in the masses that it not only made the Plot believable, but condemned as a papist anyone who doubted that a Catholic plot existed. The best protection was compliance. The Court fawned over Oates in a hideous masquerade. Rochester wrote his wife, "I have no news for you but that London grows very tiresome and I long to see you, but things are now reduced to the extremity on all sides that a man dares not turn his back

10 Helm, p. 56. 11 Helm, p. 45.
for fear of being hanged, an ill accident to be avoided by all prudent persons and therefore by Your humble servant, Rochester."\(^{12}\)

Those sympathetic to the Court lived in fear of arrest, while those who supported Shaftesbury and the Country Party lived in fear of assassination by invisible hordes of murdering Catholics. Good Protestants would do anything to protect themselves. Many a dishonest businessman made a profit off the fear of the Londoners. Roger North wrote of two of the precautions available: "There was much recommendation of silk armor, and the prudence of being provided with it against the time that Protestants were to be massacred. And, accordingly, there were [an] abundance of those silken back, breast, and head-pots made and sold, that were pretended to be pistol-proof; in which any man dressed up was as safe as in a house, for it was impossible any one could go to strike him for laughing, so ridiculous was the figure . . . ." A collapsible weapon consisting of wooden bars linked with chains was developed and called the Protestant flail. It was a patriotic weapon, intended as self-defense for the lower classes against an attack by the Catholics. But even those who could afford swords or pistols found it had other uses: "It was for street and crowd work: and the engine, lurking perdue in a coat pocket, might readily sally out to execution; and so by clearing a great hall . . . carry an election by a choice way of polling called 'knocking down.'"\(^{13}\)

As the Londoners armed themselves against a physical threat, Charles waited warily for Oates' next discovery. It was astounding. "Heard good

\(^{12}\)Norman, pp. 164, 166.  \(^{13}\)North, _Examen_, pp. 572-3.
news from London," wrote Ralph Josselin in his diary, "said the Queen is accused in this plott."14.

In Oates' original articles, he had accused Dr. Wakeman of accepting money to poison the king. As he got bolder, his story changed. In November he revealed that he had overheard a conversation last spring between Wakeman and Queen Catherine in which she agreed to assist Wakeman. Oates had the effrontery to accuse the Queen to her husband's face, and arranged for Bedlow to back him up. Charles immediately threw Oates in prison and seized his papers, although Parliament had him released. It was not a smart move for the Opposition Party, who were fully aware of the Queen's personal popularity and spotless reputation. It can be assumed that it was an independent decision by Oates to implicate her. Psychologically, it was an effective move, because it momentarily unnerved the king. Throwing the "Savior of the Nation" in jail did not endear Charles to the public. But he recovered his composure, and though he was determined to protect his wife, he was equally careful not to be labelled a Catholic by his methods. The brunt of the accusation was borne by Wakeman and those accused with him, who waited in jail for eight months hoping to be tried when public opinion was not so vehemently against them.

John Evelyn was present at the Queen's fortieth birthday at Court on November 15. He recorded the atmosphere of the Court in his diary:

The Queen's birthday. I never saw the Court more brave, nor the nation in more apprehension and consternation. Coleman and one Staly had now ben tried, condemn'd, and executed. On this Oates grew so presumptuous, as to accuse the Queene of intending to poison the King, which certainly that pious and vertuous lady abhorr'd the thoughts of, and Oates his circumstances made it utterly unlikely, in my opinion. He probably thought to gratifie some who would have ben glad

14 Macfarlane, p. 616.
his Majesty should have married a fruitful lady; but the King was too kind a husband to let any of these make impression on him.15

Rumor was rampant. The Earl of Anglesey wrote to the Duke of Ormonde in Ireland, "Someone or other is murdered every week, and the malefactors cannot be found." What an impression to give Ormonde on the state of affairs at home! James wrote to William of Orange, "If I should write you all the news and malicious stories that are told instead of a letter, you should have a volume from me."16 It was one embarrassment for the government after another. A group of Catholic Irishmen were stopped in Chester by officials for a lack of passports. The Whig mayor smelled an opportunity when it was discovered they were in the royal forces (it was illegal since the Test Act for a Catholic to be in the army). He sent their commissions, which had been signed by Secretary of State Williamson to a Whig lawyer in London. The lawyer reported to the Commons that several Catholics who had not taken the oaths as required by an act of Parliament were in the army with commissions countersigned by Williamson, a member of the Commons. The Commons was so enraged that it sent Williamson to the Tower. Charles had him released the next day, but the damage was done—in the public's mind, the army had become infiltrated by Catholics. Williamson's reputation was ruined and he was dismissed in February 1679.17

Gilbert Burnet had the occasion in December to speak to the king at length on the turmoil facing him.

15Evelyn, p. 158. 16Bryant, Charles, pp. 221, 223.

We agreed in one thing, that the greatest part of the evidence was a contrivance. But he suspected some had set on Oates, and instructed him; and he named the earl of Shaftesbury. I was of another mind. I thought the many gross things in his narrative showed there was no abler head than Oates, or Tonge, in the framing it; and Oates in his first story had covered the duke and the ministers so much, that from thence it seemed clear that lord Shaftesbury had no hand in it, who hated them much more than he did popery. He fancied there was a design of a rebellion on foot. I assured him I saw no appearances of it. I told him there was a report breaking out, that he intended to legitimate the duke of Monmouth. He answered quickly, that, as well as he loved him, he had rather see him hanged. Yet he appr ended a rebellion so much that he seemed not ill-pleased that the party should flatter themselves with that imagination, hoping that would keep them quiet in a dependence upon himself; and he suffered the duke of Monmouth to use all methods to make himself popular, reckoning that he could keep in his own management . . . .

Burnet suggested that James should spend some time with Anglican ministers who might persuade him to convert. Charles rejected this suggestion,

. . . which made me incline to believe a report that I had heard that the duke had got a solemn promise of the king that he would never speak to him of religion. The king spoke much to me concerning Oates's accusing the queen, and acquainted me with the whole progress of it. He said she was a weak woman, and had some disagreeable humours, but was not capable of a wicked thing; and, considering his faultiness towards her in other things, he thought it a horrid thing to abandon her. He said he looked on falsehood and cruelty as the greatest crimes in the sight of God; he knew he had led a bad life, (of which he spoke with some sense,) but he was breaking himself of all his faults; and he would never do a base and wicked thing. I spoke on all these subjects what I thought became me, [Burnet was known for his tendency to lecture, even the king] which he took well. And I encouraged him much in his resolution of not exposing the queen to perish by false swearing. I told him there was no possibility of laying the heat that was now raised but by changing his ministry. And I told him how

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18 Burnet, pp. 290-1.
odious the earl of Danby was, and that there was a design against him; but I knew not the particulars... I perceived the king thought I was reserved to him, because I would tell him no particular stories nor name persons. Upon which I told him, since he had that opinion of me, I saw I could do him no service, and would trouble him no more; but he would certainly hear from me, if I came to know anything that might be of any consequence to his person or government. 19

Burnet's tendency to moralize and lecture the king is demonstrated in this description. The impression Burnet liked to give of Charles was that of a stubborn schoolboy who disliked the advice of his elders. Burnet felt himself morally and religiously superior to the king, and was often piqued to have his suggestions and advice politely ignored.

While Charles was concerned with protecting his wife and brother, the Opposition struck again—this time at his chief minister. Danby was a marked man to the Opposition and in December 1678 they found a way to pull him down. From the summer of 1677 on, Danby had been pressuring William Temple, ambassador to Holland, to accept the Secretary of State position held by Coventry. Coventry was willing, for a hefty sum, to give up the office to the prestigious and respected Temple but Temple did not have the money or the desire for the job. But Ralph Montague, ambassador in Paris, very much wanted the job and let Danby know it. Danby refused to offer it to him. Montague even went behind Danby's back and paid Coventry for the position before applying again to Danby. Danby still refused to consider Montague's request. Montague decided to do everything in his power to push Danby out of office so he could get the secretaryship he coveted. 20

19 Burnet, pp. 290-1. 20 Browning, p. 285.
Montague's mistress in early 1678 was Barbara Villiers, the tempestuous ex-mistress of Charles and mother of the majority of his children. When Montague dropped Barbara (for her own daughter, no less), Barbara wrote many a venomous letter home to enlighten Charles and Danby of her ex-lover's political schemes. When Montague realized he had been betrayed, he rushed home to get himself elected to Parliament to shelter himself from arrest. For leaving his post without permission, he was stripped of his offices, many going to supporters of Danby. Danby knew from Barbara that Montague had saved many of the letters he had written at Charles' request to get money out of Louis (see Appendix A). He made up a charge that allowed him to search Montague's papers, but Montague had hidden the letters in other hands. On December 16, Montague read the letters to the Commons. The letter in Appendix A was the real trump card—it was written asking for money from Louis to stay out of the war, only five days after Parliament had voted Charles money to go to war against France.21

Lord Rochester, one of the Court wits, had once told the king a poem he had written of him:

We have a pritty witty King,
Whose word no man relies on,
Who never said a foolish thing,
Nor ever did a wise one.

Charles was not offended, indeed he wittily reminded Rochester that the king's words are his own, but his actions are those of his ministers.22 This was a fundamental, if often untrue, maxim of government: that the

king did what his ministers told him. The king was never criticized for policy. The irony of this situation was that Danby was known to be pro-Dutch anyway, so everyone in the government knew whose policy the letter represented. But it was Danby who had to take the fall.

It was no surprise that the Commons reacted with outrage. William Williams told the Commons: "If this be his letter [Appendix A], there cannot be a more constructive treason than is contained in it. You have heard of Religion and Property apprehended in danger in several speeches. But when your laws are contemned by a Great Minister, and they miscarry and are laid dead . . . [uproar]. Nothing ought to be imputed to the King, but this man, unless he clears himself upon somebody else must take the crime upon him[self] . . . ."23

The Commons immediately impeached Danby. He still had influence in the Lords, and it delayed about impeaching one of its own. The two Houses were still fighting among themselves on December 30, 1678, when Charles appeared and addressed them:

My Lords and Gentlemen: It is with great unwillingness that I come this day to tell you, I intend to prorogue you. I think all of you are witness that I have been ill used; the particulars of it I intend to acquaint you with at a more convenient time. In the meantime, I do assure you that I will enter upon the disbanding of the Army, and let all the world see that there is nothing that I intend but for the good of the kingdom, and for the safety of religion. I will likewise prosecute this plot, and find out who are the instruments in it; and I shall take all the care which lies in my power, for the security of religion, and the maintenance of it as it is now established. I have no more to say to you at this time, but leave the rest to my Lord Chancellor to prorogue you.24

23Landon, pp. 69-70.

In January, he followed with a dissolution. The Cavalier Parliament was dissolved before it could try Danby, but there were no assurances that the first new Parliament in almost twenty years would be any more sympathetic.

Dissolving the only Parliament so far in his reign was bound to raise comment and everyone speculated as to what the king hoped to gain. Ralph Josselin, a Whig, wrote in his diary on January 27, 1679:

Honest men [Josselin was a Whig] formerly desired the dissolution thereof but now its continuance was desired in reference to the discovery of the plot. I supposed the cabal both it to gaine time and to bring on the French assistance, many thought this parliament had so corrupted themselves and done so ill in the matters of the nacion and were formerly so odious that god would doe his worke by some other and never honour them; and on the 26. at night a great fire at London [which destroyed much of the Temple], which amazed us in the country[,] pittyng the city under the treachery against them.25

On January 26 Charles announced that the new Parliament would not meet until spring. Aurelio Cook wrote that "... the Distractions and Jealousies at Home were of such a nature, and had been so heightned and improved by the malice and industry of ill men, that he was unalterably of an opinion, that a longer interval would be absolutely necessary for composing mens minds . . . . "26 Charles also had every intention of strengthening his own position before Parliament met. While the people were distracted by the trials and executions that were a weekly feature that winter, the king tried to eliminate some of his weak spots.

Burnet's suggestion of the previous December that James might be reconverted was tried. Charles sent William Sancroft, the Archbishop of

25Macfarlane, p. 618.

Canterbury, and George Morley, Bishop of Winchester, to reason with James. All religious arguments aside, they reminded him of his father and the gravity of the current situation. James listened patiently, without argument, for a half an hour, then politely asked that they leave as he had pressing business. James later wrote Sancroft that it was only "a full conviction in all controversial points that [had] forced him to embrace a Religion, he well foresaw would change his condition in this world, from one of the happyest Princes in Europe to that of the most unfortunate and abandon'd man upon earth." 27

Conversion having failed, Charles felt for the peace of the nation and James' safety that his brother must leave the country. It would also end James' annoying habit of offering his brother unsolicited advice. James was constantly urging his brother to make himself absolute, instead of bending to the wind. Charles was said to have replied, "Brother, I am too old to go again on my travels; you may, if you choose it." 28 James was very reluctant to leave the country, but Charles was insistent that he go before Parliament met on March 6. Charles wrote to his brother of his final decision on February 28 [see Appendix B], and James left for Brussels on March 3. Charles' decision, though hard for James to accept, was a politic one. A Mr. Verney wrote to his sick father: "That the distemper should leave you, and the Duke of York England, much at the same time is a mercy, which makes me merrily and trebly sing Gaudiamus and Hallelulia, and I pray that the one be never suffered to trouble you more, 27Higham, p. 185. 28Norman, p. 165.
nor the other the nation again, and so God bless our good King Charles, in who, I hope there is no guile." 29

In the middle of February elections were held for the new Parliament. The Whig Party machinery moved with precision throughout the countryside. Besides plenty of money and ale (it was necessary to form "Sober Societies" later 30), papers were distributed with quotes from the Bible condemning those who took bribes and defaming papists. In Bedfordshire, Lord Russell, a leading Whig, and his men claimed their opponents, the Tories, did not believe a plot existed—which was the most derogatory thing you could say against someone. 31 Josselin wrote, "the K.[ing] saith the country would choose a dog if he stood against a courtier." 32 The sentiments of the new House of Commons were with the Whigs.

Before the new Parliament met, Charles had to do something about the attempted impeachment of Danby. Charles took the first steps towards a constitutional government by accepting most of William Temple's advice in forming a completely new type of Council—a coalition government. The Council would consist of no more than thirty members, fifteen high officers of state and fifteen noblemen. The members must have estates or revenues of £300,000. Their wealth and influence would help offset the growing prominence of the Commons. Temple wrote in his memoirs about how he came to envision such a Council:

... I observ'd the Parliament grow every Day more Violent, upon the Support they receiv'd from the Humours rais'd by the Plot, and the Incentives given them by the Ambitions of Persons playing that Game. I saw a Probability of Matters growing to such a Pass, that his Majesty might be forc'd to part with them; and yet I saw not Authority enough left in

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29 Bryant, Charles, p. 227.  
30 Fraser, p. 369.  
31 Bryant, Charles, p. 226.  
32 Macfarlane, p. 619.
the Crown either to do That without the venture of great Mischiefs, or to live without another Parliament till the present Humours might cool. [This] cast me upon the Thoughts of the King's Establishing a new Council, of such a Constitution as might either gain Credit enough with the Present Parliament and thereby give Ease and Quiet both to the King and his People; Or if on the other side, the Humours should grow Outragious and beyond Opposing, the King might yet at the Head of such a Council, with more Authority and less Hazard of ill Consequences, either Prorogue or Dissolve them, as any Necessaries of his own, or Extravagancies of theirs should require.33

Charles and Temple came to an agreement about the new Council in every way but one. Charles wanted Shaftesbury included as adamantly as Temple wanted him out. "I disputed this Point from the first Mention to the last Conclusion of it, foretelling he would destroy all the Good that we expected." But Charles insisted it would steal much of Shaftesbury's Oppositional fire if he was not just in the Council, but also made President. This upset Temple so badly that he got up to leave the room. Charles turned the suggestion into a jest, hoping to ease him. Charles was serious though, and the new Council was installed as he wanted. The House of Commons, who had considered criticism of Charles' old ministers one of its chief joys, was not pleased. Temple wrote, "The House of Commons receiv'd it with most Coldness."34

The new Commons showed the same old resentment of Danby. It immediately rushed through a bill of attainder. Danby was willing to some extent to be a scapegoat but this was too much. He complained loudly to Charles. Considering the damage Montague had done to the government by revealing secret negotiations, the damage Danby could do was far greater.


34Temple, pp. 334-5.
Charles granted Danby a pardon, and the Commons declared the pardon illegal. Sir Francis Winnington, an MP that Danby had fired from the solicitor's office, addressed the Commons:

The King cannot pardon treason against the government for then the government cannot be safe from evil ministers ... Sir, if Danby may be pardoned is this the way to secure Lawes and the Protestant religion? The King is a limited power, or ells he could not be as ours is, limitation is to the good and behoofe of the people ... If ministers may be pardoned at the prince's pleasure for all the wrongs they do the people[,] though the prince be sworne to protect the people from all wrongs, and is therefore trusted and paid[, ] there is no security in all our pretended free and legall Government, it is a mere cheate, we are all around slaves ... 35

On March 22, Mr. Stern took the debate in the Commons one step further: "We have spent much time in talking of the Treasurer's Pardon. Everyone knows the King's power of pardoning ... but if you will have a Bill to restrain the powers in them that may prevent it for the future. All Laws that are made, are to restrain that unlimited power in the King, for, without those Laws, all power is in the King." On March 24, the Commons records show: "Resolved, That an humble Address be made to his Majesty, representing to his Majesty the irregularity and illegality of the Pardon lately granted to the Earl of Danby; and the dangerous consequence of granting Pardons to any person that lie under an Impeachment of the Commons of England." 36

On March 26 Danby resigned his offices from his abode in the Tower. The House of Lords protracted the attainder proceedings so that Danby

35Landon, p. 78.

never was attainted. The king tried to assuage him with titles and money, but he had to stay in prison for the next five years.\textsuperscript{37}

In early May 1679, Sir John Maynard spoke in the Commons about the five Catholic peers still awaiting trial in the Tower and Danby's pardon:

\textit{... Not only the safety of the King, but the Commons' lives, and religion, and all, may be in danger by it! The five lords in the Tower may have such pardons, by the same reason, and what then becomes of all your liberties ... Great persons, too great for the law, and who have done ills by virtue of an exorbitant power ... by such a pardon, may defeat all calling them to account. There is no obstante to the impeachment of the House of Commons in this pardon ... . If this be a good pardon, Parliaments are to little purpose.}\textsuperscript{38}

James was alarmed at Charles' actions and continually pestered Charles with letters requesting permission to return. Charles replied that with the five Catholic lords still awaiting trial, and the "apprehension of the plot and Popery" that he could not let James come home. "I am sure there is nothing troubles me more than to be deprived of your company, nor can I write anything more against my heart than this. But when I consider it is the last stake, I would not let my inclinations sway me so far as to give a counsel so much to the prejudice of our interest as matters stand at present."\textsuperscript{39}

\textsuperscript{37}When he was released from the Tower, he was a minister again for five years, impeached again, became a duke, and died in his eighties. G.N. Clark, The Later Stuarts 1660-1714 (Oxford: Clarendon Press, 1934), p. 93.


\textsuperscript{39}Bryan, Letters, p. 308.
CHAPTER V

THE ACQUITTAL OF WAKEMAN AND THE RETURN OF JAMES

Both Houses of Parliament seem'd to have no Eyes, but for the Dangers of Popery upon the Duke's Succession to the Crown; which Humour was blown up by all the Arts and Intrigues of the Duke of Monmouth and Lord Shaftesbury.

—William Temple (Works, p. 336)

Throughout 1679, Monmouth became committed to the idea that he should be declared the heir in James' place. Rumor about the city and court suggested that Charles had actually married Monmouth's mother (Lucy Walter, his mistress during the Protectorate) when he was an exile. Charles tried to stop the rumors immediately. In January he had made a declaration to his Council that he had been married only to the present queen. But the rumors continued to circulate. James insisted before he left the country that Charles make his declaration again,
which he did on March 3 and 6. Those still living that had supposedly witnessed the wedding to Monmouth's mother were interviewed by the government, and all of them swore they knew nothing. Those in attendance at Court knew who was behind the mischief-making. William Temple wrote, "I cannot believe but all this [interest in Monmouth, etc.] would have been avoided, if, upon the new Constitution, Lord Shaftesbury had been left out . . . ." ¹

Charles was in desperate straits to get some money. Many government officials had not been paid for months, and store houses were almost empty. He admitted to the Commons that its control over the purse strings of government was enough to tie up a popish successor. He refused to recognize Monmouth as a possible successor, but he was willing to placate Parliament in other ways to get money. He offered to consider any restrictions that could be placed on James to protect the Anglican religion. He conceded that if Parliament could think of anything else that could better "secure Religion and Liberty" should James succeed, he would "most readily consent to it." ² The Commons played around with limitations, but concluded that an Exclusion Bill was the only sure restraint. However Shaftesbury failed to gather enough support in the Lords. He also misjudged Charles when he said: "He will sacrifice a hundred brothers rather than hazard his crown." ³ The first Exclusion Bill settled the succession on James' heirs, by-passing James as if he were dead. When the Bill had passed its second reading in the Commons, James wrote bitterly to his brother: "Now is the time to break

¹Temple, p. 335. ²Grey, vol. 7, p. 159. ³Chapman, p. 78.
in upon [your enemies] before they are formed, or have a man to head
them and the only person capable, I think, of that employment (pardon me
for naming him) is the Duke of Monmouth ... I beg your Majesty will
have a watchful eye upon his actions ... ." The confusion at court
and within the Council added to the problem. Even Charles' ministers
were unsure what he was thinking. Coventry wrote, "How far his Majesty
will struggle or run with this Tempest I know not ... I think we are
nigh a great crisis ... . For my own part, I am resolved to be honest
according to my understanding. For my safety, I leave it to God's
providence." Coventry had decided to vote against Exclusion, and
supported James' rights even when some of his closest friends deserted
him.5

Exclusion brought out a deeper issue—that of privilege by birth.
This concerned the House of Lords as much as the spectre of popery and
arbitrary power. They were privileged men by birth themselves. Lord
Rochester, who supported James even while he criticized the monarchy,
managed to speak on these issues without insulting the Whigs. He
addressed the House of Lords:

Mr Speaker, Sir, although it hath been said that no good
Protestant can speak against this Bill, yet, Sir, I cannot
forbear to offer some objections against it. I do not know
that any of the king's murderers were condemned without
being heard, and must we deal thus with the brother of our
King? It is such a severe way of proceeding that I think we
cannot answer it to the world; and therefore it would
consist much better with the justice of the House to impeach
him and try him in a formal way, and then cut off his head,
if he deserve it. I will not offer to dispute the power of
Parliaments, but I question whether this law, if made, would
be good in itself. Some laws have a natural weakness in
them; I think that by which the old Long Parliament carried

4 Watson, p. 98. 5 Higham, p. 185.
on their rebellion was judged afterwards void in law, because there was a power given which could not be taken from the Crown. For ought I know, when you have made this law, it may have the same flaw in it. If not, I am confident there are a loyal party, which will never obey, but will think themselves bound by their Oath of Allegiance and Duty, to pay obedience to the Duke, if ever he should come to be King, which must occasion a civil war... Upon the whole matter, my humble motion is, that the Bill may be thrown out.6

While the London mob gleefully anticipated the trial of the five Catholic lords and the passage of the Exclusion bill, Charles appeared on May 26 to assent to a few bills, including Habeas Corpus,7 and then prorogued Parliament until August. His new Council was angry at this decision, which had been made against their advice. Charles gradually took advice from the members he agreed with instead of the Council as a whole. Although the Council continued to sit, Charles began acting more on his own judgment. James continued to believe his brother was doing everything wrong. He wrote William of Orange on June 1, "Unless something very vigorous be done within a very few days, the monarchy is gone."8 But in his frustration, James was tempered by the knowledge that Charles was firmly against Exclusion: "In all my misfortunes, there is one thing that gives me a great deal of ease; it is that his Majesty appears very resolute for me and is very unsatisfied with the Duke of

6Norman, pp. 201-2.

7When voting, Lord Grey and Lord Norris were appointed to count the votes. "Lord Norris, being a man subject to vapours, was not at all times attentive to what he was doing; so a very fat lord coming in, Lord Grey counted him for ten, as a jest at first; but, seeing Lord Norris had not observed it, he went on with his misreckoning of ten." The extra votes caused it to pass when it actually should have been lost. Burnet, p. 321.

8Bryant, Charles, p. 231.
By proroguing Parliament, the Exclusion issue went unanswered, and much important business was delayed until the next Parliament. In May 1679, the Licensing Act of 1662 expired because Parliament had delayed renewing it. This act had forbidden any publications that contradicted the principles of Christianity, the Church of England, or tended "to the scandal of government or governors in church and state." But Parliament had passed Habeas Corpus, which guaranteed that a person could not be thrown in jail and forgotten, but had to be formally charged and bail allowed, if applicable. The lapsing of the one act and the passing of the other combined in a way to give the government no end of grief throughout the summer. As Bulstrode wrote in his Memoirs: "There came out every day such swarms of impudent licentious libels upon all sorts of persons, and upon all subjects, printed, as the like was never known, and will be still continued whilst the Habeas Corpus is still in force, and that they are sure to be bailed."10 John Evelyn was also shocked at all the literature written "with too much and indeed too shameful a liberty."11

The first to appear was Henry Care's "Weekly Pacquet of Advice from Rome," which ran from 3 December 1678 to July 1683. It was a Whig newsletter that during its licensed days, until June 1679, consisted of popular history about the Reformation and the Protestant Church on the Continent. In the summer of 1679 it evolved into an opinionated newsletter. In February 1679 F. Smith began publication of the Whig newsletter "Current Intelligence," which lasted until the spring of

9 Watson, p. 95.
11 Evelyn, p. 133.
The most popular was Ben Harris' "Domestic Intelligence," yet another Whiggish paper that ran from July 1679 to April 1681. The Tories countered with Nat Thompson's "Domestic Intelligence. Published to prevent false reports." The reader could distinguish the two papers only by the imprints at the end and the tone of the contents. The Tories also supported Roger L'Estrange's "Observator" which ran three to four pages long, once a week, for several years, until it was suppressed under James II. There were several other unsuccessful papers, and the contents of them all led Charles to issue a proclamation against newspapers in May 1680 (as Parliament repeatedly delayed renewal of the Licensing Act). The only newspaper that obeyed and ceased publication was Thompson's Tory paper. In light of Whig disobedience, Thompson was encouraged by the government to begin printing again, which he did with a new paper called "The Loyal Protestant and True Domestic Intelligence." It continued publication until November 1682.

An anonymous pamphleteer wrote several years later that Shaftesbury had directed the Plot and planned the publicity from his home, Thanet House.

All the applications of the Party, all informations, all councils and Cabels were at Thanet House. There the Protestant joiner, College, and fourteen of the jury who [later] brought him in 'ignoramus,' who were of his lordship's neighbourhood; [booksellers], libellers of the Government, Care, Ferguson, etc., found warm entertainment. . . . Whole schools of lewd and seditious pamphlets—'Letters to Friends,' 'Appeals to the City,' 'Dialogues between Tutors and Pupils,' were written,

The Whig papers and pamphleteers concentrated on two topics: the exclusion of James from the succession, and the kingly qualities of Monmouth. They tried, as Shaftesbury had done in the last Parliament, to make the populace think that the king actually favored these two ideas. Henry Sidney wrote in his diary on June 5, 1679, "... after dinner I went to my Lord Chancellor [Finch], to talk to him of ... the king's [business], which he thinks in an ill condition, and thinks Lord Shaftesbury the chief cause of it, who being joined with the Duke of Monmouth will obstruct all till they are at the top of all affairs: that they certainly did the king much harm the last sessions, making the members believe that he was for those things which every body knows he is utterly against ...". Republicans like Algernon Sidney, Henry's brother, and John Wildman thought little of Monmouth as a potential king; they used him only to scare James. Even Reresby, who voted for Exclusion, considered Monmouth "very handsome and accomplished as to his outside, [but] his parts were not suitable ... to his claim to the Crown."  

Although Charles had considered it necessary to declare three times he had never married Monmouth's mother, he still thought he was in control of his son. In the beginning of June 1679, news came from Scotland that 7,000-8,000 Covenanters were in revolt. Henry Sidney commented that at two council meetings, the members "both times fell upon Lord Lauderdale: the king taking his part, to the wonder of every

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14Muddiman, p. 211.
16Chapman, p. 181.
Shaftesbury hoped to see the revolt succeed, and at first opposed a punitive expedition saying it was illegal for English troops to invade Scotland. But Charles wanted Monmouth, who was an experienced soldier, to lead the troops, which made Shaftesbury change his tune. Charles gave Monmouth complete authority to do whatever was necessary. When the meeting broke up, Lauderdale worriedly pulled Charles aside and suggested Monmouth might turn the troops against his father. He warned, "if you do not change your orders, and send them positive to fight, and not to treat, the mischief that befell your father, in like case will overtake you." When Charles demanded to know why Lauderdale did not point this out at the meeting, he replied, "But Sire, were your enemies not in the room?" Charles took his advice, and altered the orders so that they were "not to treat with the rebels, but to fall on them at once." Shaftesbury was furious and encouraged the Whig officers that were to go to resign their commissions rather than attack Scotland.  

Monmouth did disobey the orders when he gave the rebels a chance to surrender before he attacked. In the subsequent Battle of Bothwell Brig on June 22, Monmouth defeated an army roughly three times the size of his own and lost fewer than a dozen men. About 700-800 Covenanters were killed and 1,200 taken prisoner. He refused to execute or even punish the prisoners, which endeared him to the many Scots that sympathized with the Covenanters. His clemency, his triumphal progress back to London, and his popularity angered the Tories and his father, who now began to realize Monmouth was out of his control. 

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Popularity in this period was often determined by religion and nationality. Charles' mistresses were certainly judged by this dual yardstick. Nell Gwyn, a Protestant English-born mistress, was favored by the Londoners over Louise de Keroualle, the Duchess of Portsmouth, a snobby Catholic Frenchwoman. According to popular legend, a mob in November 1679 mistook Nell's carriage for Louise's, and were ready to tip it over in the street. Nell had the presence of mind to put her head out the window and shout, "Good people, you are mistaken—I am the Protestant whore," at which they stopped and wished her well. As Colonel Cooke wrote to Ormonde, "... French and Papists, two terms of art in every malicious mouth, completing revenge on whomever either one can be pinned, and considering the easy credulity of this uncharitable age, it seldom fails to stick."20

Catholics were also apt to be blamed for the fires that were a common occurrence in London. After a serious fire in Holborn attributed to Catholic arson, a Londoner wrote, "Whether these insane tales are true or false I do not presume to decide, but so many persons of quality, moderation and intelligence affirm them to be true that I am confounded in my thoughts, and it is surprising (considering the temper of this nation) that they have not risen and massacred all those suspected of such crimes, and I have heard it said by several people; that all the Catholics deserve to be killed."21 Many loyal Catholics were hurt and angry at the treatment they received at the hands of the government. They wanted the world to remember their services as

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20Bryant, Charles, p. 229. 21Kenyon, Plot, p. 179.
Royalists, and balked to see the same swords they had employed to defend Charles I being confiscated by the government of his son (see Appendix C). John Aubrey wrote to a friend that he had heard that in Catholic countries there existed "a Sodalitie of Devoto's that goe up and downe begging for money to carry on the Warre in England for establishing their Religion, and that they have gotten about two millions."\(^{22}\)

Belief in the Plot was still fervent. On March 25, a Mr. Sackville was thrown in the Tower by the Commons when several men testified that he said he did not believe in the Plot, and that Oates would be proved a liar and a rogue in two weeks. Sackville apologised to the Commons in his defense: "I believe that there was a Plot, but not every thing of the Plot." This triggered a discussion on what to do about Oates, whose noisy prominence in London's affairs was beginning to offend. As one member commented, "I commend Mr Oates' zeal, but I like not his heat... I am not to be angry with a man for pulling me out of a ditch, though he tears my clothes. Let him be called down, give him a reprimand, and let him proceed to manage his evidence."\(^{23}\)

Halifax later wrote about the nature of law and its interpretation:

Without Laws the World would become a Wilderness, and Men little less than Beasts; ... and if it be true that the wisest Men generally make the Laws, it is as true, that the strongest do often Interpret them: and as, Rivers belong as much to the Channel where they run, as to the Spring from whence they first rise, so the Laws depend as much upon the Pipes thro' which they are to pass, as upon the Fountain from whence they flow.\(^{24}\)


The turning point of the Plot, the trial of Dr. Wakeman and his three "accomplices," proved that Halifax's observation was correct. Justice Scroggs, who had so adamantly prosecuted victims of the Plot, attended the king at Windsor the night before the trial. Whether he was given a warning or simply had a timely change of heart, the Justice Scroggs who presided over Wakeman's trial was a changed man. The Queen, whose reputation waited on that trial, was confident in the protection of a husband who had shown her little more than politeness in the many years of their marriage. She wrote to her brother, the king of Portugal, "There is nothing that concerns me more than to tell you how completely the King releases me from all trouble... by the care which he takes to defend my innocence and truth. Every day he shows more clearly his purpose and goodwill toward me, and this baffles the hate of my enemies... I cannot cease telling you what I owe to his benevolence, of which each day he gives better proofs, either from generosity or from compassion, for the little happiness in which he sees I live."25

Her husband had emerged from his third parliament in May with a new confidence. He had deflected the attack on Danby and the king's prerogative of pardon, neutralized some of the Opposition's influence by including them in his Council, and stalled the Exclusion Bill.26 The worshipful attitude towards Oates was beginning to reverse. Because Oates was the principal witness in Wakeman's trial, this could work to the Court's favor. Wakeman himself was confident that justice would

prevail. But to the general populace the trial seemed most likely to go the way of all the others—a conviction. John Aubrey wrote to a friend that he had heard the evidence was so great against the Queen (who was not on trial but certainly felt like she was) that she planned to pretend a visit to the waters at Bourbon, from which she would escape to her homeland, Portugal. 27

Wakeman defended himself well. In his cross-examination of Oates he reconfirmed that Oates had been unable to identify him at their first meeting. Oates used the same excuse that had always worked before; he replied he had been too tired and the light had been in his eyes. Scroggs summed up in the prisoner’s favor, saying "Let us not be so amazed and frightened with the noise of plots as to take away any man’s life without reasonable evidence." 28 The jury brought in a verdict of not guilty.

John Evelyn was present for the trial on July 18, 1679, and wrote in his diary his own impressions of the proceedings:

I went early to the Old Bailey Sessions House, to the famous trial of Sir George Wakeman, one of the Queen’s physicians, and three Benedictine monks; the first (whom I was well acquainted with, and take to be a worthy gentleman abhorring such a fact), for intending to poison the King; the others as accomplices to carry on the plot, to subvert the government, and introduce Popery. The bench was crowded with the judges, Lord Mayor, justices, and innumerable spectators. The chief accusers, Dr. Oates (as he called himself), and one Bedlow, a man of inferior note. Their testimonies were not so pregnant, and I fear much of it from hearsay, but swearing positively to some particulars, which drew suspicion upon their truth; nor did circumstances so agree, as to give either the bench or jury so entire satisfaction as was expected. After, therefore, a long and

27 Powell, p. 176. 28 Helm, p. 53.
tedious trial of nine hours, the jury brought them in not guilty, to the extraordinary triumph of the Papists, and without sufficient disadvantage and reflections on witnesses, especially Oates and Bedlow. This was a happy day for the lords in the Tower, who, expecting their trial, had this gone against the prisoners at the bar, would all have been in the utmost hazard. For my part, I look on Oates as a vain, insolent man, puffed up with the favor of the Commons for having discovered something really true, more especially as detecting the dangerous intrigue of Coleman, proved out of his own letters, and of a general design which the Jesuited party of the Papists ever had and still have, to ruin the Church of England; but that he was trusted with those great secrets he pretended, or had any solid ground for what he accused divers noblemen of, I have many reasons to induce my contrary belief . . . .

The sessions ended, I dined or rather supped (so late it was) with the judges in the large room annexed to the place, and so returned home. Though it was not my custom or delight to be often present at any capital trials, we having them commonly so exactly published by those who take them in short-hand, yet I was inclined to be at this signal one, that by the ocular view of the carriages and other circumstances of the managers and parties concerned, I might inform myself, and regulate my opinion of a cause that had so alarmed the whole nation. 29

Ralph Josselin's reaction was quite different from Evelyn's. Josselin was whole-heartedly Whig, so much that he used his pulpit to encourage his parishoners at elections to vote for Whig candidates. 30 Hearing of Wakeman's acquittal, he wrote, "news amazing. said Sr G. Wakeman and divers Jesuites all cleared by a vast shout of the papists. lord I understand not the secret strings of this business." 31

For Scroggs' part in securing an acquittal, the London mob rewarded him by throwing a dead dog into his carriage. The Portuguese ambassador, with singular lack of tact, expressed only a desire to reward the judge. The London apprentices sang about Scroggs: "Our

Juries and Judges to shame the Plot, Have traitors freed to prove it not, But England shall stand when they go to pot, Which nobody can deny.” In September, Scroggs found himself called to the King's Bench to defend his behavior in the Wakeman trial. He expressed disgust at the notion that justice should cater to "the humours of the times." Instead, he offered in his own defense that,

The people ought to be pleased with public justice, and not justice seek to please the people. Justice should flow like a mighty stream, and if the rabble, like an unruly wind, blow against it, it may make it rough, but the stream will keep its course. Neither, for my part, do I think we live in so corrupted an age that no man can with safety be just, and follow his conscience; if it be otherwise, we must hazard our safety to preserve our integrity.33

Shaftesbury did not think Scroggs had been bribed, and in fact told him he himself had been offered £10,000 to get Wakeman off. Scroggs replied that "he must say what he thought he never should, that then his lordship was in that an honester man than he was" for he doubted his ability to refuse such an offer!34 Perhaps Shaftesbury regretted that the Whigs had not thought it necessary to bribe Scroggs to convict Wakeman.

A month after the Wakeman trial, on August 22, Charles came down with a serious fever at Windsor. On the 25th Monmouth returned from making a popular tour, much in the nature of a royal progress, in the West of England. Charles wanted to call James home because of his illness but Monmouth and Shaftesbury influenced him against doing so.

32Helm, p. 24. 33Kenyon, Plot, p. 213. 34Kenyon, Plot, p. 213.
The English people read the doctor's reports on Charles' health with alarm. Henry Savile wrote from Paris, "Good God! What a change would such an accident make, the very thought of it frightens me out of my wits." Monmouth was in an excellent position: from the recent Scottish campaign, he was Commander of the English and Scottish armies, Lord Lieutenant of East Riding and Staffordshire, and supported by a major party. But at the same time there were men like Essex, Halifax and Sunderland who leaned towards James, but with strict limitations. To block Monmouth, they sent a secret message to James to return home.

To Monmouth's consternation, his uncle appeared, without government permission, at Windsor on September 2, 1679. James was just in time to see his brother sitting up in bed enjoying breakfast and telling, not asking, his doctors that he was going to Newmarket.

Contemporaries disagreed as to the seriousness of Charles' illness. John Reresby thought the illness was feigned as an excuse for Charles to summon his brother home. William Temple thought the illness was only minor, and condemned the secrecy that surrounded James' return. He suspected that decisions were being made without the advice of the Council, which led him to quit the Council. Burnet believed that the illness was life-threatening and that James was summoned without the king's command.

Once James returned to England it was hard to get him to leave again. Fear, or hope in Shaftesbury's case, existed that James' presence would cause spontaneous anti-papist demonstrations and riots.

35 William Temple wrote that the fever caused much apprehension, "People looking upon any thing at this time that should happen Ill to the King, as an end of the World." Temple, p. 342.

Nothing of the kind happened. James knew the Opposition would find a way to exile him again, and used his presence to squeeze some concessions from Charles. In light of the king's recent illness, James pointed out the trouble Monmouth could have caused as commander of the king's troops. Charles was afraid that if he did not appease his brother enough to get him back out of the country, James might be impeached by the next Parliament. He agreed to strip Monmouth of all military commands. Shaftesbury objected strenuously, but to no avail. Temple was amazed at James' success: "Though nothing could seem more reasonable than that . . . [Monmouth's] having made his Pretensions so evident, and pursu'd them so much to the Prejudice of the King's Affairs; however, I could not but wonder, how the Duke had been able in so few Days, or rather Hours, to get so great a Victory." He also wrote that he was happy of "any Mortification that happened to the Duke of Monmouth and Shaftesbury, whose designs had run the Kingdom into such incurable Divisions and Distractions." 38

James' influence on his brother was stretching Charles' advisors to the limits of their patience. James' personality made him demand that each person be for him and his rights or against him. Sunderland bore the brunt of James' displeasure because he proved unable to explain why James had not been recalled (as promised) when the last Parliament was dissolved. Sunderland had not politically committed himself, but he did favor James' cause. He urged James for his own good to go back into exile. But for James, Monmouth's loss of command was not sufficient.

38 Temple, p. 344.
He wanted Monmouth banished too. Charles was still displeased with his son's behavior in Scotland, and his recent tour of the West Country to raise support further rankled the king. Charles ordered Monmouth out of his domains. An observer of the court wrote on September 14, "This news yesterday morning, like gunpowder set on fire, did in an instant run over the whole city to the general amazement of all people." James bragged to his son-in-law William that he had really put Monmouth's handsome nose out of joint, because this "will quite dash his foolish hopes that he so vainly pursued." But in a different tone, James wrote to his confidential aid, George Legge: "there is one thing troubles me and puts odd thoughts in my head; it is that all this while his Majesty had never said a word, nor gone about to make a good understanding between me and the Duke of Monmouth, for though it is a thing I shall never seek, yet methinks it is what his Majesty might please." Charles had the political acumen to see it was pointless to try to reconcile two men who were acting like beggars fighting over a single coin. But perhaps by "a good understanding," James meant that he was surprised Charles did not put them in the same room together and publicly tell Monmouth that he was not in the succession at all, much less the heir.

On September 25, 1679, his demands met, James left to bring home his wife so they could plan their next exile. Charles had upgraded James' position by sending him to Scotland to assume Lauderdale's place. With James gone, and Charles at Newmarket, Shaftesbury called on his

39 Watson, pp. 110-1.
own authority the Privy Council to meet to discuss the future of James. Shaftesbury was not satisfied that Monmouth was sent out of the country while James was given a responsible position in Scotland. Charles was furious at Shaftesbury's impertinence and on October 13 dismissed him as President of the Council. Charles also told the remaining members of his Council that Parliament would not meet again until January 1680, which was contrary to their advice. Temple was furious that the Council he had helped create was being used as a rubber stamp by the king. In an outburst that was quite contrary to his temperament, Temple pointed out that if Charles did not like the Council, it was within his power to change or dissolve it. "But to make Counsellors that should not Counsel, I doubted whether it were in his Majesty's Power or not, because it imply'd a Contradiction . . ." 40

For Temple, Charles' treatment of the Council was the last straw. He resigned, which seriously hurt the prestige of the government. He was tired of acting the role of courtier; saying the right things and being expected to always agree with the king. After twenty years of service, he had had "enough of the Uncertainty of Princes, the Caprices of Fortune, the Corruption of Ministers, the Violence of Factions, the Unsteadiness of Counsels, and the Infidelity of Friends," and no longer "busied my Head about mending the World." With Shaftesbury dismissed, and Temple gone, other important counsellors followed. Essex left the Treasury, upset, as was Halifax, that Charles refused to call Parliament and insulted in being named with Halifax in the debacle known as the

40 Temple, p. 346.
Meal-Tub Plot [see Chapter VI]. Halifax told Temple he would retire to the country and "plant Carots and Cucumbers, rather than trouble himself any more about Publick Affairs." Halifax and Essex also were hurt that they had not been consulted more when in the Council, and told Temple they felt they "were other Mens Dupes, and did other Mens work."\(^{41}\)

Thus, ignominously, did the attempt of Charles and Temple to form a coalition government crumble. The Council was virtually replaced by three men nicknamed "the Chits" because of their youth: Lawrence Hyde (39), Sidney Godolphin (35), and Sunderland (38). All three were expected by the king to oppose Exclusion, but all three continued to carry on a secret correspondence with William of Orange.\(^{42}\)

On October 31, in an attempt to resolve parliamentary business, Charles issued a proclamation that allowed for the prosecution of men who wrote, published or distributed literature offensive to the government. Its success was minimal in stemming the flow of Whiggish literature, because the election of a new parliament was at hand. Again, the Whigs showed their talent for organization and propaganda. A pamphlet explained their goal in its subtitle: "England's Great Interest in the Choice of this New Parliament; Rather take a Stranger if recommended by an unquestionable Hand, than a Neighbour ill affected to your interest. 'Tis not pleasing a Neighbour, because rich and powerful, but saving England that you are to eye."\(^{43}\) The Whigs had complained that many seats in the Commons were given to pensioners of

\(^{41}\)Temple, pp. 359, 346. \(^{42}\)Ogg, p. 593. Sunderland later voted for Exclusion.

\(^{43}\)Helm, p. 57.
the Court, and attuned their efforts in this election to promoting Whig candidates who promised to really represent the people who elected them.

Everyone arrested in the Popish Plot, except the five Catholic lords waiting in the Tower, had been tried. The Whigs still used the same election battle-cry of "No Popery, No Slavery" but the emphasis was now on the Exclusion issue, not the rapidly dying Plot. The Plot's legacy was the formation of two diametrically opposing parties that seemed bent on destroying one another. Burnet wrote in October 1679, "They now seemed to lay down all fears and apprehensions of popery; and nothing was so common in their mouths as the year forty-one, in which the late [Civil] wars began, and which seemed now to be near the being acted over again." 44

44Kenyon, Plot, p. 184.
CHAPTER VI

THE MEAL TUB PLOT AND OXFORD PARLIAMENT

The Text is done, and now for Application,
And when that's ended pass your Approbation.
Though the Conspiracy's prevented here,
Methinks I see another hatching there.
—Thomas Otway, "Venice Preserv'd" (1682)

Interest in the Popish Plot waned as Englishmen turned most of their attention to what to do with the Catholic heir. In October 1679, the "Appeal from the Country to the City," a pamphlet supporting Monmouth, was published. It was a sensation, and the alarmed government confiscated every copy it could locate and unsuccessfully sought the author. The pamphlet attacked James as "one eminent Papist, who, in the time of that Great Fire, pretended to secure many of the incendiaries, but secretly suffered them all to escape." He was compared to Monmouth, whose "life and fortune depends upon the same bottom as yours. He will
stand by you, and, therefore, ought you to stand by him. And, remember, the old rule is, 'He who hath the worst title ever makes the best King.'

The pamphlet drew a graphic picture of what life would be like under James II; first, "any who have estates in abbey lands, who desire to beg their bread and relinquish their habitations" to a greasy monk, could vote against Exclusion. And secondly,

Imagine you see the whole town in a flame, occasioned this second time by the same Popish malice which set it on fire before. At the same instant fancy that amongst the distracted crowd you behold troops of Papists ravishing your wives and daughters, dashing your little children's brains out against the walls, plundering your houses and cutting your own throats by the name of 'heretic dogs.' Then represent to yourself the Tower playing off its cannon and battering down your houses about your ears. Also, casting your eyes towards Smithfield, imagine you see your father or mother, or some of your nearest and dearest relatives, tied to a stake in the midst of flames, where, with hands and eyes lifted up to Heaven, they scream and cry out to that God for whose cause they die, which was a frequent spectacle the last time Popery reigned amongst us.

The author was never found, but Benjamin Harris, the publisher, was tried on February 1680 for his part in bringing the pamphlet to the public. Scroggs called it a "base and pernicious book" and accused Harris of trying to "set up another man that has no title to the crown." Scroggs found Harris guilty and fined him the stupendous sum of £500, and ordered him to be pilloried near his shop. His friends surrounded him for his one hour in the pillory so that no refuse could be thrown at him.

With all the Whigs' pamphleteering, they could not prove James'...
involvement in the Popish Plot, they could only keep alive suspicions. When news of a new plot surfaced in late October 1679, the pamphleteers were the first to exploit it. This confusing and complicated affair came to be known as the Meal Tub Plot. Since it broke when no Parliament was sitting, it depended even more on the publishers to spread its revelations. As Roger North observed, "... so were the Coffee House Emissaries and Satyrist more alert and busy. Their Eyes sparkled, and their steps were quick, and particularly about this Sham-Plot of Dangerfield, Meal-Tub, and Bloody Bladder, which made the selling Titles to Pamphlets." 5

The new plot was invented by a professional criminal whose current alias was Thomas Dangerfield. John Warner noted of Dangerfield's reputation that "to record all his iniquities one would have to copy out the whole catalog of capital crimes." Amid rumors of a Presbyterian Plot, Dangerfield went before Charles and the Council with tales of such a plot that implicated the Whigs, especially Shaftesbury. Although James approved of the venture, Charles replied that as much as he loved to discover plots, he did not intend to create any. The Council denied Dangerfield the search warrant he needed to discover the "evidence" he had planted in the rooms of a leading Whig, Colonel Roderick Mansell. He solved the problem by going to the government's custom officials and telling them that Mansell possessed contraband materials. They searched Mansell's rooms but did not discover the papers Dangerfield had planted until he practically shoved them under their noses. They were, after all, looking for contraband goods, not papers. With his evidence

5 North, Examen, p. 269.
triumphantly discovered, Dangerfield found to his chagrin that no one cared. In lurking about the Court, trying to whip up interest, he was recognized by an official of the Mint and imprisoned on a counterfeiting charge.  

While Dangerfield languished in prison, the Council searched his own rooms. He had been living in the household of Elizabeth Cellier, a Catholic midwife whose clients included aristocracy and royalty, and who did volunteer work for Catholics in prison. She had met Dangerfield in prison, fallen for his charm, gotten him out of Newgate and given him a job. Dangerfield may or may not have known that his patron was conspiring herself with the Countess of Powis; the search of Mrs. Cellier's house turned up, under the famous meal tub, papers that implicated several leading Catholics. Dangerfield changed his tune now that he had an eager audience and claimed the Presbyterian Plot described in the Mansell papers was a ruse to distract from the real, continuing Popish Plot. He claimed that Arundell and Powis had offered him money to kill the king and Shaftesbury. He implicated the Catholic Roger Palmer, Earl of Castlemaine, who later had to stand trial and was narrowly acquitted for these charges.  

With no Parliament in session, the Whigs tried strenuously to raise enthusiasm for this new plot. On November 17, they staged their biggest  

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6Kenyon, Plot, p. 216.  
7Kenyon, Plot, p. 217. In June 1680, Mrs. Cellier exposed during her trial that Dangerfield had more than a dozen criminal convictions, and as a felon and an outlaw, was legally barred from giving evidence in a court of law. Mrs. Cellier and the Countess of Powis were cleared. Castlemaine was tried at the end of June, and Dangerfield allowed to testify with a pardon. Dangerfield and Oates got the worst of the Earl's cross-examination, and the Earl was judged "not guilty." Kenyon, Plot, pp. 227-8.
annual accession celebration to date. At dusk, a man walked through the streets tolling a bell and crying "Remember Justice Godfrey!" in Chancery Lane. As crowds gathered, a single horse was led through the street carrying a figure of Godfrey splashed with blood, steadied on the horse by a man dressed as a priest, and surrounded by musicians playing doleful music. Next came fat Catholic bishops dressed in luxurious purple, Jesuits with daggers soaked in blood, and then a model of the pope, with hollowed out eyes and animated by a belly full of live cats yowling. On the balcony of the King's Head Inn, Shaftesbury, Russell, Wharton, Thynne, Wildman, and other Green Ribbon Club members enjoyed the spectacle. The Whig leaders joined the people in the street for the next scene—the burning of the pope's effigy with the cats still intact. It was considered a great success. Supposedly 2,000 people watched the procession, and amazingly they gathered and dispersed peacefully, if noisily, under the watchful eyes of city militiamen. There is no record of violence or damage to property in any of these processions. 8

John Aubrey wrote, "George Ent was wont to say 'a pox take Parties;' I say so of Plotters." 9 He was echoed by a Lancashire JP who divided the English population into three parts: knaves, who made plots; fools, who believed them; and wise men, who saw through them. 10 The failure of the Meal Tub Plot to be little more than a nine-days wonder was a lesson well taken by the Whigs. As verbose as Burnet usually was, the Meal Tub Plot only warranted one paragraph in his History of His Own Time. If the Popish Plot was over, it had served its purpose; it had stirred up a barely concealed, deeply ingrained hatred of Catholics

8 Kenyon, Plot, pp. 214-5. 9 Powell, p. 180. 10 Helm, p. 64.
which allowed the Whigs to seriously question the wisdom of letting James, as a Catholic, succeed.

In November 1679, on the advice of leading Whigs, Monmouth returned without permission from exile. It was deemed too risky, in the event of the king dying suddenly, for the Whig's candidate to be abroad. He kept making excuses to stay. One excuse was legitimate—his only son was ill, and he wanted to be with the child who subsequently died. The boy's death meant that of three possible successors of Charles' throne, only James had any living children. William and Mary were still childless, and the long-time estrangement between Monmouth and his domineering wife made the possibility of future children unlikely.

Monmouth's goal was to be reconciled with his father. He did succeed, through his father's leniency, in avoiding exile for several months, but Charles made it clear that he did not want to see him much less take him back into the family fold. Monmouth's objectives were transparent, and his association with Shaftesbury obnoxious to the king, but he still held the naive belief that he could charm his way back into his father's good graces.

Shaftesbury was concerned less with Monmouth's efforts to be received by Charles than with Charles' delaying of Parliament. It was winter and Parliament had not sat since the spring. Charles announced on December 10 that Parliament would not meet until November 1680. Essex, Halifax and Temple were furious. Temple washed his hands of the government and was called only for advice on special occasions. Halifax
did not return until June, shaken that the problem had gone beyond a political struggle and into a constitutional one. By postponing Parliament, Charles was almost forcing Shaftesbury to fight outside the recognized legal boundaries. Even though on December 12, Charles had declared petitions to be illegal, the Opposition began to organize them up and down England to force the king to call Parliament. Those that did not sign the petitions had their name printed on a separate list, which intimidated many waverers into signing. An organist in Salisbury found an ingenious way to avoid signing. He insisted that all he understood was song; so although he would not sign, he would be happy to set the petition to music.  

With public opinion leaning more toward the king's side, a new group of Tories called the Abhorriers emerged as a result of the petitions. They wrote their own petitions that said they abhorred the notion that some of the king's subjects should have the impertinence to pressure the king into calling a Parliament. Charles received petitions patiently from both groups, who struggled to outdo each other in the number of signatures. After receiving a petition in November 1680 from the Lord Mayor of London, thanking the king for finally scheduling a Parliament, Charles told an attendant that the city should stick to its own business because "he knew what he had to doe without their advice."  

The Whigs, confident that their petitions would soon spawn a Parliament, continued publishing pamphlets in 1680 to prepare the way for popular acceptance of the Exclusion Bill. One of the most famous

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11 Bryant, Charles, p. 239.  
12 Luttrell, p. 60.
was by Lord Somers, "A Brief History of the Succession, Collected out of the Records and the Most Authentical Historians (1680)." This pamphlet denied divine right and justified Parliament's role in determining the succession. In reviewing the inheritance of the English throne from the earliest days to James I, Lord Somers concluded that there was no regular pattern and that circumstances had sometimes dictated over strict inheritance. The pamphlet was answered by several Tories, but it was so popular that it was republished in 1688 and 1714, whenever strict succession was not followed. 13

In conjunction with their pamphlets on inheritance, the Whigs stirred up rumors again that Monmouth was legitimate, and his parents' marriage certificate was hidden in a mysterious Black Box, entrusted by the late Bishop of Durham to his son-in-law, Gilbert Gerard. Lord Dartmouth, a supporter of James, exclaimed, "They talk of another successor in a black box, but if that Pandora's box is opened, I hope it will be in my time, and not in that of my children, that I may have the honour of drawing my sword in support of the rightful heir!" 14 In April, Gerard was brought before the Council where he denied the existence of any such box. Everyone identified in the rumors of knowledge of the marriage was examined, and Charles issued another public statement that he had never married anyone but the present Queen. However, the matter would not rest. Robert Ferguson questioned every move the government made to quash the rumor in his pamphlets. He claimed the Council's investigation was a sham, that it should have been


14 Watson, p. 216.
done by Parliament, and that witnesses who were with the king in exile had not been examined. One such man, Sir Thomas Armstrong, was at Ferguson's side to advise on particulars as he wrote. Ferguson's pamphlets reached all parts of England, including the palace. One was thrown on the king's hat as he took a walk, and another laid on his pillow.  

Gilbert Burnet, distressed by the turmoil, wrote the king a long letter telling him everything that he had done wrong in the crisis. Everyone in England seemed to have their own idea of how to solve the king's dilemmas, and Burnet was no different—except in his solution.

There is one thing, and indeed the only thing, which can easily extricate you out of all your troubles. It is not the change of a minister or of a council, a new alliance, or a session of Parliament; but it is a change in your heart and in the course of your life. And now, Sir, permit me to tell you that all the distrust your people have of you, all the necessities you now are under, all the indignation of Heaven that is upon you, and appears in the defeating of all your counsels, flow from this, that you have not feared nor served God, but have given yourself up to so many sinful pleasures.  

Charles was not pleased, but Burnet observed that the king read the letter twice before discarding it.

The petitions that had been circulating since December began to decline in number during the spring. Shaftesbury discovered a new way to make mischief for the king. He "discovered" an Irish plot and implicated Lord Lieutenant Ormonde. Ormonde wrote indignantly to

15 Watson, p. 217.  
16 Norman, p. 184.
Coventry that he would not resign under the pressure because the Whigs would make trouble in Ireland, and he complained that his stomach "rises at the thought of giving some men their will just when they would have it of me." Charles stood steadfastly by Ormonde, who managed to weather the storm.

On June 26, 1680 Shaftesbury appeared before the Grand Jury at Westminster and presented James as a popish recusant, and Louise, the Duchess of Portsmouth, as a common whore. Charles had the charges thrown out, but it frightened Louise enough to make her support the Whigs. To drive a further wedge between Louise and James, Shaftesbury suggested that Louise's son by Charles might make a good king. This thought dominated Louise's thinking for several months.

In the summer of 1680, Henry Care was tried for publishing the previous summer an article that hinted Justice Scroggs had been bribed to acquit Wakeman. Jeffreys opened the prosecution by lamenting that anyone "may libel any man in the Government if he can but call him a Papist or popishly affected, let a man be ever so honest." The onlookers supported Care, but the jury brought him in guilty, and were congratulated by Scroggs.

As juries began to go against the Whigs, Shaftesbury needed a way to pack the juries for the desired verdict. Since sheriffs picked the juries, he needed Whigs as sheriffs. Whig sheriffs began to hand pick Whig juries who were instructed to find a writ of ignamus on Whig defendants, which averted any trial at all. As Narcissus Luttrell

wrote, "Thus there was a great contest who should be sheriffs, when formerly men gave money to be excused from it." When the publisher Francis "Elephant" Smith was tried for libel, he was cleared by this new strategy. He even published an account of his tribulations and, secure in the protection of Whig sheriffs, admitted publishing other scandalous material. When Parliament finally met, in October 1680, the House of Commons appointed Smith their official printer when it decided its votes and transactions should be printed daily.

Charles had called Parliament because he was in desperate need of money. Tangier was threatened by the Moors, and he needed backing for an alliance with Spain and Holland against Catholic France (which he hoped would be popular). In his opening speech, he begged Parliament for unity so England could recover her status in Europe and finally get some business done. But Parliament was interested only in two things: Exclusion and attacking supporters of the court. Impeachment proceedings were initiated against Scroggs and two other judges, as well as Halifax and Jeffreys, who had led the petitioning of the Abhorrors. Pepys, who had been in jail since spring on false charges just because he supported the court, wrote in November; "Though the integrity and faithfulness wherewith his Majesty and the public have for so many years been served by us may not at present protect us from malicious reports, yet I am satisfied that God Almighty, who is always just will make it up to us some other way to the shame of those who now triumph over us." Pepys'
faith was not misplaced—he was later appointed by Charles to head all operations of the navy.

James had been sent back to Scotland before Parliament met, so he was not present on November 4 when an Exclusion Bill passed its first reading in the Commons. This bill was more radical than the bill of a year and a half earlier; it treated James as if he were dead and declared that he would be guilty of treason if he returned from Scotland. On November 15, the bill reached the Lords and became the subject of a showdown debate between Shaftesbury and Halifax. Shaftesbury was too irrational and emotional for his fellow peers—he called for the king's divorce and raved about a threat to democracy. Halifax's arguments were well-reasoned and he "had a visible superiority to Lord Shaftesbury in the opinion of the Whole House." The Lords defeated the bill by 63-30. For good measure, they condemned Shaftesbury's speech as traitorous, and had it burned by the common hangman. Charles, who was present during the entire debate and vote, commented that the show was as good as a play. Reresby called it "one of the greatest Days ever known in the House of Lords, with regard to the importance of the business they had in hand, which concerned no less than the lineal succession to the Crown." 23

In their fury, the House of Commons voted resolutions against Halifax and several others of the king's ministers. The Lords, in a conciliatory vein, proposed limitations on the succession—such as James should not have the right of veto, he should have the legal capacity of a minor, and he should be banished, on pain of execution, until he succeeded. Those Whigs who were hoping to see England become a

republic approved of these sanctions as a step in the right direction, but Shaftesbury and William of Orange did not approve. Shaftesbury spoke to his confidants of civil war, and began to arrange them in readiness to take over strong points in the kingdom.24

The similarity of events to that of forty years before was not lost on the king or his people. A friend wrote to Pepys: "Although it be counted even Popery, yet I cannot but pray God to preserve us from the tumults, confusions and rebellions of 1641 and '42, which seem to threaten us on one hand as much as Popery on the other."25 The Popish Plot had emotionally drained many Londoners, and the thought of war raised only feelings of revulsion. Roger L'Estrange wrote a pamphlet warning of the possibility of another civil war:

Do we not strik Fire the same way now, as we did then? And may not a Spark, in the Gun-Room do as much mischief this year, as it did thirty or forty years ago? Are not the People as much Tinder now, as they were formerly? and as apt to take ill Impressions? What if the same Method should work the same confusion over again? Or in truth, what is there else to be expected?26

As Shaftesbury became more unreasonable and committed to war, his immediate followers began to doubt his judgment and leadership.

The trial of the Lords in the Tower had been delayed by the lapse between Parliaments. The last important trial in London of the Popish Plot, that of Lord Stafford, was held on November 29. He was chosen

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25 Helm, p. 74.

over the other four as being the easiest to convict. Besides being the only one against which there was more than one witness (Bedlow, the second witness against the other four, had died in August), he was unpopular with the other Lords in the House. He was sixty-nine years old, and quarrelsome enough that all but one of his own family voted him guilty. There was no written evidence against him, only the testimony of Oates and his confederates, but it was enough to condemn him by a vote of fifty-five to thirty-one.  

Evelyn was present during Stafford's trial, and thought he defended himself well and behaved modestly. The principal witness was Oates, whose personal honour Stafford called into question. Evelyn agreed with Stafford:

One thing my Lord said as to Oates, which I confess did exceedingly affect me: That a person who during his depositions should so vauntingly brag that though he went over to the Church of Rome . .. confessed he took their sacrament; worshiped images, went through all their oaths and discipline of their proselytes, swearing secrecy and to be faithful, but with intent to come over again and betray them; that such a hypocrite, . .. such a profligate wretch should be admitted against the life of a peer,—this my Lord looked upon as a monstrous thing, and such as must needs redound to the dishonor of our religion and nation. And verily I am of his Lordship's opinion: such a man's testimony should not be taken against the life of a dog.  

Evelyn continued to record his amazement that in all that time Oates carried letters among the Jesuits and their contacts, opening each one before delivery, it was incredible that he should never think to copy a single one. Less than a week after the trial ended, Evelyn wrote that

27 Kenyon, Plot, pp. 231-2.  28 Evelyn, p. 154.
he had seen a meteor, whose shape resembled a sword, and he mused "but another such phenomenon I remember to have seen in 1640, about the trial of the great Earl of Strafford, preceding our bloody Rebellion. I pray God avert his judgements!" 29

When Charles finally signed the death warrant, he commuted the hanging and quartering to a simple beheading. Lord Russell and the Commons argued furiously for the full sentence. The sheriffs of London insulted the king by asking him whose execution orders should they follow, the Commons' or the king's.

Shaftesbury considered Stafford's death another triumph and was openly optimistic about his ability to exclude James from the succession. He bragged to the French ambassador, "We shall easily find the means, by the laws, of making him walk out of the kingdom." 30 Probably with Shaftesbury's approval, Monmouth took the bar sinister off his coat of arms. The French ambassador wrote his master, Louis XIV:

I don't see a person who is not persuaded that the Duke of Monmouth will soon be replaced in all his employments. Mr. Montague says the Duke of Monmouth at present shows no other design but that of procuring the good and advantage of all the nation by the Duke of York's exclusion .... He alleges that once he is re-established at Court, he will advance his affairs, and succeed more easily by the means of parliament, and by keeping himself always united with those who have the greatest credit among the people. 31

The Commons refused to give Charles any money and seemed to spend an extraordinary amount of time passing resolutions relating to the Plot. For example, on January 10, 1681 the Commons busied itself by

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29 Evelyn, pp. 155-7. 30 Chapman, p. 70. 31 Watson, p. 132.
voting that whoever advised a prorogation was a traitor, papist, and pensioner of France, that the Great Fire had been started by papists, and that anyone who advanced the king money was a national enemy. Charles prorogued Parliament the same day and a week later dissolved it.

Charles realized that Whig support was basically in London, and arranged for the next Parliament to meet in the Royalist stronghold of Oxford on March 21. The Whigs were afraid that Charles had a trick up his sleeve and petitioned against the new location, though it was quite within Charles' rights to meet Parliament there. Charles did have an ace in the hole; he had all but the final details of a French subsidy worked out with Louis XIV. Louis had begun to worry that Charles would forsake James for William, which would hopelessly unite both Holland and England against France. In return for a promise of English neutrality and James' succession, Louis was willing to pay Charles £400,000 over a three-year period. With Louis' money, Charles need not meet Parliament at all if it continued to prove so intent on passing an Exclusion Bill.32

To put the problem into perspective, the actual passing of the Exclusion Bill by both Houses would not make it law. If Charles ever did retain a Parliament long enough to pass it, he would definitely veto the bill when it came to him for his assent. Charles realized that his veto could lead to another civil war. The Opposition also assumed that Charles would never assent to the bill, but they hoped the strife the

32Financially, Charles was doing better than he had in years. Danby's long-range policies as Lord Treasurer in the 1670's were taking effect, and his successor Sunderland proved capable as well. Charles never got all the money from Louis, but the promise of it gave Charles the confidence to act independently of Parliament.
bill would cause would lead to a permanent banishment of James from England. In that case it would be very difficult for James to succeed if Charles died suddenly.

In Scotland, James was beside himself with anxiety at meeting a Parliament in Oxford. He advised Charles not to hold Parliament until the Court Party could win a larger number of MP's in the elections for Commons. He also asked to return to England, and was refused. Lawrence Hyde, James' friend and brother-in-law, was sent to Edinburgh by Charles to try one last time to convert James. He was unsuccessful. James wrote to his confidant, Colonel Legge, that it would be dishonorable to convert or even pretend to convert, "and lett my friends take their measures accordingly and do not deceive themselves and me, and lett them thinke of other ways than that of saving the monarky . . . ." 33

As part of the Whigs' attack on James, they set up a Penny Post in 1681 to damage James' monopoly as Postmaster-General and to get Whig propaganda into the newsletters sent to the provinces. Instead of the government's three posts a week, the Penny Post went every hour from 7 AM to 9 PM. It lost money, but it helped disseminate Whig literature all over England. As Narcissus Luttrell wrote in April 1681,

About this time the presse abounds with all sorts of pamphlets and libells; one side running down the papists and upholding the dissenters; the other side cryeing down both, asperseing the two last houses of commons and ridiculing their proceedings, and sounding nothing but 41; publick intelligencers or pamphlets of news abounding, every day spawning two, sometimes three, filling the town and country with notorious falsehoods. 34

33 Bevan, pp. 69, 62. 34 Luttrell, p. 76.
James could not prosecute the writers because Whig sheriffs in London were able to pack the juries. In November 1682, when the Whigs' hold over the City of London was broken, James won a case against the Penny Post, though he was awarded only £100 in damages. In 1683, the Lord Mayor prohibited newsletters in coffee houses, and Whig propaganda was effectively limited.  

The king showed his growing power by reprieving a priest convicted by Oates' testimony in court. Although the king proved adept at smuggling unimportant priests out of the country, Shaftesbury was working on bigger fish. Shaftesbury's attempts to foster trouble in Ireland bore fruit during the Oxford Parliament with the arrest of Oliver Plunket, the Archbishop of Armagh, on charges of a conspiracy to bring a French army to Ireland. Shaftesbury's witness against Plunket was an Irish rogue named Edward Fitzharris, with a past like Oates' and Bedlow's. Fitzharris made the mistake of testifying before he received a government pardon. When Shaftesbury threatened to produce an affidavit blaming Godfrey's murder on the king (it proved an empty threat), Charles countered by refusing to issue pardons for their past crimes to witnesses. The witnesses in the Irish conspiracy then refused to testify, and the government prosecuted Fitzharris, despite desperate attempts on Shaftesbury's part to save him. When Charles signed the archbishop's death warrant, Essex, a Whig and a former Lord Lieutenant of Ireland, offended the king by reminding him that Plunket was undoubtedly innocent. Charles snapped, "Then, my lord, be his blood on

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35Muddiman, p. 222.
your conscience. You might have saved him if you would, I cannot pardon him because I dare not." Ironically, Fitzharris, the first victim of the Court's comeback, and Plunket, the last victim of the Popish Plot, were executed on the same day.36

Shaftesbury considered starting a revolt in London while Parliament was in Oxford but changed his mind at the last minute. He decided on a show of strength instead and arrived in Oxford with hundreds of fully armed followers, wearing ribbons and bands saying "No Popery No Slavery." Even as the king was making his opening speech, Monmouth and a crowd of followers rode through the streets of Oxford to display their weapons. Stephen College, a Whig pamphleteer wrote a rhyme about a weapon he popularized called the Protestant Flail:

Listen awhile and I will tell you a tale
Of a new device of a Protestant Flail,
... This flail it was made of the finest wood,
Well lined with lead and notable good
For splitting of brains and shedding of blood ... .37

The Whigs passed around several nasty drawings; in one James was depicted as half Irishman and half devil, setting fire to London. 38

Charles had come to Parliament, his negotiations with Louis not quite concluded, hoping he could still reach a compromise. On his own part, he was willing (at least, as he told Parliament) that James be banished during his brother's lifetime; that Mary (or if childless, Anne) would be regent for James; and that if James had a Protestant son, he should be regent upon coming of age. Charles also proposed that the

36 Clark, p. 91, and Bryant, Charles, p. 256. Plunket was cannonized in 1976.
Privy Counsellors be nominated by the regent and subject to the approval of Parliament, and that it be made a capital offense to take up arms on James' behalf. Generous as these terms seemed, the Whigs still believed that James would find a way when king to reject them. 39

To assure their own prominence, the Commons began work on a bill that would require Parliament to have annual sessions. Shaftesbury, in a meeting of the House of Lords, put a paper before the king that advised he declare Monmouth immediately to be his successor. When Charles exclaimed it would be unlawful, Shaftesbury countered, "Sire, will you give me leave to make it as lawful as we can?" Charles refused to countenance such a proposal. 40 Charles was steadfast, "Let there be no delusion. I will not yield, nor will I be bullied. Men usually become more timid as they become older; it is the opposite with me, 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...." 41

Two days after Charles refused to declare Monmouth his successor, another Exclusion Bill was introduced. An MP wrote of the proceedings: "This day with extraordinary calm temper was debated the expedients concerning a Popish successor. All that could be said was invited and heard. Not any thing being proposed of any probable security the Bill of Exclusion was resolved." 42 The next day, March 27th, Charles secretly met with his counsellors and they agreed on a dissolution. On the 22nd Charles had verbally concluded the secret treaty with Louis that would


give him £400,000 over the next three years. The king attended the Lords the next day in his regular clothing, but with his robes and crown hidden in a sedan chair, ready for a snap dissolution. As expected, the Lords began the morning with a debate on the Exclusion Bill. Charles slpped out to change, and then returned to dissolve them with a few curt words. Colonel Cooke wrote to Ormonde, "Though I have seen the distractions and dejections of routed annies (a prospect dismal enough), yet nothing ever equalled this day in this place at the surprising dissolution of Parliament." Charles was in a merry mood afterward, clapped his hand on the shoulder of young Lord Bruce who was helping him disrobe, and exclaimed they were better off with one king than five hundred (Parliament). 43

Shaftesbury tried to get Parliament to sit in defiance of the king's orders, but his supporters slipped away, not as anxious to provoke a war as Shaftesbury. North commented on the suddenness of their departure, "It is not to be expressed what clutter there was in town about getting off. The price of coaches mounted cent. for cent. in a quarter of an hour." 44 The sudden dissolution angered the innkeepers of Oxford, who had laid up food and supplies for a session expected to last months. Burnet interpreted Charles' decision as cowardly, but of course he did not know about the French subsidy. He commented that the king left in "such haste to Windsor, that it looked as if he was afraid of the Crowds that this meeting had brought to Oxford." 45

Aurelin Cook wrote in his 1685 biography of Charles II that holding the Parliament in Oxford was thought "by more Intelligent a very wise and politick Act, from whence he might expect many good effects; so the consequence answered the Expectation." Many libellous newspapers and pamphlets "which the Press had vomited out in great Numbers whilst they expected impunity from the Parliament, were supprest, and easily husht into silence by an Order of the Council."46 The firmer stance of the government against publishers and authors was immediately felt. On April 15, 1681, Smith was arrested again. He had printed in "Smith's Protestant Intelligence" that the authority of the Commons was greater than either the Lords or the Privy Council. He was not tried because to avoid punishment he agreed never to publish again.47

On April 8, 1681 a Declaration by the king was read in all the churches that told of the House of Commons' actions in the last two Parliaments. It presented Charles as the last bulwark of sanity and order against the tyrannical Commons. The Whigs had come to Oxford armed and ready for violence, which had set people thinking and re-evaluating. The Declaration swung many over to the king and chipped away at Whig influence. The Declaration caused a shower of loyal addresses from all parts of England to the king, promising loyalty and abhorrence of the Opposition. The Whigs immediately responded in their own defense with "A Just and Modest Vindication of the Proceedings of the Last Two Parliaments," by Lord Somers, William Jones, Algernon Sidney, and Robert Ferguson. The Whigs called it "a very masterly

46Cook, pp. 424-5.

47Muddiman, p. 240. He began publishing again in September 1681 and was convicted in March 1684.
vindication of the rights of Parliament, and of the policy of the liberal party under Shaftesbury in their attempt to alter the succession for the safety of the people and the preservation of the monarchy." The Tories called it "factious Cant." The pamphlet began by emphasizing the importance of annual Parliaments, that should not be dissolved until all their business was done. In reply to the behavior of the legislature, the pamphlet argued that the actions of the Commons were "misinterpreted at court." 48 Burnet claimed that the pamphlet, though well written, "had no great effect" because the Whigs' popularity was now so low. 49 The Opposition promised bloody retaliation for Charles' declaration, but Charles would not be moved to rash action. He now used the law just as skillfully as the Whigs had used it to achieve revenge.

In April 1681 the first issue of L'Estrange's "Observator" appeared. Reviewed before publication by deputies of the two Secretaries of State, 50 it can be considered a government publication. In the arrests and trials of Whigs to come, it was a useful Tory voice in streets that had for too long been flooded with little else but Whig literature.

In June the Irish informer Edward Fitzharris, who had caused such trouble between the two Houses at the Oxford Parliament, was tried and condemned for giving false evidence about Godfrey's murder. Fitzharris gave a confession implicating the Whigs. Shaftesbury himself was examined by the Council all day on July 2, and arrested. When asked,

48 Sachse, pp. 16-17. 49 Burnet, p. 329. 50 Muddiman, p. 235.
before another interrogation if he wanted any food, Shaftesbury replied, "I have no stomach to eat, unless I can get roast Irishman" [Fitzharris].

A paper was found in Shaftesbury's cabinet, unsigned, undated and not even in his handwriting, that pledged to resist any papist who attempted to ascend the throne. The Court wanted to try Shaftesbury for possession of the paper, and tried to influence Shaftesbury's jury to find a true bill. The London sheriffs were still Whigs and the jury turned in a writ of ignoramus. In response, Lord Somers published "The Security of Englishmen's Lives, or The Trust, power, and Duty of the Grand Juries of England." It was 150 pages long, and there were six editions between 1681 and 1771 in England alone. He pointed out that juries are supposed to follow their consciences and not do what the judge tells them; "let the Grand juries faithfully perform their high Trust, and neither be cheated nor frightened from their Duty."  

It was clear that the Tories could not take lawful revenge until they could get Tory juries. This point was illustrated by the trial of Stephen College, who had come to Oxford supplied with Whig ribbons, and anti-royalist literature and cartoons. When a Tory socked him in the nose, he dramatically declared that his would not be the only blood shed in the cause. When the Court had College arrested for attempting to overthrow the government and for distributing treasonable ballads during the Oxford Parliament, a London jury returned him ignoramus. The Court had College moved to Oxford where the crime was to have occurred, and there a Tory Grand Jury found a true bill. College had been quite

51 Chapman, p. 75.  52 Sachse, p. 19.
indiscreet. When a friend of his commented that the nation's troubles would be over when the Exclusion Bill passed, College had replied, "No, no, now you are mistaken, for Rowley [Charles] is as great a papist as the Duke of York is, and every way as dangerous to the Protestant interest." 53

The Tories learned from their opponents, as one writer commented, "if anything of Whig or Tory comes in question, it is ruled according to the interest of party." College's trial lasted seventeen hours, and was like the Popish trials all over again—but reversed. North wrote that in this trial "the chief entertainment was to see the plot witnesses fall out and swear each other to be arrant rogues." 54 One of the chief witnesses against College was an Irishman named Haynes who claimed he had heard College say he would seize the king and kill him as they had his father. One of College's witnesses was Haynes' neighbor, who said he had heard Haynes say to his landlady, "God damn me. I care not what I swear, nor who I swear against; for it is my trade to get money by swearing." College even called Oates in to support him. But he was found guilty and executed the next day. He swore on the scaffold that he had no intention of starting a revolt at Oxford, although he did admit he may have used some indecent expressions concerning the king and council. 55 College was executed only a month after the last victim of the Popish Plot, Archbishop Plunket, had died.

Oates, whose fortunes had been declining for sometime, tried to save himself by going over to the Court's side. His influence can be

53 Watson, p. 137. 54 North, Autobiography, p. 163. 55 Helm, pp. 77-8.
measured by his allowance. In 1678 he had been given a monthly salary of £40. By February 1679 he was confident enough to present the Commons with a bill of over £678 for expenses he had incurred in entrapping the Jesuits. The Commons gave him the money. He never stirred without his guards and had three servants to wait on him at Whitehall. In July 1680, his allowance was reduced from £12 a week to £3; in October 1680 Parliament insisted on raising it to £10. On May 14, 1681, after the Oxford Parliament, it was reduced to £2. On August 31, 1681 Oates was removed by Charles' orders from Whitehall, and a man was stationed at the door to insure that "none of His Majesty's Goods should be imbezelled. Muddiman wrote, "Those who have observed his deportment have long stood in admiration that his Majesty . . . could so long endure him under his roof. He was insolent, ungrateful and inconsistent, sometimes an evidence for, sometimes an evidence against, the king, and both where his sacred life was concerned." The long vengeful arm of James was just waiting for the opportunity to prosecute Oates for all the pain and trouble he had wrought over the last four years.

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CHAPTER VII

THE FALL OF SHAFTESBURY AND THE FATE OF THE INFORMERS

Party cutteth off one half of the World from the other, so that the mutual Improvement of Mens Understanding by conversing, &c, is lost, and Men are half undone, when they lose the advantage of knowing what their Enemies think of them.

—George Savile, Marquis of Halifax

"Of Parties" (Savile, p. 225)

William of Orange visited England in the summer of 1681 seeking English support in a war against France. Of course, Charles could never join Holland while he was being supported with a French subsidy. Charles had no intention of enlightening his nephew on this point, and he was annoyed at William for supporting Exclusion. Rather than refuse him outright, Charles explained that he must give up all control of the military forces to Parliament if William wanted an English army and supplies from the Commons. William was sensitive to the possibility
that he might inherit the English throne, and backed down by saying he must consult his advisors. William went home unsatisfied, but, as Arlington wrote to Ormond on August 6, "The Prince of Orange ... has clearly seen the hands of both sides playing our great game." 1

As the summer progressed, the king's hand became stronger, and the Whigs became more restless. Robert Ferguson wrote that "most of the summer past away in secret complaints, in the feeling one another's pulses." 2 The small radical core of the Whigs, led by Shaftesbury, saw with alarm that every month the king appeared to be more in control. Surviving the crisis of the Popish Plot had taught him a lesson about government, and his style changed noticeably. The monarch, who five years before was uninterested in the details of government, had become avidly involved in even the most minor problems. With no Parliament, Charles was really the ruler; and he was determined to never again permit another man like Shaftesbury, or group like the Whigs or Commons, challenge his power.

At the end of August, 1681, Charles received news that the Scottish Parliament, almost to a man, had affirmed James' right of succession. In October a Tory was finally elected as Lord Mayor of London. But there were still flare-ups of Whig sentiment in the City. On November 17 the annual Whig display to celebrate Queen Elizabeth's accession was staged. With Shaftesbury's trial due that month, it was hoped that such a demonstration would help his cause. As one indulgent father wrote to Lady Rutland: "All our streets shine with Popes and bonfires, and our

1Bryant, Charles, p. 258. 2Morley, p. 142.
bells are solemnly jangled to express all possible respect to her memory . . . . My girl is just now come in from seeing the Popes and the show, and her tongue does so run with the story that she puts an end to this."3 On November 24, a Whig jury returned a writ of ignoramus on Shaftesbury, who was charged with planning to incite a rebellion. There was a large riot in Shaftesbury's favor. Aurelin Cook described the celebrations:

Bonfires were that Night made by the Rabble almost in every Street; at one whereof Capt. Griffith was knockt down, and wounded in the Head, for endeavouring to put it out: And a rout of people marching down Warwick-lane, one whereof had his Sword drawn, sometimes cryed, No York [James], no Popish Successor, and then bawled out, a Monmouth, a Shaftesbury, a Buckingham, till they were stopt by the Watch at Ludgate . . . . Yet the sober and Loyal part of the Nation, had other sediments about it, and declared their Indignation. 4

But the people's view of Shaftesbury as a hero seeking lawful change was seriously challenged when Charles published the papers found in Shaftesbury's desk. The English people suddenly realized just how far Shaftesbury had intended to go. Charles found himself again the recipient of petitions from all over the country, pledging to support the king and lamenting the rebelliousness of Shaftesbury. Dryden's wicked satire Absolom (Monmouth) and Architophel (Shaftesbury), which cruelly lampooned the Whig leaders, was received with enthusiasm in November. But the fact that Shaftesbury had escaped justice still played on Charles, who complained, "It is a hard case that I am the last man to have law and justice in the whole nation."5

3Bryant, Charles, p. 251. 4Cook, p. 432. 5Helm, p. 79.
Charles was advised to demand the surrender of the city of London's charter. The city was served with a Quo Warranto, which demanded it show evidence of legal authority for every administrative act it performed. A city London's size was bound to have committed unauthorized acts, for which the charter could be recalled and a new one granted that gave the king more control. It took until June of 1683 for the case to go through the courts and the king to win. Much of 1682 was caught up in this struggle for control. The court attempted to appoint Tory sheriffs for London on the obsolete custom whereby the Lord Mayor could drink to the health of a nominee and put him in office. Two Tories achieved office this way. Once the Tories controlled the selection of juries, Whigs could no longer expect writs of ignoramus. Their strategy went from open, legal opposition to underground plans for an insurrection.

In March of 1682 Shaftesbury formed the Council of Six—the Duke of Monmouth, the Earl of Essex, Lord Russell, Algernon Sidney, John Hampden, and Lord Howard of Escrick. Since its members had lost faith in Shaftesbury's judgment, it was an uneasy alliance. Most of the men were younger than Shaftesbury, and willing to wait for the king's death or public opinion to again favor their cause. But Shaftesbury was determined to sponsor immediately a rising in London, the West, the Midlands and Scotland—areas that had been Whig strongholds.6

In April 1682 James was recalled from Scotland, and was almost killed in a shipwreck off the Scottish coast. His arrival in London on

6Chapman, p. 77.
May 27 was greeted with cheering crowds, the same crowds that only
months before would have given him a sullen reception. Both brothers
were pleased to imagine that soon the favor they were enjoying in the
streets would spill into the courts of law. A Mr. Wynne wrote Lord
Preston on May 18 of his reaction to two Whigs that had gotten off with
a writ of ignoramus: "All the standers-by stood amazed to see that, upon
the fullest and clearest proofs imaginable, the jury brought them in not
guilty."\footnote{Bryant, Charles, p. 266.} Josselin wrote of the tension between the Whig city of
London and the Tory court: "the citie much hated by the court, the
Judges much pervert justice."\footnote{Macfarlane, p. 627.} Politics still held more weight in the
courts than evidence; and Charles and his lawyers continued to search
for legal loopholes that would allow them to replace Whig officials with
Tories.

The continuing confusion and unrest is shown in a newsletter of
July 29, 1682: "Yesterday the king's fish-monger was committed to
Newgate for saying that he would swear the Presbyterians murdered Sir
Edmundbury Godfrey, and laid it on the Papists. A play by Mr. Dryden,
termed 'The Duke of Guise,' wherein the Duke of Monmouth was vilified
\[came to Charles' attention and\] is forbid, for though His Majesty be

Monmouth was becoming even more active over his own claim to the
throne. In September 1682 Shaftesbury encouraged him to tour the
Midlands and the West Country to assess his strength. His tour, much in
the nature of a royal progress, was very successful—people turned out
in droves to see him, and he delighted them by participating in their country footraces and pursuits. Charles had him arrested in the countryside on September 20 for inciting a riot. Monmouth asked his servant as he was being arrested to ride straight to London for a habeas corpus, and he was out on bail in six days. The vice-chamberlain wrote, "The King is very angry with him, and resolved to take every way to undeceive the world that think he is not . . . ." Shaftesbury was just as angry at Monmouth for not resisting arrest. He was furious that Monmouth had not seized the moment to put up his standard and demand a free parliament. As soon as he was bailed, Shaftesbury advised him to go to Cheshire and start the rebellion. But Monmouth, Grey, and Russell did not think Shaftesbury really had control of the situation. Despite all the protestations of support Monmouth had received in the West, it was quite another thing to ask those people to go to war against Charles II, who was enjoying a resurgence of popularity.  

Shaftesbury was in his late sixties and failing health, and was not prepared to wait. He told Lord Grey, "The Duke of Monmouth is an unfortunate man for God has thrice put it into his power to save England, and make himself the greatest man in Europe, but he has neglected to use all those opportunities; one was in Scotland, when he was general, the other in the West, and now in Cheshire." Shaftesbury even suggested seizing the Tower, but cooler heads won out. As Burnet observed, Shaftesbury "believed the first appearance of the least disorder would have prevailed on the King to yield everything. But the

10 Watson, p. 146.
Duke of Monmouth, who understood what a rabble was and what troops were, looked on this as a mad exposing of themselves and their friends."  

In the fall of 1682, Thomas Pilkington, a Whig ex-sheriff of London, was tried for insulting James on his return from Scotland the previous spring. The Aldermen had met to congratulate James with an address, but Pilkington disagreed with the message. He burst out that James had "twice burned this city, and was now come to cut the inhabitants' throats"—a message that would have brought cheers in the Green Ribbon Club but was now unpopular, not to mention inappropriate, at such a gathering. James sued him for £100,000 in damages. To avoid a packed jury, Pilkington asked to be tried in Hertfordshire, but his request was refused. Though the room had been full of witnesses, a witness for the defendant perjured himself by claiming Pilkington was not in the room at the time. Jeffreys commented, "Your invention is better than your memory!" and found Pilkington guilty.  

In October 1682, a Tory wrote, "The Whigs come over to us daily. You can hardly find six at High Exchange in the city." Shaftesbury frantically tried to reverse the trend. He attempted unsuccessfully to incite a mob on Guy Fawkes Day. He tried to stage another pageant for accession day, but the crowd and performers failed to materialize. The government found in a backyard the discarded dummies that were to have been used in the ceremony. Shaftesbury heard that the Privy Council had issued a warrant for him, and went into hiding in Cheapside. The Council of Six continued to meet, with Shaftesbury urging action and the

11Watson, pp. 146-7. 12Helm, p. 86.
others urging patience. Two risings in November were planned, then postponed. Sadly aware that he had lost the confidence of his fellow conspirators, Shaftesbury fled to Amsterdam in late 1682 and died January 21, 1683. The Tories celebrated his death as a deliverance, and even the Whigs were relieved, as they felt he had become bad for their image.\footnote{13}

Shaftesbury may not have been aware, when he fled that winter to Amsterdam, that some minority members of the Opposition had formed the Rye House Plot, which would have eliminated the king and set up a republic. In March 1683 the king made one of his usual visits to Newmarket. But on March 22 a careless groom smoking and a brisk wind turned Newmarket into a pile of rubble, one of the first fires in years that was not immediately attributed to the papists! Charles and James had to return home immediately, breaking their normal schedule. Rumors of mischief reached Charles on his return, but he dismissed them as idle gossip. The cry of "Plot," like the cry of "Wolf," had been so frequent an event over the last several years that it would, as Roger North commented, "be scarce listened after; and, perhaps, that might have been the very Design of some that put forward so many false ones."\footnote{14} On June 12, 1683 Josiah Keeling appeared on the doorstep of George Legge, Lord Dartmouth, with tales of a plot to murder Charles and James during their March visit to Newmarket. Dartmouth sent him to Secretary of State Sir Leoline Jenkins, who was sceptical and dismissed him. But Keeling showed up the next day with a brewer who confirmed the whole story.

\footnote{13}{Chapman, pp. 78-80. \footnote{14}{North, Examen, p. 315.}}
Keeling revealed the existence of the Council of Six as well as the lesser plotters. When the plot was called off because of the fire, several conspirators had become fearful that someone would turn king's evidence. Some of the conspirators melted into the countryside immediately, which served to scare those that were still meeting all the more. Keeling apparently told the authorities in the hopes that he who tattled first would receive a pardon for exposing the conspiracy.

Two plots actually came out: one by a group of fanatics to kill Charles and James; the other by the Council of Six to seize Whitehall, initiate a revolt and set Monmouth up as a puppet ruler. Whether the latter plot involved killing the king or James was hotly debated. On June 23, the principal conspirators were rounded up, including Lord Russell, the Earl of Essex, Algernon Sidney, and John Hampden. A grand jury on July 12 found true bills against twenty-one conspirators, including Monmouth, Grey, Russell, Essex, and Armstrong. On July 13, Russell's trial was momentarily interrupted to announce that Essex had slit his own throat in prison. Russell was convicted. He was the same man who had pushed at Stafford's conviction for that peer to be drawn and quartered. Charles showed him the mercy Russell tried to deny Stafford. He was sentenced to be beheaded, and was told his estates would pass to his wife and not be forfeited to the Crown.

Algernon Sidney, whose trial was delayed until November 1683, was condemned by the papers found in his study. Although the papers themselves did not constitute treason, Judge Jeffreys argued that if the
principles in those writings were acted upon, they would indeed be treasonous. He was executed on December 3, 1683. John Hampden was tried in February, 1684, and found guilty on the evidence of one of his confederates, Lord Howard of Escrick. He was found guilty of arranging for Scottish aid for the planned rebellion, and was lucky to get off with a fine of £40,000 and imprisonment until he could pay it. While his friends were being tried, and several executed, Monmouth fell in love and tried to lay low on his new mistress' estate. Charles knew where he was, but preferred to leave him there. There was someone else the Stuart brothers wanted more, and on June 18, 1684, they got him. Titus Oates found himself in the unusual position of defendant, instead of witness, in a court of law.15

Oates was arrested on May 10 in a coffeehouse and charged with libelling James. A specific case was cited that in a coffeehouse in December 1682, in front of many witnesses, he had pulled out a letter and exclaimed, "This letter cost me nine pence [to mail] and might have been brought for a penny; nobody is the better for it but that traitor the duke of York." Jeffreys, who made a point of addressing him as "Mr." (not "Dr.") Oates, pressed the jury to make an example of him. The result was that Oates, who certainly deserved a conviction for perjury, was sentenced to pay James £100,000 for libel.16 Oates, true to his established philosophy, believed when the going got tough the smart went into hiding. But James would not let bygones be bygones and, shortly after becoming king, Oates was found and charged with perjury.

He was tried in May 1685 on two specific counts: 1) that he swore to be at the Jesuit consult in London in April 1678 when he was in St. Omers, and 2) that he swore William Ireland, executed primarily on Oates' testimony, was in London in August 1678 when he was in Staffordshire. Oates was, as usual, very eloquent in his manner, but the brunt of his defense rested on his assertion that people at the time had believed him. Jeffreys found him guilty, fined him heavily, stripped him of all degrees (real and imaginary), and sentenced him to life imprisonment. In two different parts of the city he was humiliated and pilloried. He was whipped from Aldgate to Newgate, then from Newgate to Tyburn. His life imprisonment would be interrupted every April 24, August 9, 10, and 11, and September 2 to spend one hour in the pillory in various parts of London. On his first day in the pillory, an estimated crowd of 10,000 pelted him with rotten eggs. This was quite a change for a man who had styled himself the "Savior of his Country." But Oates led a charmed life. He was released from prison after the Glorious Revolution and met William in early 1689. In March 1689 he convinced the House of Lords to reverse his sentence and clear him. He made the mistake of asking the same of the lower house—and the two houses were on the verge of a serious quarrel over the matter when it was prorogued in August 1689. The king gave Oates a pension of £5 a week. Oates married a rich widow and by 1693 had spent all her money. Queen Mary discovered he was receiving a pension and stopped it in consideration of how he had treated her father. After Mary's death, he successfully got £500 from
the Treasury to pay his debts and £300 per year. He joined the Wapping Baptists in 1701, but he was apparently little changed. They thought him "a disorderly person and a hypocrite," and expelled him. He took to attending the quarter sessions in his canonical gown. He died July 12, 1705.\(^\text{17}\)

As for the fates and finances of the other accusers, Tonge made a profit in publishing (at least five manuscripts), and received £200 from the government for his services. The Parliament of 1680 gave him £2 a week pension, but he died the next December. Charles contributed £50 for the funeral. Bedlow received £10 a week and rooms at Whitehall in the beginning, but in June 1680 the pension was reduced to £2, and he died in August. He had received the £500 reward for discovering Godfrey's murderers, some of which went to France. He also squeezed £187 out of the government for expenses such as "maintaining witnesses in town." To whom he was referring is a mystery.\(^\text{18}\) There is irony in the fact that both Prance and Bedlow got reward money for identifying Godfrey's murderers. Bedlow "swore that Godfrey was murdered in one place, at one time, in one manner, for one motive, by one set of men; Prance swore that he was murdered in another place, at another time, in another manner, for another motive, by another set of men." Yet both swore alike to the meeting of the murderers over the candlelit corpse in Somerset House on October 14, though neither agreed on who was present in the room.\(^\text{19}\)

\(^{17}\text{Kenyon, Plot, p. 293, and DNB, vol. XIV, pp. 746-7.}\)

\(^{18}\text{Kenyon, Plot, p. 278.}\)

\(^{19}\text{Pollock, p. 141.}\)
Dangerfield, involved in the Meal Tub Plot, was prosecuted by King James in March of 1685 for libel, for accusing James of involvement in that plot. He was sentenced to be publicly whipped like Oates, but on the way back to his cell he got into an argument with a bystander. The man, who was a Tory barrister, struck Dangerfield in the face with his walking stick and by a freak chance killed him. On James' instructions, the barrister was tried and executed for murder. Miles Prance, who was still a Roman Catholic, was also tried under King James, in Easter 1686, but got off with a fine for £100. James remitted the order to be publicly whipped, which accompanied the fine. It was Stephen Dugdale who made the most money off the Plot. He claimed £475 in a nebulous catalog of expenses in 1679 and 1680. He also received gifts from the government totalling £230. In January 1681, he asked for over £250 more, which was given him in five installments ending June 1682. His allowance of £5 a week was cut to £3 in July 1680 and £2 in April 1681. He died in 1683. After Oates' conviction in 1685, King James felt the ghosts of the past were laid to rest. He happily told Reresby that "the Popish Plot was dead." Reresby added that "it was long since dead, and now it would be buried." The king was so tickled with this reply that he repeated it to Princess Anne.

20Kenyon, Plot, p. 278, and pp. 294-6.
CHAPTER VIII

CONCLUSION

Were I, who to my cost, already am
One of those strange, prodigious creatures, Man,
A spirit free, to choose for my own share
What sort of flesh and blood I pleas'd to wear,
I'd be a dog, a monkey or a bear,
Or any thing but that Vain animal
Who is so proud of being rational.
—Lord Rochester, "In Imitation of the Eighth Satire of Boileau"

The Popish Plot and the Exclusion Crisis it created wrought political and religious changes, and raised serious questions about the nature of justice. The most significant political change was the rise of the Opposition. The Green Ribbon Club, founded in 1675,
into prominence with the Popish Plot and died with the Rye House Plot. The nature of its membership is revealed by the fact that more than one-third of its members were involved in the Rye House Plot, and more than a dozen in Monmouth's later attempt to invade and seize the throne. The encouragement such clubs gave to oppositional political thought increased political awareness and interest in every social class. As one man observed, it was hard to distinguish whether the coffee-house was invented as a forum for discussing left-wing literature, or the other way around; "As to handling treasonable papers about in coffee-houses [it was such a normal aspect of the place that] it seems hard to punish any of them for it." ¹

The press played a large role in bringing political issues to every class. As one contemporary wrote, "Since this damnable Popish Plot had been discovered, there have come out so many notable good and bad books on all sides that I vow to thee I am become sublime like a philosopher, and can hold out pro and con with the best of them." ² That the coffee-houses were nurturing the opposition and not the government was obvious, as the government attempted several times both to close the coffee-houses and to stem the flood of literature. ³ When it realized it could not successfully do either, the government enlisted men like Roger L'Estrange to give the Opposition a dose of its own medicine. L'Estrange personally despised Oates, who bore with mounting impatience L'Estrange's attacks. ⁴ L'Estrange pointed out in print how Oates had obviously perjured himself

when "he Swore, Effectively, North and South" in two different trials; and that when the prisoner had pointed this out, the Lord Chief Justice told him he must prove it with the records. L'Estrange was one of the first of many writers to express their fear that the law and justice had taken two separate courses during the Plot. He wrote in the "Observator,"

Nay, there's nothing to be said against the Legality of it; when the Court had Pronounc'd it Lawfull [by accepting Oates' conflicting evidence]. Nothing against the Prudence, and Necessity of it; when the Destroying of Otes's Evidence would have Sav'd so many Lives. 'Tis True; the very Attempt would have been call'd a Reflexion upon the Plot: Or a Design to Invalidate his Testimony. But your Observation, I must Confess, carries something of Weight in't.

In the same dialogue, the author mused whether the prisoners had actually received their lawful rights. Studies of the trials' transcripts by later scholars such as Kenyon, Pollock, and Landon have led these men to conclude that, except for some minor irregularities, the victims of the Plot were all convicted according to standard legal precedents of the time. Profuse lying was done on both sides in the trials, and jurors and judges were influenced more heavily by the emotions than evidence. For example, sixteen witnesses were called in 1679 to prove that Oates had been at St. Omers during the April 24, 1678 Jesuit consult in London. They did not hesitate to say they had spoken with Oates daily that April and May, although some later admitted they had been instructed to say that. One man actually admitted that Oates could have slipped out for a couple of days and the witness would not have noticed. Incidentally,

5 Roger L'Estrange, "The Observator," March 17, 1684.
these witnesses had enjoyed the hospitality of the not-yet-famous Mrs. Cellier during their London stay to testify in these trials. 6

It would be pompous to assert that the twentieth century has a monopoly on justice. Whether testimony was given in the seventeenth or the twentieth centuries, it is still often little more than a contest to see which side can lie more convincingly. And before one smugly condemns those juries that convicted men to death on the oral testimony of perjurers like Oates and Bedlow, one must remember that England had no police force. Witnesses were for hire—"straw-men," or professional perjurers, paraded like prostitutes outside the law courts, a wisp of straw in their shoe buckle identifying their trade. 7 Their evidence might be taken down several times by any of these groups; the Privy Council, the Secret Committee, a Secretary of State or other government official, or one of the Houses of Parliament. No one organization existed that was responsible for correlating the evidence gathered to discover discrepancies. Lawyers arguing these cases found the sheer volume of material was daunting. The state trials of the Popish Plot consume 2,000 pages of fine print, and include twenty-two trials for treason, three for murder or attempted murder, and eleven for perjury, libel or other misdemeanors. 8 The influence of public opinion and perjurers on courts of law was not born during the Popish Plot, but it enjoyed considerable prominence because of the volcanic nature of those times.

6 Pollock, pp. 342-5. 7 Helm, p. 39. 8 Pollock, p. 265.
The Popish Plot and Exclusion Crisis were also a political contest. Charles’ lack of a consistent and open foreign policy, and his admiration of Louis XIV’s rule in France was bound to alarm most segments of the population. Different political factions had always fought each other, but the plot created a fence on which no one could sit. One was for the king’s policies or against them, and many groups with old grudges joined the Opposition. Old Presbyterians who were not satisfied by Charles I or Charles II, republicans, hopefuls surrounding the Duke of Monmouth, disappointed royalists passed by in 1660, and city merchants who sought to add political power to their economic power—all these people saw hope in the Opposition. In the same manner that Pym served to galvanize his followers forty years before, they needed a leader and a cause to weld their many annoyances into a political force. Shaftesbury and the Popish Plot served to do both.9

To reduce the tensions to their two smallest components, the years of the Plot became a personal contest between Shaftesbury and Charles. Charles won back during his lifetime the privileges and prerogatives of the crown that Shaftesbury threatened; and Shaftesbury died an embittered fugitive. Charles willingly paid a price for freedom from Parliament—financial dependence on Louis XIV. Shaftesbury actually had the last laugh, because (as Charles himself suspected) in less than four years James forfeited all that his brother had fought to preserve.

The Restoration of 1660 was supposed to have balanced the power between King, Lords, Commons, Church, and electors. The Popish Plot and Exclusion Crisis magnified the two biggest problems of the

9Helm, pp. 36-7.
Restoration—religious freedom and arbitrary monarchy. By the time of the Oxford Parliament, Charles had regained his popularity and power in the midst of threats of a civil war provoked by the Whigs. The initial backlash of pro-Tory feelings was strong, and James was able to ride on that popularity and ascend the throne peacefully in 1685. But the underlying stress between Catholic and Protestant, and between an arbitrary monarchy versus a constitutional one was still part of the public's psyche. James came to the throne in a position strong enough to crush Monmouth's Rebellion, but proceeded to alienate even his Tory supporters by his demands to reinstate Catholics in the government and the military. In 1687 and early 1688 James even tried to recover his position by discarding the Tories for the Whigs. But the same prejudices and hatreds kindled in 1678-81 came back to destroy James in 1688.

That the Revolution of 1688 was accomplished with such speed and only minor discontent was partly due to the groundwork political thinking of the Whigs who had envisioned ten years before of imposing the same safeguards for religion and liberty on Charles II and his heir. The Revolution placed control of the army in Parliament's hands with the Mutiny Act, and insured that future sovereigns would be Protestant—these issues that had been urgently debated during the Popish Plot and Exclusion Crisis were finally resolved. Shaftesbury's dreams had been realized within six years of his death.

Charles had proved during the crisis years as adept at the waiting game as his ancestor Elizabeth Tudor. James proved completely unable to

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muster up the same patience; and practiced neither prudence nor moderation during his reign.

The initial success of the Popish Plot can largely be traced to its timing. A situation of "structural strain" already existed between the Protestant and Catholic elements in society, and a lack of confidence between the government and the governed. Stress between Lords and Commons, and the king and the Commons, was high. England had been, with scant exception, ruled by consent between the government and the governed—with no standing army to enforce the law, consent was essential. The country had experienced in the last generation what could happen when the two were in direct variance. As the Popish Plot grew, so did the fear of another civil war. William Outram wrote in 1682 that the Plot had given the people "such sensible apprehensions of future troubles and calamities, that we enjoy not what we have." He wrote of feeling "unsettled and uncertain," and apprehensive of the future.

Algernon Sidney echoed the confusion of his fellow countrymen when he wrote (on the problem of Charles' successor), "I must confess, I do not know three men of a mind, and that a spirit of giddiness reigns amongst us, far beyond any I have ever observed in my life." His comments illustrate some of the key psychological factors that made England fertile ground for a crisis: uncertainty, surprise, anxiety, feelings of isolation, and expectancy of danger. These were aggravated by the crowded London population, and lack of a trusted news vehicle, which led to reliance on rumor. Those that could not read the newsletters in the

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coffee houses got their information by word-of-mouth. The government aggravated the situation in the beginning by releasing no information, and by issuing successive proclamations that disarmed Catholics, ordered them out of London, and confined them to within five miles of their homes. Calling out the militia to patrol the streets did not calm Londoners. The dissolution in January 1679 of a Parliament almost two decades old, a serious fire (attributed to papists) that destroyed much of the Temple, and the usual small fires through the year further fueled their hysteria.16 The Opposition could hardly be expected to pass on exploiting these events.

This paper deals only with the Plot in London because most of its strength was in that city. Despite attempts to spread it into the countryside, the only other areas that were seriously disturbed were parts of Lancashire, Yorkshire and Monmouthshire.17 And in these cases the Plot was often little more than an excuse to pursue an already existing personal feud.18 The number of priests arrested in England and Wales between 1678 and 1681 was about forty-two. According to an Elizabethan statute, a priest could be tried for treason and be executed. A proclamation of 1679 served to remind the country of that fact—but this aspect went largely unpursued. The nature of the crime meant that a court would have to find a Catholic willing to swear he had seen the accused priest's ordination, or that he had seen him giving mass or taking

16 Kenyon, Plot, p. 274.
17 Figures for the year 1671 give some idea of the concentration in some areas of Catholics: convicted recusants in Lancashire--5496, in Yorkshire--1855, but in Devon--42. Kenyon, Plot, p. 28.
18 See Kenyon, Plot, pp. 244-5. In Monmouthshire, feuding Catholic and Protestant magistrates persecuted the South Wales priesthood in an effort to outdo each other.
confession. Of the forty-two priests arrested, twenty were tried, six executed, three died in prison, and one was judged a lunatic and sent to an asylum. In 1681 one priest was released from prison and Charles had seven more quietly transported to the Scilly Isles.

To put the number of arrests in perspective, one should note that in 1669, there were about 230 secular priests in England, and 225 regulars (including 120 Jesuits and 80 Benedictines). The Jesuits were the most active and visible, and they rotated their personnel so that in 1678 there were 128 Jesuits in England, and 160 English Jesuits on the Continent. London, the capital and a commercial center, had more than its share proportionately of Catholics. It was also easier for Catholics to find places to worship in London. They could go to the Queen's Chapel, the homes of Catholic peers, or to any of the Catholic foreign ambassadors.

Subjects were allowed to do what they wanted once they had taken the oaths of allegiance and supremacy and paid their monthly fine for not attending Anglican services. Most Catholics had no qualms about taking the oaths. One Yorkshire man, who had just heard of a priest and forty gentlemen suspected of popery taking the oaths en masse said wryly, "My opinion is, Sir Thomas More and Bishop Fisher died much mistaken." Of course many Catholics suffered financial hardship and upheaval. Some left the country to avoid the oaths and/or prosecution. At least three Catholic peers, Lumley, Shrewsbury, and Mowbray, converted. But neither the Court nor the Opposition deliberately wanted to alienate the landed classes. Those who were arrested because of Oates' or Bedlow's evidence were all bailed as

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19 Kenyon, Plot, p. 247.  
20 Miller, Popery, p. 190.  
21 Kenyon, Plot, pp. 25-28.  
22 Kenyon, Plot, p. 266.
early as February 1679. In January 1679 the Council released some Staffordshire gentry accused by Dugdale, even after they had admitted sending money to Catholic seminaries abroad. Only four members of the landed classes, Stafford, Castlemaine, Sir Miles Stapleton and Sir Thomas Gascoigne, were tried for treason, and only Stafford found guilty. Although priests were sometimes arrested in the homes of their patrons, none of the laymen was charged with harboring a priest. This was in spite of the fact that two proclamations were issued during the Plot reminding the public that sheltering a priest was an offense that carried the death penalty. No peer during the Plot was proceeded against for recusancy except the five Catholic lords in the Tower and the Duke of Norfolk.23

Even though few Catholic laymen were actually arrested, most felt harrassed. In October 1678 they were disarmed, which was quite a shock when there were no police and a man's weapon was his only defense. Carrying arms was a mark of gentility, and disarming the Catholics was also a way of insulting them. The same month Catholics who were not householders were ordered out of London and not allowed within a twelve mile radius of the city without the permission of the Council. Those that stayed behind had to take the oaths. The twelve mile proclamation was renewed about every six months throughout the Plot, and caused a steady flow of physicians to appear before the Council to explain the necessity of their Catholic patients visiting or staying in London. To isolate and inconvenience Catholics, a proclamation of November 6 ordered Catholics all over the country to travel no more than five miles from home. This also served to prevent many Catholics from voting in Parliamentary

23Kenyon, Plot, pp. 254-6. The Duke of Norfolk's case was odd, as his heir had already converted to Protestantism.
elections if they could not travel to the voting site. Another proclamation in November ordered each parish to list all papists or suspected papists, and send them to a magistrate to take the oaths. If they refused, they could be prosecuted for recusancy, although the proclamation was not generally enforced. On January 31, 1679, another proclamation threatened to dismiss those JP's that did not carry out the previous proclamation.\textsuperscript{24}

In the countryside, it seemed the larger the Catholic minority, the greater the reluctance to prosecute. The Lord Lieutenant of North Riding, Yorkshire told the Council, to excuse his laxity, that there were so many recusants in his area that he thought it unwise to prosecute. For this backward bit of logic he was severely reprimanded by the Council. Since prosecution was on a per county basis, one could often avoid it simply by slipping into a more tolerant county.\textsuperscript{25}

Some Catholics did their fellow worshippers no good by practically flaunting their religious preference. One of the first victims executed in the Plot, the Catholic banker William Staly, was buried during the height of the Plot (November 1678) with a series of requiem masses that the family made no attempt to conceal. Perhaps they felt safer in their exhibitionism because they lived in a predominantly Catholic section of London, Covent Garden, a cosmopolitan trading district that also housed several foreign ambassadors. The Spanish ambassador on Wild Street, as well as the Imperial envoy and the Portuguese ambassador, considered their houses were sanctuaries. In September 1678 Oates arrested two

\textsuperscript{24}Kenyon, \textit{Plot}, pp. 251-2.  
\textsuperscript{25}Kenyon, \textit{Plot}, pp. 258, 261.
Jesuits who lived on Wild Street. The Spanish ambassador objected, saying that Oates had trespassed on embassy territory. He did not pursue the matter, but for the future he had adjourning walls on the entire street pierced and passages installed that led to the embassy. When William Waller appeared on Wild Street to arrest a priest, he found he had to chase the man through passages that ran the whole length of the street. To his embarrassment, he ended up with the priest in the Spanish ambassador's house. Waller and the Privy Council were made to apologise to the ambassador, and the king scolded Williamson, the Secretary of State, for Waller's zeal. The ambassador was embarrassed himself when he discovered the elusive priest was the head of the English Carmelites, and ordered him to leave the country. Catholic ambassadors continued to protect anyone who could get to their embassies, with the exception of the French ambassador who was often helping the Opposition.26

The government also tried to stop Englishmen from attending mass at Catholic embassies. A proclamation to that effect was issued in December 1678, and a month later the Privy Council ordered guards posted outside the embassies every Sunday to challenge every Englishman going in or out. Those suspected of being papists were to be sent to a magistrate to take the oaths. But London Catholics were willing to take the oaths—it was the royal family that set a bad example. On Good Friday, 1680, the guards had to be withdrawn so that James, using an alias, could attend mass at the Spanish ambassador's.27

26Kenyon, Plot, p. 252. 27Kenyon, Plot, pp. 252-3.
Enforcement of the penal laws was not really pushed until the dissolution of the Oxford Parliament in March 1681. Charles was determined to prove he was following the Anglican straight line, and gave orders to proceed against all Dissenters, including Catholics. Persecution did not decline until 1683, when James returned to London from Scotland.\(^{28}\)

If most Catholics were affected immediately with persecution (or the threat of it), they were also affected in their long-range development. Some of the best and brightest priests and Jesuits were executed, men like Ireland, Whitbread and Gaven who might have been the leaders of the next generation. Had they been instantly accepted and acclaimed as martyrs, their deaths might have at least inspired their co-religionists. Instead, the Jesuits were blamed by Catholic and Protestants alike for meddling in politics, causing Catholics to lose face, and for the Plot in general. It was 1886 before the Catholic Church even made the executed men "Venerable."\(^{29}\) The disgust Catholics felt was shown in reduced financial support of Catholic colleges on the Continent. The pope pitched in between 1679-82 with miserly contributions, but English Catholics withheld not only their money, but also their children. St. Omers was almost closed for lack of recruits. John Kenyon ventures that had the government actively enforced the proclamation of 1679 that forbid Englishmen to educate their children abroad, the seminaries would have been wiped out.\(^{30}\)

\(^{28}\)Kenyon, Plot, pp. 267-70. James had Powis, Arundell and Belasyse released in February 1684. Petre had died the month before.

\(^{29}\)Relics are essential to sainthood. The head of the Franciscan saint (as of 1970) John Wall, executed August 1679, was saved at Douai. A nunnery that took charge of it moved to England in 1836. The sister responsible for the head's transfer blanched at the thought of facing British Customs with such an object, and buried it in the cloister gardens. Kenyon, Plot, p. 312.

\(^{30}\)Kenyon, Plot, p. 242.
Legislation passed during the Plot eliminated Catholic laymen from the House of Lords and the political process for over 100 years. Because of religious bias, England was denied the use of any Catholic's political talents.

The Popish Plot converted the bias of many Protestants against Catholics into fearful hatred. Reliance on rumor and later, propaganda, magnified their fears. The proclamations to disperse and disarm Catholics in the fall of 1678 alarmed Protestants as much as Catholics, and Godfrey's death confirmed their fears that a wholesale massacre of Protestants would surely follow. A financial recession in 1678 and 1679 brought about by the end of the war in Europe caused uneasiness among the apprentices, who could be counted on to attend Whig demonstrations. The lack of violence in these demonstrations, notably the annual Whig ceremonies on November 17, is amazing considering, as this paper has shown, how many Protestants felt they were living with Catholic knives at their backs.

Treaties, trials, riots, speeches, executions, and legislation are some of the bits and pieces that make up history. For reports of every day's happenings, large and small, one is dependent on contemporary reports. The purpose of this paper was to examine the Popish Plot through the personal reminiscences of those who lived through it. Having read and evaluated the observations of the obscure and the famous, it is proper to examine how some writers felt about the responsibility of recording their times.

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31 Kenyon, _Plot_, pp. 272-4.
Roger North had retired completely from politics and was living the life of a country gentleman when White Kennett's three volume Complete History of England was published in 1706. He was distressed when he read it, because he perceived it was not an honest view of Charles II's reign. Although North had published only one work in his lifetime ("A Discourse on Fish and Fish Ponds"), he was a prolific writer and set out to write a more accurate history of Charles' reign. His motivation was quite clear from the title of the book known popularly as Examen—in full the title is, Examen, or an Enquiry into the Credit and Vericity of a Pretended Complete History: shewing the perverse and wicked design of it, and the many fallacies and abuses of truth contained in it. Together with some Memoirs occasionally inserted, all tending to vindicate the honour of the late King Charles the Second and his happy reign from the intended Aspersions of that Foul Pen. He went on to write a vindication of his brother, Francis North, whom he felt was also treated unfairly by Kennett, the lives of all his brothers, and lastly, his own autobiography. He is best known for these works, though the first, Examen, was published seven years after his death.\(^32\) North admitted that in Examen "My Design was, partly to rectify . . . and to enlarge the History of that Time; and more particularly in wiping away the Filth which the Author hath spewed upon the Memory of King Charles II and his good government."\(^33\) North, with his background as a lawyer, recognized the daunting task of compiling a history. "The worst is, we have neither History nor pure Libel to do with, but a Compound of both. One cannot take any Thing clear or distinct

out of it, but, between relating and reflecting, glancing and insinuating
must take it to pieces." Examen is not, and North did not intend it to be, an impartial, perfectly balanced history.

To write history in the seventeenth century without personal bias and opinions was not fashionable. This puts an extra burden on the reader, who must understand the writer's political leanings and personal idiosyncracies to interpret correctly what he reads. For example, Luttrell wrote in March 1680 of Roger L'Estrange, "'tis said his majestie hath settled on him an allowance; this person hath writt many things (as he pretends) for his majesties service, but they have caused most violent animosities amongst his majesties subjects, and will prove very destructive to the protestant interest." To read between the lines, Luttrell was a staunch Whig who was annoyed at L'Estrange's attempts to harass Whig printers. As we have seen, Whig pamphleteering was more violent and widespread in the first years of the Plot, and Luttrell resented that L'Estrange was urging the king to fight back using the same methods. One of the best ways to smear an adversary was to insinuate, as Luttrell did here, that L'Estrange was a rabblerouser and a Catholic. L'Estrange was doing no more than the Whigs in his pamphlets, and he later took the Anglican communion in public, with a prominent Whig in the church, to prove he was not a Catholic.

L'Estrange himself endeavored, once the Plot was over, to write about the experience. In his introduction to A Brief History of the Times (1687), he explained why he thought himself qualified:

\[\text{North, Examen, pp. 303-4. Luttrell, p. 39.}\]
It has been often hard put to me, to write an historical series of this villanous plot, because what with assiduity of application, and extraordinary means of enforming myself, I have had more advantages toward it, perchance, then any other man again, to extract a true history out of the rubbish of Otes's shams, perjuries, and enformations . . . .

For each author who thought himself qualified to write a history, there were many more to call him presumptuous. Halifax found fault with Burnet as a historian, but believed his faults were due more to his personal approach (sometimes Burnet did not grasp the whole picture) than any desire to deceive. Halifax wrote of Burnet's critics: "Dull men do not miss one blot he makes . . . they fall on the errors which arise out of his abundance." Halifax died before Burnet's History of His Own Time was published, but he would have been able to read Burnet's Vindication of the Authority, Constitution, and Laws of the Church and State of Scotland (1673), the Memoirs of the Dukes of Hamilton (1674) and volumes I (1679) and II (1681) of the three-volume History of the Reformation in England. Burnet is quite modest about this last work in History of His Own Time. When the first volume on the Reformation was published, the plot was at its height. For so ably defending the Protestant Church, Burnet was publicly thanked by both houses of Parliament and encouraged to continue the series. History of His Own Time was not published until 1723 (volume I) and 1734 (volume II), several years after Burnet's and Halifax's deaths (1715 and 1695, respectively). One long, anonymous criticism called Burnet's History

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37 Ogg, pp. 750-1.

"Chit-Chat," and "so much Hear-say as to be beneath History." The author felt Burnet's involvement in politics was a drawback, because:

a warm Party-Man is the most unfit Person in Life to write a History of the Facts, where Parties are to be treated of. His zeal for the side he espouses will ever be top-heavy, and show itself in Circumstances and Things, which rather ridicule and injure the Party, than serve it ... 39

Taking into account his weaknesses, Burnet's History is still required reading for students of this period. He had a thorough mind and a keen eye for detail, and an annotated version shows how well he researched his work. His anonymous critic thought Burnet was a "Party-Man," but Burnet had his differences with the Whigs and was not intimidated by them. His friendship with men like Halifax and Russell gave him information to which men like John Evelyn would rarely have access.

Richard Ashcraft succinctly states the problem that writers and readers of history must face when dealing with a period of crisis:

The lies, suspicions, deceit, and treachery that infiltrated the political arena during this period present serious problems with respect to the integrity of the evidence upon which the historian generally relies. Historical investigation becomes a difficult undertaking when the boundaries of collective paranoia or official dissimulation cannot be easily determined, or when secrecy and deception have become socially widespread practices. 40

This would suggest that the men like William Temple, who wrote about the Plot years afterwards when the paranoia had subsided, might present a more balanced and faithful account. Temple published essays throughout


40 Ashcraft, p. 9.
his lifetime, but he did not edit and publish on the Plot until his later years. All of his works were well-received, and Edmund Calamy mentions that Temple's memoirs of the years 1672-79 "gives a very handsome and entertaining account of public matters in that interval, and whosoever reads that with care, will see great reason to be thankful, that our civil and religious interests both, were not entirely and irrecoverably ruined by the transactions of that time, and the methods that were pursued." Temple was highly regarded for his honesty, and having been a Tory and a Whig, he had the unique opportunity of sharing the secrets of both sides.

But what is the value of the letters, diaries, and journals of the period? Since they were written with the freshest viewpoint, unhindered (or sometimes, unenlightened?) by hindsight, they are the most useful source for the country's state of mind. The historian must be careful to confirm events and dates—because rumors may be represented as fact and events recorded days or weeks after they actually happened. Rumors should not always be brushed aside, because they reflect the musings of the people. Diaries and letters were rarely written with the intention of publication though their authors were sometimes known to revise them (as Evelyn did) with that in mind. When Danby compiled his private papers for publication, he was not above changing Charles' note at the bottom of Appendix A from "I approve of this letter—C.R." to "This letter is writ by my order—C.R." Roger L'Estrange wrote, "The lies of this age will be the history of the next." Every historian must recognize this risk, and the best will take it as a challenge.

41 Calamy, p. 78. 42 Pollock, p. 181. 43 Helm, p. 10.
Appendix A

Excerpt of a letter from Danby to Ralph Montague, dated March 25, 1678:

In case the conditions of the peace shall be accepted, the King expects to have six millions of livres a year for three years from the time that this agreement shall be signed betwixt His Majesty and the King of France, because it will probably be two or three years before the parliament will be in humour to give him any supplies after the making of any peace with France, and the ambassador here has always agreed to that sum, but not for so long time. If you find the peace will not be accepted, you are not to mention the money at all. All possible care must be taken to have the whole negotiation as private as possible, for fear of giving offense at home, where for the most part we hear in ten days after of anything that is communicated to the French Ministers. I must again repeat to you, that what ever you write upon this subject to the Secretary (to whom you must not mention a syllable of the money) you must say only as a thing you believe they would consent to, if you had the power formally to make those propositions ....

[At the bottom in Charles' handwriting, was this note:] I approve of this letter.—C.R.

(Bryant, Letters, pp. 292-3)
Letter from Charles II to James, dated February 28, 1679:

For my dear friend the Duke of York:

My dear Brother. I have already fully told you the reasons which oblige me to send you from me for some time beyond sea. As I am truly sorry for the cause of our separation, you may also assure yourself that I shall never wish your absence to continue longer than is absolutely necessary for your good and my service. I find it, however, proper to let you know under my hand that I expect you will satisfy me in this; and that I wish it may be as soon as your conveniency will permit. You may easily believe that it is not without a great deal of pain I write you this, being more touched with the constant friendship you have had for me than with anything else in the world; and I also hope that you will do me the justice to believe for certain, that neither absence, nor anything will hinder me from being truly and with affection yours.

(Bryant, Letters, pp. 304-305)
Appendix C

William Blundell was a Catholic who fought for Charles I in the Civil War. He broke his leg in battle and it crippled him for life. When he inherited his father's estate in 1638, as a Catholic he only got possession of one-third of the estate, and the other two-thirds went to the Crown. A deal was worked out where the family rented the forfeited two-thirds from the government. William was a prime example of a man who was English first, and Catholic second. He wrote his cousin, "When France or Rome itself (upon any civil account or national quarrel) shall chance to be Enemies to England, I shall hold myself obliged . . . to pay, to pray and to fight most heartily against them." (Blundell, p. 185). William believed there was a Plot, but was furious at the assumption that every Catholic was automatically involved (Blundell, p. 200). His own son was a Jesuit priest, which brought his father under suspicion. The following letter was written on April 4, 1679 to a close friend, who already knew where William's loyalties lay. William had written elsewhere of his fear that his personal effects might be searched. This letter was found among these effects, which could suggest it was never sent. Although it undoubtedly echoes his true feelings, there is the possibility it was kept to protect the author.

... Yet since I wrote my last to you, which was so many months ago, I have been inwardly no little afflicted to see and hear these many astonishing particulars which have filled the world with wonder [the Plot], and to be constrained either to believe that many of those very same persons, who, being of my own profession, had once been active assentors of the Royal cause and painful sufferers for it, have since contrived that there hath been an unchristian confederacy against the reputation, lives, and fortunes of many innocent men. I was troubled a little some months ago to see my trusty old sword taken from me [on the order to disarm papists] (which had been my companion when I lost my limbs, my lands, my liberty for acting against the Rebels in the King's behalf) by an officer appointed for the purpose, who in that former old time had been a captain against the King. Yet I hear no personal charge against me, nor do I fear any at all except purely upon the account of the religion which I have ever professed. In that particular I conceive that my estate and my liberty, as well as many others, may incur no little damage if the Parliament's will be done; and if that be the King's will too I shall most heartily and
humbly submit . . . . I deny as in the presence of God that I have ever entertained any design whatsoever contrary to the duty of a subject either against the King or this. And as for invasions, it hath ever been my professed principle that all Catholic subjects of a lawful Protestant King (such as King Charles the 2nd) are obliged faithfully to adhere to that king in all invasions whatsoever, though made by Catholic princes or even by the Pope himself . . . . [He closes by saying] I trust you will pity and pardon me if now, when so many are grown stark mad, I am become a little distracted.

(Blundell, pp. 201-203)
Appendix D

Gilbert Burnet (1643-1715)

Born, raised and educated in Scotland, Burnet was learned in law, history and theology. In the 1660's, he became a great friend of the Duke of Lauderdale. Through Lauderdale, he was introduced to Charles and James, who both favored him. After Lauderdale's government in Scotland became oppressive in the early 1670's, his relationship with the Duke and Duchess of Lauderdale began to grow antagonistic. To be farther away from them, Burnet decided to settle in England. Lauderdale consistently used his influence with Charles to block Burnet's advancement, but Lauderdale's influence was offset by the favor of James. During the Popish Plot, he wrote and published several volumes upholding the Anglican Church, and a History of the Reformation in England. Due to the tenor of the times, Parliament publicly thanked him for these works when they were published. Although a Whig in political sympathy, he raised the ire of Shaftesbury by doubting the guilt of some of the men condemned during the plot. During the Exclusion Crisis, he acted as a moderator to both sides. He became a close friend of Halifax, and was generally respected by both sides. After Stafford was sentenced, it was Burnet he asked to intercede for his life with the king. Burnet tried so hard for him that he angered Shaftesbury again. He was also close friends with Essex and Russell, both of whom lost their lives as a result of the Rye House Plot in 1683. After that tragedy, he thought it wise to live abroad for a while. After a period in France, he stayed at William and Mary's court in Holland, where he was treated with much favor (which annoyed James to the point that he had Burnet declared an outlaw). He landed with William at Torbay, and was to preach their coronation sermon. It was during William's reign that Burnet became Bishop of Salisbury. He spent the early years of the eighteenth century dabbling (as usual) in politics, and writing. The History of His Own Time was not published until after his death.

John Evelyn (1620-1706)

He joined the king's forces as a young man during the Civil War, and afterward traveled all around Europe. Due to chronic illness, his formal education was sketchy, but travel imbued him with an interest in art and antiquities. Meetings with a friend to promote a scientific college developed into the Royal Society. After the Restoration, he held some minor offices and belonged to several commissions, but his condemnation of the morals of the court kept him from seeking higher offices. The Royal Society was his true vocation, and he devoted much of his time to nurturing it.

Evelyn had his reservations about the Glorious Revolution, and retired to the country. His "Diary" was not published until 1818-19.

Roger L'Estrange (1616-1704)

Born of a Royalist family, in 1639 L'Estrange accompanied Charles I and his army to Scotland. During his wartime exploits, he was captured (December 1644) and narrowly missed execution. In 1653, he began publishing anonymous broadsides attacking the army and its leaders. In 1659, he began publishing pamphlets in favor of the monarchy. He was very disappointed that he was not singled out for reward on Charles II's Restoration.

In 1663, L'Estrange was finally recognized by the government and given the official authority to seize the books and authors of any writing he deemed seditious, and bring them to the Council. He favored strict supervision of all printers and severe penalties for publishing offensive material. By August 1663, he was appointed head of the official printing offices, and began publishing two official newspapers once a week; this despite his own view that the people should not have detailed news "because I think it makes the multitude too familiar with the actions and counsels of their superiors, too pragmatical and censorious, and gives them not only a wish but a kind of colourable right and license to the meddling with the government" (p. 1000). He justified his own newsletters by saying in these troubled times the people needed his reasonable guidance in what to think.

The appearance of "The London Gazette" (licensed by Arlington) which proved more popular meant the demise of L'Estrange's papers in 1666. But he kept busy in his office as official censor for the next ten years. The Popish Plot brought him back into the limelight as a writer and he published an answer to every important Whig pamphlet. His steadfast defense of the Tories earned him favor at court. His disbelief (expressed in print) of Oates' evidence got him into trouble when Tonge's son was jailed for expressing the same doubts. While in jail, the younger Tonge was persuaded to change his tune and say that L'Estrange had paid him to say he doubted the evidence of the Plot. France backed him up, and swore L'Estrange was a papist. L'Estrange was called before the Council, but Tonge's evidence was confused, and the king so firmly on L'Estrange's side that he was acquitted. In light of public opinion, he soon after left the country and was burned in effigy in November 1680 in a Whig procession. He returned in February 1681 to defend his own reputation in a series of pamphlets. Tonge admitted his accusation was false, and L'Estrange took the Protestant sacrament publicly to affirm his Protestantism.

He began a bi-weekly sheet, "The Observator, in Question and Answer," on April 13, 1681. He published the papers in volume form in 1687, and included "A brief History of the Times" at the end, in which he exposed Oates' plot as a lie. Many Whig papers imitated "The Observator"'s style to mock L'Estrange. Oates even petitioned the Privy Council to stop L'Estrange's attacks on him in the paper. He was not only defeated but L'Estrange was instrumental in convicting Oates the next year of perjury.
He was knighted under James II in 1685, but in 1687 their differing religious views led to the cessation of "The Observator." He managed to stay on cordial terms with the government by only writing on non-religious issues the rest of the reign. He was hostile to William of Orange, and was jailed on the Revolution, spending much of that reign in and out of prison. He died in 1704 within days of his eighty-eighth birthday, and broken-hearted at his daughter's conversion to Catholicism. Besides pamphlets, and "The Observator," he is best known for his edition of Aesop's fables, which was the most complete collection of fables printed to date.

Roger North (1653-1734)

Roger North's better known brother, Francis, was chief justice of the common pleas in 1675. North was appointed steward by Sancroft to the see of Canterbury. By 1682, he was appointed king's counsel, and soon after made a judge in Middle Temple. His brother was appointed keeper of the Great Seal. North was well-liked at court, and appointed Solicitor-General to James in January 1684. He was still in favor throughout James' reign, but his personal dislike of Chancellor George Jeffreys made attendance at court and advancement uncomfortable and unlikely. He stepped out of public life on William and Mary's ascension and spent the rest of his life as a country gentleman. In 1706, White Kennett published a Complete History of England which North felt treated both Charles II and Francis North unfairly. Examen was written to tell what North felt was the true story. Writing became his passion, and he went on to write the lives of his brothers, and countless manuscripts (now in the British Museum) on law. He was respected and consulted in his neighborhood on questions of law. Except for "A Discourse on Fish and Fish Ponds," none of his work was published in his lifetime. He remained intellectually sharp until his death at age eighty.

Sir George Savile, Marquis of Halifax (1633-1695)

Halifax grew up with connections to relatives and friends in high places; Coventry was his uncle, Shaftesbury his cousin, and Buckingham a good friend. After a career in the military, he was advanced in 1672 to Privy Councillor. He spoke against the Test Acts, and began to show his doubts as to the wisdom of hereditary governments (his argument was that no man would choose a man to drive his carriage just because the man's father was a coachman). After a fight with Danby in 1676, he was dismissed from the Council, and joined the Opposition. Reappointed in Temple's new Council, he became close to the king and joined the Court Party in July 1679, when he was created Earl of Halifax. His membership in the Court Party was not wholehearted; he would have preferred William of Orange over James, and he deplored Charles' negotiations with France and his reluctance to call Parliament. Like Temple, his disagreement with the government's policy led to his retirement until May 1681 when he came back in high favor with the king. The return of James from Edinburgh in June 1682 marked the end of his supremacy. He urged leniency toward Lord Russell and Algernon Sidney, to no avail. He tried to combat James' influence, even to the point of trying to reconcile Monmouth and the king. In January 1685, while working again to bring Monmouth and Charles back together, Halifax circulated his essay "Character of a Trimmer," which was apparently provoked by an essay of Roger L'Estrange in the December 1684 edition of the "Observator." The essay did not appear in print until 1688, when it was attributed to William Coventry because a copy of it was found in his papers. In 1697 and 1699, it was printed again, but the authorship correctly given to Halifax.

Halifax lasted less than a year in the government of James II. During his enforced retirement, he wrote essays and corresponded with William of Orange. In October 1688, James made an effort (too late) to placate Halifax, and actually sent him to William to negotiate, in an attempt to stave off a revolution. When Halifax discovered his mission was a sham on James' part, he moved openly to William's side. After almost a year in William's government, he retired, still in favor with the king and queen. He began printing many of his political essays.

To Macauley, Halifax was the ideal advisor to a constitutional monarch; moderate, unbribable, and patriotic. His political opinions as expressed in his writings (more than his actions) made him a figure of importance. He kept both a diary and a journal, both of which were regrettably destroyed by his granddaughter. In 1700, a collection of his pamphlets appeared, and new editions of his writings have appeared almost every generation since. One of his most popular writings was a letter of advice to his daughter on her marriage (that daughter was to be the mother of the Earl of Chesterfield, of literary fame).

Sir William Temple

William Temple was raised by his uncle, who was a minister in Kent. He left Cambridge without a degree and traveled in France. It was on the way to the Continent that he met his future wife, who had also been proposed to by Danby and one of Cromwell's sons. They married in January 1655 and lived in Dublin. After the Restoration, William became friends with Ormonde, who introduced him to the Court. In 1665, Arlington gave him his first diplomatic post. Temple's greatest triumph was in 1668, when he rushed through the treaty sealing the triple alliance in only five days—such a treaty would normally take two or three months. The speed was attributed to the confidence the other negotiators had in Temple, whose philosophy was that in politics one must always deal honestly. Unfortunately, Charles did not intend to keep the peace with Holland and when the treaty was signed, he sent an apologetic letter to Louis XIV claiming the treaty was only a momentary measure. Charles later broke the treaty, which embarrassed his ambassador and made him wary of the king.

In August 1668, Temple became England's ambassador to the Hague. He respected William of Orange, and the pro-Dutch slant of Temple's actions as ambassador caused him problems among the few pro-French members of the government at home (one of whom was the king). He diplomatically retired to his country home in England when it became clear in 1670 that England would go to war against Holland. He used his retirement to write essays on Ireland, Holland, and government in England. In 1674, he was recalled by the government to negotiate the peace with Holland and became ambassador again to the Hague.

He helped persuade William to marry Mary in 1677. He was adamantly against the treaty signed at Nimeguen in 1679 as being too favorable to France. He refused the secretaryship twice, as he realized the government only wanted his good name, not his advice. The breakdown of the coalition Council he fashioned with Charles led to Temple's retirement in 1681. He had promised James that he would never divide the royal family despite his affection for William of Orange, and when James became king, he left Temple alone. William, so as not to compromise his friend, did not tell him of his planned invasion. Temple refused office for himself in William's reign although his son held the high post of Secretary of War.

During the last ten years of his life, he was aided in compiling his letters and memoirs by his secretary, Jonathan Swift. Swift wrote on his employer's death, "He died at one o'clock this morning, the 27 January 1698-9, and with him all that was good and amiable among men" (p. 529). As theirs was a rocky relationship, this was praise indeed.

Although many of his essays were published in his lifetime, the collections on which he and Swift had labored were not published until 1700-09.
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