CHAPTER XVII.

Fall of the Hydes.—Tyrconnel Lord Deputy in Ireland.—Declarations in Scotland and England for Liberty of Conscience.—Abolition of Penal Tests.—Effects of the Declaration of Indulgence.—The camp at Hounslow Heath.—The Papal Nuncio publicly received by the King.—The King's policy towards Dissenters.—Dryden's Poem of "the Hind and the Panther"—The Declaration commanded to be read in Churches.—The Petition of the Seven Bishops.—They are committed to the Tower.—The public sympathy.—The trial and acquittal of the Bishops.—Birth of the Prince of Wales.

THE year 1687 opened with evil forebodings to those who were well-wishers to the Monarchy and the Church. One whose loyalty must have been sorely shaken by the dangerous experiments upon the temper of the nation thus records his impressions: "Lord Tyrconnel gone to succeed the Lord Lieutenant in Ireland, to the astonishment of all sober men, and to the evident ruin of the Protestants in that kingdom, as well as of its great improvement going on. Much discourse that all the White-Staff officers and others should be dismissed for adhering to their religion."* The Lord Lieutenant, to whom Tyrconnel is to succeed, is Clarendon. The White-Staff officers are to follow the dismissed Lord-Treasurer, Rochester. The fall of the two Hydes, the brothers-in-law of the king, was of evil omen. It was seen that the ties of relationship, of ancient friendship, of fidelity under adverse circumstances, were of no moment when the one dominant idea of the king was to coerce all around him into his measures for forcing his creed upon a reluctant nation. From the highest minister of the Crown to the humblest country magistrate, all appointments were to be made with reference to this royal monomania: "Popish justices of the peace established in all counties, of the meanest of the people; judges ignorant of the law, and perverting it. So furiously do the Jesuits drive, and even compel princes to violent courses, and destruction of an excellent government both in Church and State."† Tyrconnel, whose violence and rashness were objected to even by moderate Catholics, was instructed to depress the English interest, and pro-

* Evelyn, "Diary," January 17.

† Evelyn, "Diary," January 17.

portionately to raise that of the Irish; "to the end that Ireland might offer a secure asylum to James and his friends, if by any subsequent revolution he should be driven from the English throne."* But Tyrconnel, says Dr. Lingard, "had a further and more national object in view." He entered, with the sanction of the king, into secret negotiations with Louis XIV., "to render his native country independent of England, if James should die without male issue, and the prince and princess of Orange should inherit the crown." Ireland was then to become a dependency of France—a truly "national object." Tyrconnel went about his work in a wild way. He displaced the Protestant judges, and filled their seats with Catholics. He terrified the cities and towns into surrender of their charters, and gave them new charters which made parliamentary representation a mockery. He had a scheme for dispossessing the English settlers of the property which they had acquired in the forfeitures of half a century previous. His projects were opposed by grave Catholic peers, who said that the Lord-Deputy was fool and madman enough to ruin ten kingdoms. His character and that of his master, were ridiculed in the famous ballad of Lilli-Burlero:

> "Dare was an old prophecy found in a bog,
> Lilli burlero, bullen a-la;
> Ireland shall be ruled by an ass and a dog,
> Lilli burlero, bullen a-la."

James was the ass and Tyrconnel the dog. This ribaldry of Lord Wharton was adapted to a spirited air of Purcell, published ten years before. "The whole army," says Burnet, "and at last the people both in city and country, were singing it perpetually." Wharton afterwards boasted that he had rhymed James out of his dominions. He had produced a song, like many other songs of wondrous popularity, with little intrinsic merit. But those whose conviviality, even in our own days, had been stirred by its fascinating melody,† may well believe that it was whistled and sung in every street in 1688; and that it had charms for Corporal Trim and his fellow soldiers in Flanders, when its satire upon the "new deputie" who "will cut de Englishman's troat," was utterly forgotten.

There is no error more common, even amongst educated per-

* Lingard.

† "A very good song, and very well sung,
Jolly companions, every one."

sons, than to pronounce upon the opinions of a past age according to the lights of their own age. In February, 1687, James issued in Scotland a Declaration for Liberty of Conscience. In April, 1687, he issued a Declaration for Liberty of Conscience in England. Why, it is asked, were these declarations regarded with suspicion by Churchmen and by Dissenters? Why could not all sincere Christians, of whatever persuasion, have accepted the king's noble measures for the adoption of that tolerant principle which is now found to be perfectly compatible with the security of an Established Church. It was precisely because the principle has been slowly making its way during the contests of a hundred and fifty years, that it is now all but universally recognised as a safe and wholesome principle. It is out of the convictions resulting from our slow historical experience that all tests for admission to civil offices are now abolished for ever. Roman Catholic, Presbyterian, Quaker, Methodist, Independent, Unitarian, Jew, all stand upon the same common ground as the Churchman, of suffering no religious disqualification for the services of their country. But to imagine that such a result could have been effected by the interested will of a Papist king, who had himself been the fiercest of persecutors—who had adopted, to their fullest extent, the hatred of his family to every species of non-conformity,—is to imagine that the channels in which the great floods and little rills of religious opinion had long been flowing, were to be suddenly diverted into one mighty stream, for which time and wisdom had prepared no bed. King James announced to his people of Scotland that, "being resolved to unite the hearts and affections of his subjects, to God in religion, to himself in loyalty, and to their neighbours in Christian love and charity, he had therefore thought fit, by his sovereign authority, prerogative royal, and absolute power, which all his subjects were to obey without reserve, to give and grant his royal toleration to the several professors of the Christian religion after named." The moderate Presbyterians might meet in their houses; but field conventiclers were still to be resisted with the utmost severity. Quakers might meet and exercise their worship in any place. Above all, the various prohibitions and penalties against Roman Catholics were to be void; and all oaths and tests by which any subjects are incapacitated from holding place or office were remitted. The Council of Scotland made no hesitation about "sovereign authority" and "absolute power;" for they had told James at his accession that "we abhor and detest all principles and positions which are contrary or derogatory to the king's sacred, supreme, absolute power and authority." In Scotland, the experiment appeared to be successful. The successors of John Knox made no sign of resistance to a decree which gave honour to the image-worshippers. James now summoned his English Council to proclaim to them his new charter of religious liberty. Freedom of conscience was conducive to peace and quiet, to commerce and population; during four reigns conformity in religion had been vainly attempted. All penal laws should be suspended by the royal prerogative. "A Daniel come to judgment," cried some short-sighted Protestants of that day. "A wise and upright judge," cry some liberal philosophers of the nineteenth century.

Whilst James was introducing his scheme to his Council, he was sounding every peer and influential commoner who approached him, as to the probability of Parliament sanctioning the abolition of the Test Act. The Houses were shortly expected to meet. It was desirable to secure the adhesion of the members to this object, upon which the king had set his heart. He was met by coldness or open refusal, by many upon whose loyalty he thought he could count; and he believed that the loyalty which held kings to be divine would shrink from no sacrifices of higher principles. Upon those who held places he felt sure that he could successfully operate. "It was against all municipal law," said the king, "for free born subjects to be excluded the service of their prince, or for a prince to be restrained from employing such subjects as he thought fit for his service; and that therefore he hoped they would be so loyal as not to refuse him their voices for annulling such unreasonable laws."* Sir John Reresby was attacked by deputy: "The king ordered the judges, in their several circuits, to feel the pulses of the men; in consequence of which I was, to my great surprise, accosted at York by the judge, who told me he had orders to talk with me on the subject." The prudent governor of York evaded giving a direct expression of his intentions: "Had I answered in the affirmative, I might have incurred the displeasure and censure of the greatest part of the nation; if in the negative I should have utterly disobliged the king." Such negative would have forfeited his place: "Every man that persisted in a refusal to comply with this suggestion was sure to be *outed*." The labours of the king to gain the support of members of parliament, "even to discoursing every one of them particularly in his closet, which

* Reresby—"Memoirs," p. 320.

made the English call that way of conference *closeting*,"* set the worldly courtiers upon devising the most polite forms of expression, ing love and duty that committed them to nothing. When sir Dudley North was pressed, "he remembered an old Turkish saying, viz., that a man is to say 'no' only to the devil."† Penn went over to Holland to sound the prince of Orange. William told him "that no man was more for toleration in principle than he was; he thought the conscience was only subject to God; and as far as a general toleration, even of papists, would content the king, he would concur in it heartily. But he looked on the tests as such a real security, and indeed the only one, when the king was of another religion, that he would join in no councils with those that intended to repeal those laws that enacted them."‡ Penn undertook to promise that if the tests were abolished, the king would secure toleration by a solemn and unalterable law. He was answered by a demonstration of the value of irrevocable laws to a bigoted despot,—a blunt reference to the Revocation of the Edict of Nantes. James left off his closetings and his negotiations. His judges and lords-lieutenant were not required to persist in their labours of threat or persuasion. He resolved to do without the Parliament; which he prorogued for six months, with a full determination to be truly the absolute king. On the 4th of April he issued his Declaration for entire liberty of conscience. He would protect the Established Church in its legal rights, but all penal laws against all non-conformists were suspended. All religious tests as a qualification for office were abrogated. Every form of worship, Roman Catholic or Protestant, might be publicly followed. The effects of this Declaration were instantaneous. Ralph Thoresby and his friends used to attend the preaching of "Mr. Sharp, in private, as we could get opportunity, for which we went several miles." The Declaration came, and "Mr. Sharp preached the first sermon in public." The Declaration of king James, he says, "gave us ease in this case; and, though we dreaded a snake in the grass, we accepted it with due thankfulness."§

Regarded simply as a matter of political expediency, without reference to higher principles of action, the Declaration of Indulgence of 1687 was a master-stroke worthy of the Jesuitical subtlety to which it doubtless owed its origin. The king had committed himself against the Church of England. The Church of England had

* Father D'Orleans—"History of the Stuarts."
† "Life of Sir Dudley North," p. 181. ‡ Burnet vol. iii. p. 133.
§ "Diary," vol. i. p. 186.

resented his manifest design of thrusting Roman Catholics into its preferments. "As he was apt," says Burnet, "to go warmly upon every provocation, he gave himself such liberties in discourse upon that subject, that it was plain, all the services they had done him, both in opposing the exclusion, and upon his first accession to the crown, were forgotten."* There were four bodies of dissenters, whose united support would be an important counterpoise to the dissatisfaction of the churchmen. These were, Presbyterians, Independents, Anabaptists, Quakers. They had all been the victims of Conventicle Acts and of Two Mile Acts. Hundreds of the Presbyterian clergy, long ejected from their pulpits, had been supported by private charity. Some, up to the date of the Declaration, had been lying in the gaols, amongst felons and common debtors, unable to pay the fines which had been imposed upon them for preaching. The Declaration opened a new world to them. They were again free publicly to teach their followers. In new meeting-houses, and in their old barns, they might again declaim against church discipline and set forms of prayer; and warn their hearers against that Popery which was again lifting its head. But then Roman Catholics were equally freed from State-interference with their worship. Mass might be publicly performed; auricular confession might be encouraged; monastic institutions might once more flourish. The penal laws against Papists were utterly suspended. Many dissenters were happy to embrace the relief which was thus afforded them. They were soothed by the high sounding professions of toleration which issued from the royal lips. They were flattered by the agents of the Court into the belief that they again could make head against the Church which had persecuted them. But they were warned by the examples of their two greatest ministers, Howe and Baxter, not to fall into the snare. Young Defoe said to his non-conformist brethren, "I had rather the Church of England should pull our clothes off by fines and forfeitures than that the Papists should fall both upon the Church and the dissenters, and pull our skins off by fire and faggot."† The most eloquent and sagacious statesman of the day, Halifax, addressed them in his "Letter to a Dissenter"—a model of skilful popular argument: "There must be something extraordinary, when the Church of Rome setteth up bills, and offereth plaisters, for tender consciences. By all that hath hitherto appeared, her skill in chirur-

* "Own Time," vol. iii. p. 151.
† Quoted in Wilson's "Life of Defoe," vol. i. p. 128.

gery lieth chiefly in a quick hand to cut off limbs; but she is the worst at healing of any that ever pretended to it." He warns the dissenters against the temptation to enjoy a freedom from which they had been so long restrained; "If the case then should be, that the price expected from you for this liberty is giving up your right in the laws, sure you will think twice before you go any further in such a losing bargain." * A large proportion of the Non-conformists held aloof from the blandishments of the Court, and ultimately made common cause with the Church. In his subsequent indignation against the relapse of churchmen into intolerance, Defoe exclaims, "Where had been the Church of England at this time, humanly speaking, if the dissenters had one and all joined in with the measures king James was taking to overthrow it?" The Church knew this, and made loud professions of brotherly regard to the separatists. The king and his papistical advisers, on the other hand, employed every device to manifest that the country was in favour of that dispensing power of a gracious king, which could bestow, not only toleration, but unlimited blessings of national glory and prosperity, which were not to be bestowed by the old statutes or new enactments. Paternal government was the true remedy for all that was harsh and unequal in statutory laws. The corrupt Corporations sent fulsome addresses of thanks to the king. In these some Protestant Non-conformists were induced to join. But the great body remained firm; and a common danger brought them nearer to that union with the Church, which the Stuarts, during four unhappy reigns, had done their best to render impracticable.

In the summer of 1687, a great Camp was again formed on Hounslow-heath. It was a military display of royal and aristocratic luxury, "the commanders profusely vying in the expense and magnificence of their tents." † The four troops of Horse Guards were commanded by the earl of Feversham, the duke of Northumberland, lord Churchill, lord Dover. The duke of Grafton commanded the first regiment of Foot Guards; the earl of Craven the second regiment. There were nine regiments of Horse commanded by the earls of Oxford, Peterborough, Plymouth, Arran, Shrewsbury, and Scarsdale; by sir John Lanies, general Warden, and sir John Talbot. There were three regiments of Dragoons, com-

* This letter is reprinted in the "Somers' Tracts," and in "Parliamentary History," vol. iv.

† Evelyn, "Diary," June 6.

manded by lord Cornbury, the duke of Somerset, and colonel Berkeley. Lastly, there were fourteen regiments of Foot, commanded by the marquis of Worcester; the earls of Dumbarton, Bath, Litchfield and Huntington: lord Dartmouth; and by colonels of the rank of commoners, amongst whom was the notorious colonel Kirke. The standing army had been trebled, as compared with its number in 1683.* The courtly habits of its commanders caused the people to regard this army as the instrument by which the king could accomplish his designs against their liberties and their religion. And yet in the hour of need this formidable army struck not a single blow; and most of his courtly officers deserted the king—a lesson which princes, who rely upon military force, have often been taught, however slow they may be to learn. The Londoners went out in holiday parties to look upon the magnificence of the camp at Hounslow. They mixed with the soldiers, who, with the exception of the household troops, were of their own rank as artisans and labourers. The temper of the nation was roused out of its apathy, to express itself with the freedom which Englishmen use when their political indignation is excited. A shrewd observer, then a very young man, thus describes this period: "It were almost incredible to tell you, at the latter end of king James' time — though the rod of arbitrary power was always shaking over us—with what freedom and contempt the common people, in the open streets, talked of his wild measures to make a whole Protestant nation Papists. And yet, in the height of our secure and wanton defiance of him, we of the vulgar, had no further notion of any remedy for this evil, than a satisfied presumption that our numbers were too great to be mastered by his mere will and pleasure; that, though he might be too hard for our laws, he would never be able to get the better of our nature; and that to drive all England into popery and slavery, he would find, would be teaching an old lion to dance." †

The camp at Hounslow was conveniently located between Whitehall and Windsor. It was at hand to suppress disturbances in the capital; it could be speedily summoned to protect the king in the castle upon which his brother had lavished his adornments. Windsor was now to be the scene of a gorgeous ceremony, such as could scarcely have been exhibited without danger in the streets

* For full details of the military force of 1687, see Chamberlayne's "Present State of England" for that year. Part i. p. 176; Part ii. p. 143.

† "Life of Colley Cibber," vol. i. p. 48.

of Westminster. James had knelt at the feet of the papal Nuncio, who in the royal chapel of Whitehall had been consecrated bishop of Amasia. He was now to receive this ambassador of the Pope, with a pomp that belonged to past generations. It was resolved that a duke should introduce the Nuncio to the king. James proposed the honour to the duke of Somerset—the commander of the queen's regiment of dragoons, and a lord of the bed-chamber. This young nobleman, who afterwards obtained the distinction of being called "The proud duke of Somerset," behaved with a spirit on this occasion that wholly forfeited the royal favour: "He humbly desired of the king to be excused; the king asked him his reason; the duke told him he conceived it to be against law, to which the king said, he would pardon him. The duke replied, he was no very good lawyer, but he thought he had heard it said, that a pardon granted to a person offending, under the assurance of obtaining it, was void. This offended the king extremely. He said publicly, he wondered at his insolence; and told the duke he would make him fear him, as well as the laws." * On the 3rd of July, Windsor was crowded with visitors. There was a procession to the castle of thirty-six coaches, each drawn by six horses. The Nuncio, robed in purple, was in the king's coach, with the duke of Grafton, who had agreed to introduce him. His own coaches followed with ten priests. Then came the coaches of the ministers of State, and great officers of the household; and in that train of equipages were the coaches of the bishop of Durham, and the bishop of Chester. The king and queen sat upon a throne in St. George's Hall." † The pensioner of France looked upon Verrio's painted walls, where the triumphs of the Black Prince were represented with no common skill. The devotee of Rome honoured its ambassador with manifestations of homage that reminded those who knew their country's history of the time when the ignoble John became "a gentle convertite." Although this outrage upon the popular feeling took place at Windsor, it was not done solely in the view of court attendants: "The town of Windsor was so full of all sorts of people, from all parts, that some of the inhabitants were astonished; and it was very difficult to get provisions or room either for horse or man; nay, many persons of quality, and others, were forced to sit in their coaches and calashes almost all

* Lord Lonsdale's Account. Note to Burnet, vol. iii. p. 178.

† Bramston's "Autobiography," p. 280.

the day." * As if to mark that England was entering upon a new era of government, on the 4th of July, a Proclamation dissolving the Parliament appeared in the London Gazette.

In the autumn of 1687, the king made a progress through some parts of the West of England. One of his objects was to propitiate the Dissenters, who had taken so prominent a part in the insurrection of Monmouth. Storms and birds of prey had not yet cleared the gibbets of Somersetshire of the rags and bones of the victims of 1685, when James went amongst the scenes of Jeffrey's campaign, to promise not only spiritual liberty but civil honours to the relatives and friends of those who had fought the battle which they thought all good Protestants should fight. He gained little by his blandishments. The answer which was given to him by the rich non-conformist, William Kiffin, the grandfather of two youths who were treated with marked severity at the especial instance of the king, was perhaps not unknown in the West. "I have put you down, Mr. Kiffin, for an alderman of London," said James. "I am unfit to serve your Majesty, or the city," replied the old man: "I am worn out; the death of my poor boys broke my heart." Others might have thought of their own bereavements; and have felt a bitter contempt towards that king who had talked of his capricious favour as the "balsam for such sores." † The government had forced new charters upon London, and upon many of the municipal corporations throughout the country. Although the power of the Crown to nominate corporate functionaries, as well as to eject them, was disputed, the process of ejection was very summarily exercised. The supporters of Church and King were thrust out; the Papists and the Independents were nominated. Nonconformists of different ranks of life were brought together in a way that offended the pride of the upper classes amongst them. Ralph Thoresby says, speaking of the Corporation of Leeds, "The places of such as were to be ejected were filled up with the most rigid Dissenters, who had put my name in the fag end of their reformed list, there being but one, a smith by trade, after me." ‡ The process of regulation, as it was called, was not successful. Many of the Charters were consequently attempted to be called in; but the resistance carried on in the Law Courts by Corporations was almost general. All these arbitrary measures of the

* Relation of the Nuncio's public entry. Printed in 1687. Reprinted in the Somers' Tracts.

† See Macaulay. History, vol ii. p. 230, 1st edition. ‡ "Diary," vol. i. p. 186.

Crown had reference to the necessity which might arise of calling a Parliament, and to the readiest means of procuring a servile Parliament. Sir John Reresby tells us how, in his own case in 1688, this process was managed. The king commanded him to stand for York, in the event of an election. Reresby asked for his promise of more than ordinary support—"Whether he would assist me all he could to prevent my being baffled, and particularly by such means as I should propose to him. His answer was Yes; and he gave immediate orders to the lords for purging the corporations, to make whatever change or alteration I desired in the city of York; and to put in or out, which the king it seems had reserved to himself by the last charter, just as I pleased."* In London, James had put in an Anabaptist Lord Mayor—"a very odd ignorant person," as Evelyn reports. When the sheriffs invited the king and queen according to custom, to feast at Guildhall, the king commanded them to invite the Nuncio. Burnet says the mayor and aldermen disowned the invitation, which must have offended the king, who said, "he saw the dissenters were an ill-natured sort of people, that could not be gained." This opinion seems to have been that usually received at Court, if we may judge from the Court Calendar of this year, in which the dissenters are denounced as "the private, sullen, discontented, niggardly nonconformists."† At this time, Dryden published his famous poem of "The Hind and the Panther"—at a time of which he says, "The nation is in too high a ferment, for me to expect either fair war, or even so much as fair quarter, from a reader of the opposite party. All men are engaged either on this side or that; and though conscience is the common word which is given by both, yet if a writer fall among enemies, and cannot give the marks of their conscience, he is knocked down before the reasons of his own are heard." Dryden aims his satire at those he calls "the refractory and disobedient"—not against those "who have withdrawn themselves from the communion of the Panther, and embraced the gracious Indulgence of his majesty in regard to toleration."‡ The great poet, however, does not attempt to propitiate the Sectaries. "The Panther"—the Church of England—is "sure the noblest, next the Hind"—the Church of Rome. But the "Independent beast" is typified by "the Bear:" the Anabaptist is "the bristled Boar" who "lurk'd in sects unseen;" the Presbyterian is "the in-

* "Memoirs," p. 351. † Chamberlayne's "Present State," p. 41.

‡ Dryden's Preface to the Poem.

satiate Wolf" who "pricks up his predestinating ears;" "False Reynard" is the Socinian. The Papist Laureate of James did not bid for popularity, when he thus addressed the countries whose names had been hateful in English ears from the days of queen Mary:

> "O happy regions, Italy and Spain,
> Which never did those monsters entertain!"

We can now admire the beauty of his versification, and the energy of his reasoning, in this poem of a period when Dryden thought his cause was triumphant. It may be doubted whether it produced many converts to Romanism, or affected a wider separation of the Panther from the Bear, the Boar, and the Wolf. Many who would scarcely heed his musical polemics would recollect his own heedless sarcasm against the teaching of an infallible Church:

> "The priest continues what the nurse began,
> And thus the child imposes on the man."

The year 1688 is come. Men were thinking of the corresponding year of the previous century—of the glorious 1588, when the nation rallied round the great Elizabeth, and the invaders who came, with the papal blessing, to destroy the heretical islanders, perished in their pride. The contrast was humiliating. The king was now labouring to drive back the mind of England into the night of the fifteenth century. At this very time the great ally of this king was hunting his Protestant subjects to the death by his "dragoon missioners." Could any other consummation be expected from an illegal Declaration of Indulgence, which, abolishing the tests under pretence of universal toleration, thrust Romanists into the highest civil and military offices, seated Father Petre amongst the Privy Counsellors of the kingdom, and turning out the members of corporations who clung to a Protestant establishment, gave the municipal power to bigoted Papists or unscrupulous Dissenters. Thus reasoned the great body of Englishmen when this ominous year arrived. It was opened with "a solemn and particular office of thanksgiving for her majesty being with child." An heir to the throne had long ceased to be expected as the issue of James and his queen. The priests every where proclaimed that the king had put up his prayers for such an event at the Well of Saint Winifred; and that his supplications had been heard. The divines of the English Church were girding on their spiritual armour for a conflict. Whilst, at the beginning of April, mass was being performed at one