given as presents to courtiers, who sold them to be worked and flogged to death on West India plantations; and the queen's maids of honor extorted large sums of money for the pardon of a number of country school-girls who had been convicted of presenting Monmouth with a royal flag at Taunton. On the return of Jeffreys to London after this carnival of blood, his father was so horrified at his cruelty that he forbade him to enter his house. James, on the contrary, testified his approval by making Jeffreys lord chancellor of the realm, at the same time mildly censuring him for not having shown greater severity! The new lord chancellor testified his gratitude to his royal master by procuring the murder, by means of a packed jury, of Alderman Cornish, a prominent London Whig, who was especially hated by the king on account of his support of that Exclusion Bill which was intended to shut James out from the throne. On the same day on which Cornish was executed, Jeffreys also had the satisfaction of having Elizabeth Gaunt burned alive at Tyburn for having assisted one of the Rye House conspirators to escape who had fought for Monmouth at Sedgemoor.

540. The King makes Further Attempts to re-establish Catholicism; Declaration of Indulgence; Oxford. — An event occurred about this time which encouraged James to make a more decided attempt to restore Catholicism. In 1598 Henry IV. of France granted the Protestants of his kingdom liberty of worship, by the Edict of Nantes. In 1685 Louis XIV. deliberately revoked it. By that short-sighted act the Huguenots, or French Protestants, were exposed to cruel persecution, and thousands of them fled to England and America. James now resolved to profit by the example set him by Louis, and if not like the French monarch to drive the Protestants out of Great Britain, at least to restore the country to its allegiance to Rome. He began, contrary to law, by putting Catholics into important offices in both church and state.[2] He furthermore established an army of 13,000 men

[1] Nantes (Nantz). [2] See Paragraph No. 530.

on Hounslow Heath, just outside London, to hold the city in subjection in case there should be a disposition to rebel. He next recalled the Protestant Duke of Ormond, governor of Ireland, and in his place as lord deputy, sent Talbot, Earl of Tyrconnel, a Catholic of notoriously bad character. Tyrconnel had orders to recruit an Irish Roman Catholic army to aid the king in carrying out his designs. He raised some soldiers, but he also raised that famous song of "Lilli Burlero," by which, as its author boasted, James was eventually "sung out of his kingdom."[1] Having, meanwhile, got the courts completely under his control through the appointment of judges in sympathy with Jeffreys and with himself, the king issued a Declaration of Indulgence, suspending all penal laws against both Roman Catholics on the one hand, and Protestant Dissenters on the other. The latter, however, suspecting that this apparently liberal measure was simply a trick to establish Catholicism, refused to avail themselves of it, and denounced it as an open violation of the Constitution.

James next proceeded, by means of the tyrannical High Commission Court, which he had revived,[2] to bring the chief college at Oxford under Catholic control. The president of Magdalen College having died, the Fellows were considering the choice of a successor. The king ordered them to elect a Catholic, and named at first a man of ill repute. The Fellows refused to obey, and elected a Protestant. James ejected the new presi-

[1] Lord Wharton, a prominent English Whig, was the author of this satirical political ballad, which, it is said, was sung and whistled from one end of England to the other, in derision of the king's policy. It undoubtedly had a powerful popular influence in bringing on the Revolution of 1688.

The ballad began:—

"Ho, Brother Teague, dost hear de decree?
Lilli Burlero, bullen a-la,
Dat we shall have a new deputie,
Lilli Burlero, bullen a-la."

The refrain, "Lilli Burlero," etc. (also written "Lillibullero"), is said to have been the watchword used by the Irish Catholics when they rose against the Protestants of Ulster in 1641. See Wilkins's Political Songs, Vol. I.

[2] See Paragraph No. 491.

dent, and drove out the Fellows, leaving them to depend on the charity of the neighboring country gentlemen for their support. But the king, in attacking the rights of the college, had "run his head against a wall,"[1] as he soon discovered to his sorrow. His temporary success, however, emboldened him to issue a second Declaration of Indulgence, of which the real object, like that of the first, was to put Roman Catholics into still higher positions of trust and power.

541. The Petition of the Seven Bishops.—He commanded the clergy throughout the realm to read this declaration on a given Sunday from their pulpits. The Archbishop of Canterbury, accompanied by six bishops, petitioned the king to be excused from reading it in their churches. The king refused to consider the petition. When the day came, hardly a clergyman read the paper, and in the few cases in which they did, the congregation rose and left rather than listen to it.

Furious at such an unexpected result, James ordered the refractory bishops to be sent to the Tower. The whole country now seemed to turn against the king. By his obstinate folly James had succeeded in making enemies of all classes, not only of the Whig Roundheads who had fought against his father in the civil war, but also of the Tory Cavaliers who had fought for him. One of the imprisoned bishops was Trelawney of Bristol. He was a native of Cornwall. The news of his incarceration roused the rough, independent, population of that county. From one end of it to the other the people were now heard singing:—

"And shall Trelawney die, and shall Trelawney die?
There's thirty thousand Cornishmen will know the reason why."

Then the miners took up the words, and beneath the hills and fields the ominous echo was heard:—

[1] "What building is that?" asked the Duke of Wellington of his companion, Mr. Croker, pointing, as he spoke, to Magdalen College wall, just as they entered the city in 1834. "That is the wall which James II. ran his head against," was the reply.

"And shall Trelawney die, and shall Trelawney die?
There's twenty thousand underground will know the reason why."

On their trial the popular feeling in favor of the bishops was so strong that not even James's servile judges dared to openly use their influence to convict them. When the case was given to the jury, it is said that the largest and most robust man of the twelve rose and said to the rest: "Look at me! I am bigger than any of you, but before I will bring in a verdict of guilty, I will stay here until I am no thicker than a tobacco-pipe." That decided the matter, and the bishops were acquitted. The news was received in London like the tidings of some great victory, with shouts of joy, illuminations, and bonfires.

542. Birth of a Prince; Invitation to William of Orange.—But just before the acquittal an event took place which changed everything and brought on the memorable Revolution of 1688.

Up to this time the succession to the throne after James rested with his two daughters,—Mary, who had married William, Prince of Orange,[1] and resided in Holland; and her younger sister Anne, who had married George, Prince of Denmark, and was then living in London. Both of the daughters were zealous Protestants, and the expectation that one of them would ascend the English throne on the king's death had kept the people comparatively quiet under the efforts of James to restore Catholicism. But while the bishops were in prison awaiting trial the alarming intelligence was spread that a son had been born to the king. If true, he would now be the next heir to the crown, and would in all probability be educated and come to power a Catholic. This prospect brought matters to a crisis. Great numbers of the people, especially the Whigs, believed the whole matter an imposition, and it was commonly reported that the pretended prince was not the true son of the king and queen, but a child that had been smuggled into the palace to deceive the nation.

On the very day that the bishops were set at liberty, seven of

[1] Mary: see Paragraph No. 529.

the leading nobility and gentry, representing both political parties, seconded by the city of London, sent a secret invitation to William, Prince of Orange, urging him to come over with an army to defend his wife Mary's claim to the English throne and to protect the liberty of the English people.

William, after due consideration, decided to accept the invitation, which was probably not unexpected on his part. He was confirmed in his decision not only by the cordial approval of the leading Catholic princes of Europe,* but also by the Pope himself, who had more than once expressed his emphatic disgust at the foolish rashness of King James.[1]

543. The Coming of William, and Flight of James. — William landed with 14,000 troops. It was the fifth and last great landing in the history of England.[2] He declared that he came in Mary's interest and that of the English nation, to secure a free and legal Parliament which should decide the question of the succession. James endeavored to rally a force to resist him, but Lord John Churchill, afterward Duke of Marlborough, and the king's son-in-law, Prince George, both secretly went over to William's side. His troops likewise deserted, and finally even his daughter Anne went over to the enemy. "Now God help me!" exclaimed James, in despair, "for my own children forsake me!" The queen had already fled to France, taking with her her infant son, the unfortunate James Edward, whose birth had caused the revolution, and who, instead of a kingdom, inherited nothing but the nickname of "Pretender," which he in turn transmitted to his son.[3] King James soon followed his wife.

As he crossed the Thames in a boat by night, James threw the great seal of state into the river, in the vain hope that without it a

[1] Guizot, Histoire de Charles I. (Discours sur l'Histoire de la Révolution).

[2] The first being that of the Romans, the next that of the Saxons, the third that of St. Augustine, the fourth that of William the Conqueror, the fifth that of the Prince of Orange.

[3] Prince James Edward Stuart, the "Old Pretender," and his son Prince Charles Edward Stuart, the "Young Pretender." * Except, of course, Louis XIV.

Parliament could not be legally summoned to decide the question which his adversary had raised. The king got as far as the coast, but was discovered by some fishermen and brought back. William reluctantly received him, and purposely allowed him to escape a second time. He now reached France, and found generous welcome and support from Louis XIV., at the court of Versailles.[1] There could be now no reasonable doubt that James's daughter Mary would receive the English crown.

544. Character of the Revolution of 1688. — Never was a revolution of such magnitude and meaning accomplished so peacefully. Not a drop of blood had been shed. There was hardly any excitement or uproar. Even the bronze statue of the runaway king was permitted to stand undisturbed in the rear of the palace of Whitehall, where it remains to this day.

The great change had taken place thus quietly because men's minds were ripe for it. England had entered upon another period of history, in which old institutions, laws and customs were passing away and all was becoming new.

Feudalism had vanished under Charles II.,[2] but political and religious persecution had continued. In future, however, we shall hear no more of the revocation of city charters or of other punishments inflicted because of political opinion,[3] and rarely of any punishment for religious dissent. Courts of justice will undergo reform, and will no longer be "little better than caverns of murderers,"[4] where judges like Scroggs and Jeffreys browbeat the prisoners, took their guilt for granted, insulted and silenced witnesses for their defence, and even cast juries into prison under penalties of heavy fines, for venturing to bring in verdicts contrary to their wishes.[5]

[1] For the king's life at Versailles, see Doran's Monarchs retired from Business.

[2] See Paragraph No. 534.

[3] See Paragraph No. 531 and No. 539, the Cornish case.

[4] Hallam's Constitutional History of England.

[5] See Hallam, and also introduction to Professor Adams' Manual of Historical Literature. For a graphic picture of the times, read, in Bunyan's Pilgrim's Progress, Christian's trial before Lord Hategood.

The day, too, had gone by when an English sovereign could cast his subjects into fetid dungeons in the Tower and leave them to die there of lingering disease, in darkness, solitude, and despair; or, like James, sit in the court-room at Edinburgh, and watch with curious delight the agony of the application of the Scotch instruments of torture, the "boot," and the thumbscrew.

For the future, thought and discussion in England were to be in great measure free, as in time they would be wholly so, and perhaps the coward king's heaviest retribution in his secure retreat beyond the sea was the knowledge that all his efforts to prevent the coming of this liberty had absolutely failed.

545. Summary. — The reign of James must be regarded as mainly taken up with the attempt of the king to rule independently of Parliament and law, and to restore the Roman Catholic religion. Monmouth's rebellion, though without real justification, since he could not legitimately claim the crown, was a forerunner of that revolution which invited William of Orange to support Parliament in placing a Protestant sovereign on the throne.

WILLIAM AND MARY (House of Orange-Stuart). — 1689–1702.

546. The Convention; the Declaration of Right. — After the flight of James II., a Convention which was practically a Parliament[1] met, and declared that James having broken "the original contract between king and people," the throne was therefore vacant. During the interregnum,[2] which lasted but a few weeks, the Convention issued a formal statement of principles under the name of the Declaration of Right (1689). That document recited the illegal and arbitrary acts of the late king, proclaimed him no longer sovereign, and resolved that the crown should be tendered to William and Mary.[3] The Declaration having been read to

1 See Paragraph No. 517, and also "Great Seal," Paragraph No. 543.

2 Interregnum (*inter*, between, and *regnum*, a king or reign). The Convention met Jan. 22, 1689; William and Mary accepted the crown Feb. 13.

3 William of Orange stood next in order of succession to Mary and Anne (providing the claim of the newly born Prince James, the Pretender, was set aside). See Table, Paragraph No. 581.

them and having received their assent, they were formally invited to accept the joint sovereignty of the realm, with the understanding that the actual administration should be vested in William alone.

547. Jacobites and Non-jurors. — At the accession of the new sovereigns the extreme Tories,[1] who believed the action of the Convention unconstitutional, continued to adhere to James II. as their lawful king. Henceforth this class became known as Jacobites, from *Jacobus*, the Latin name for James. They were especially numerous and determined in the Highlands of Scotland and the South of Ireland. Though they made no open resistance at this time, yet they kept up a secret correspondence with the refugee monarch and were constantly plotting for his restoration. About four hundred of the clergy of the Church of England, including the Archbishop of Canterbury and four more of the famous "Seven Bishops,"[2] with some members of the universities and also some Scotch Presbyterians, refused to take the oath of allegiance to William and Mary. They became known on this account as the Non-jurors,[3] and although they were never harshly treated, they were compelled to resign their positions.

548. The Mutiny and Toleration Acts. — We have seen that one of the chief means of despotism on which James II. relied was the organization of a powerful standing army such as was unknown in England until Cromwell was compelled to rule by military force, but which Charles II. had perpetuated, though in such greatly diminished numbers that the body was no longer formidable. But it was now evident that owing to the abolition of the feudal levies[4] such an army must be maintained at the king's command, especially as war was impending with Louis XIV., who threatened by force of arms and with the help of the Jacobites to restore James to the English throne. To prevent the

1 Tories: see Paragraph No. 531.

2 See Paragraph No. 541.

3 Non-juror from *non*, not, and *jurare*, to make oath.

4 See Paragraphs Nos. 534 and 200.

sovereign from making bad use of such a power, Parliament now passed a law called the Mutiny Act, which practically put the army under the control of the nation,[1] as it has since remained. Thus all danger from that source was taken away.

James's next method for bringing the country under the control of Rome had been to issue spurious measures of toleration granting freedom to all religious beliefs, in order that he might thereby place Catholics in power. As an offset to this measure, Parliament now enacted a statute of toleration which secured freedom of worship to all religious believers except "Papists and such as deny the Trinity." This measure, though one-sided and utterly inconsistent with the broader and juster ideas of toleration which have since prevailed, was nevertheless a most important reform, and put an end at once and forever to the persecution which had disgraced the reigns of the Stuarts, though unfortunately it still left the Catholics and the Unitarians subject to the heavy hand of tyrannical oppression.[2]

549. The Bill of Rights (1689) and Act of Settlement (1701). — Not many months later, Parliament embodied the Declaration of Right, with some slight changes, in the Bill of Rights, which received the signature of the king and became a law. It constitutes the third and last great step which England has taken in constitution-making — the first being the Great Charter of 1215, and the second the Petition of Right of 1628.[3] As the Habeas Corpus Act was contained, in germ at least, in Magna Carta,[4] these three measures sum up the written safeguards of the nation, and constitute, as Lord Chatham, said, "*the Bible of English Liberty.*"

[1] The Mutiny Act provides: 1. That the standing army shall be at the king's command — subject to certain rules — for one year only; 2. That no pay shall be issued to troops except by special act of Parliament; 3. That no act of mutiny can be punished except by the annual re-enactment of the Mutiny Bill.

[2] In 1663 Charles II. granted a charter to Rhode Island which secured religious liberty to that colony. It was the first royal charter recognizing the principle of toleration.

[3] See Paragraph No. 484.

[4] See Paragraph No. 313 (3).

With the passage of the Bill of Rights,[1] the doctrine of the Divine Right of kings to govern without being accountable to their subjects, which James I. and his descendants had tried so hard to reduce to practice, came to an end forever. The chief provisions of the bill were: 1. That the king should not maintain a standing army in time of peace, except by consent of Parliament; 2. That no money should be taken from the people save by the consent of Parliament; 3. That every subject has the right to petition the crown for the redress of any grievance; 4. That the election of members of Parliament ought to be free from interference; 5. That Parliament should frequently assemble and enjoy entire freedom of debate; 6. That the king be debarred from interfering in any way with the proper execution of the laws; 7. That a Roman Catholic or a person marrying a Roman Catholic be henceforth incapable of receiving the crown of England. Late in the reign (1701) Parliament reaffirmed and still further extended the provisions of the Bill of Rights by the Act of Settlement, which established a new royal line of Protestant sovereigns.[2] This law practically abolished the principle of hereditary succession and re-established in the clearest and most decided manner the right of the nation to choose its own rulers. According to that measure, "an English sovereign is now as much the creature of an act of Parliament as the pettiest tax-gatherer in his realm;"[3] and he is dependent for his office and power on the will of the people as really, though of course not as directly, as the President of the United States.

[1] For full text of the bill, see Taswell-Langmead's Constitutional History of England.

[2] The Act of Settlement provided that after Princess Anne (in default of issue by William or Anne) the crown should descend to the Electress Sophia of Hanover, Germany, and her *Protestant* descendants. The Electress Sophia was the granddaughter of James I. She married Ernest Augustus, Elector (or ruler) of Hanover. As Hallam says, she was "very far removed from any hereditary title," as aside from James II.'s son, whose legitimacy no one now doubted, there were several who stood nearer in right of succession.

[3] Green, History of the English People.

550. Benefits of the Revolution. — Foremost in the list of benefits which England gained by the Revolution should be placed: 1. That Toleration Act already mentioned, which gave to a very large number the right of worshipping God according to the dictates of conscience. 2. Parliament now established the salutary rule that no money should be voted to the king except for specific purposes, and they also limited the royal revenue to a few years' supply instead of granting it for life, as had been done in the case of Charles II. and James.[1] As the Mutiny Act made the army dependent for its existence on the annual meeting and action of the House of Commons, these two measures practically gave the people full control of the two great powers — the purse and the sword, — which they have ever since retained. 3. Parliament next enacted that judges should hold office not as heretofore, at his Majesty's pleasure, but during good behavior, thus taking away that dangerous authority of the king over the courts of justice, which had caused so much oppression and cruelty. 4. But, as Macaulay remarks, of all the reforms produced by the change of government, perhaps none proved more extensively useful than the establishment of the liberty of the press. Up to this time no book or newspaper could be published in England without a license. During the Commonwealth Milton had earnestly labored to get this severe law repealed, declaring that "while he who kills a man kills a reasonable creature . . . he who destroys a good book [by refusing to let it appear] kills reason itself."[2] But under James II. Chief Justice Scroggs had declared it a crime to publish anything whatever concerning the government, whether true or false, without a license, and during that reign there were only four places in England — viz., London, Oxford, Cambridge, and York — where any book, pamphlet, or newspaper could be legally issued, and then only with the sanction of a rigid inspector. Under William and Mary this restriction was removed, and henceforth men were free not only to think, but to print and

[1] Later, limited to a single year's supply.

[2] Milton's Areopagitica, or speech in behalf of unlicensed printing.

circulate their thought, and thus to bring the government more directly before that bar of public opinion which judges all men and all institutions.

551. Arrival of James; Act of Attainder; Siege of Londonderry and Battle of the Boyne; Glencoe. — But though William was king of England, and had been accepted as king of Scotland, yet the Irish, like the Scotch Highlanders, refused to recognize him as their lawful sovereign. The great body of Irish population was then, as now, Roman Catholic; but they had been gradually dispossessed of their hold on the land, and by far the larger part of the most desirable portion of the island was owned by a few hundred thousand Protestant colonists. On the other hand James II. had, during his reign, put the civil government and the military power in the hands of the Catholics. Tyrconnel[1] now raised the standard of rebellion in the interest of the Catholics, and invited James to come and regain his throne. The Protestants of the north stood by William, and thus got that name of Orangemen which they have ever since retained. James landed in Ireland in the spring of 1689 with a small French force lent him by Louis XIV.

He established his headquarters at Dublin, and not long after issued that great Act of Attainder which summoned all who were in rebellion against his authority to appear for trial on a given day, or be declared traitors, hanged, drawn and quartered, and their property confiscated.[2] Next, the siege of the Protestant city of Londonderry was begun. For more than three months it held out against shot and shell, famine and fever. The starving inhabitants, exceeding 30,000 in number, were finally reduced to the last extremities. Nothing was left to eat but a few miserable horses and some salted hides. As they looked into each other's

[1] See Paragraph No. 540.

[2] Attainder (from the Old French *attaindre*, to accuse, to stain). This act contained between two and three thousand names. It embraced all classes, from half the peerage of Ireland to tradesmen, women, and children. If they failed to appear, they were to be put to death without trial.

hollow eyes, the question came, Must we surrender? Then it was that an aged clergyman, the venerable George Walker, one of the governors of the city, pleaded with them, Bible in hand, to remain firm. That appeal carried the day. They declared that rather than open the gates to the enemy, they would perish of hunger, or, as some voice whispered, that they would fall "first on the horses and the hides,—*then on the prisoners*, — then—*on each other!*" But at this moment, when all hope seemed lost, a shout of triumph was heard. An English force had sailed up the river, broken through all obstructions, and the valiant city was saved. A year later (1690) occurred the decisive battle of the Boyne,[1] at which William commanded in person on the one side, while James was present on the opposite side. William had a somewhat larger force and by far the greater number of well-armed, veteran troops. The contest ended with the utter defeat of James. He stood on a hill at a safe distance, and when he saw that the battle was going against him, turned and fled for France. William, on the other hand, though suffering from a wound, led his own men. The cowardly behavior of James excited the disgust and scorn of both the French and Irish. "Change kings with us," shouted an Irish officer to one of William's men, "change kings with us, and we'll fight you over again." The war was brought to an end by the treaty of Limerick, in 1691, when about 10,000 Irish soldiers who had fought for James, and who no longer cared to remain in their own country after their defeat, were permitted to go to France. "When the wild cry of the women, who stood watching their departure, was hushed, the silence of death settled down upon Ireland. For a hundred years the country remained at peace, but the peace was that of despair."[2] In violation of the treaty, the Catholics were hunted like wild beasts, and terrible vengeance was now taken for that Act of Attainder which James had foolishly been persuaded to issue. Fighting against William

[1] Fought in the East of Ireland, on the banks of the river of that name

[2] Green's English People.

and Mary had also been going on in Scotland, but the Jacobites had been conquered, and a proclamation was sent out commanding all the Highland clans to take the oath of allegiance before Jan. 1, 1692. A chief of the clan of the Macdonalds of Glencoe, through no fault of his own, failed to make submission within the appointed time. Scotch enemies of the clan gave the king to understand that the chief had declined taking the oath, and urged William "to extirpate that set of thieves." The king signed an order to that effect, probably without reading it, or, at any rate, without understanding what was intended. The Scotch authorities managed the rest in their own way. They sent a body of soldiers to Glencoe who were hospitably received by the Macdonalds. After stopping with them a number of days, they rose before light one winter morning, and, suddenly attacking their friendly hosts, murdered all the men who did not escape, and drove the women and children out into the snowdrifts to perish of cold and hunger. They finished their work of destruction by burning the cabins and driving away the cattle. By this act, Glencoe, or the "Glen of Weeping," was changed into the very Valley of the Shadow of Death. The blame which attaches to William is that he did nothing toward punishing those who planned and carried out the horrible massacre.

The English commander, Admiral Russell, like many of William's pretended friends and supporters, had been engaged in treasonable correspondence with James, so that in case the latter succeeded in recovering his crown, he might make sure of the sunshine of royal favor. But at the last he changed his mind and fought so bravely that the French were utterly beaten. The continental wars of William continued, however, for the next five years, until by the Peace of Ryswick,[1] 1697, Louis XIV. bound himself to recognize William as king of England, the Princess Anne as his successor, to withdraw all support from James, and to place the chief fortresses of the Low Countries in

[1] Ryswick: a village of Holland, near the Hague.