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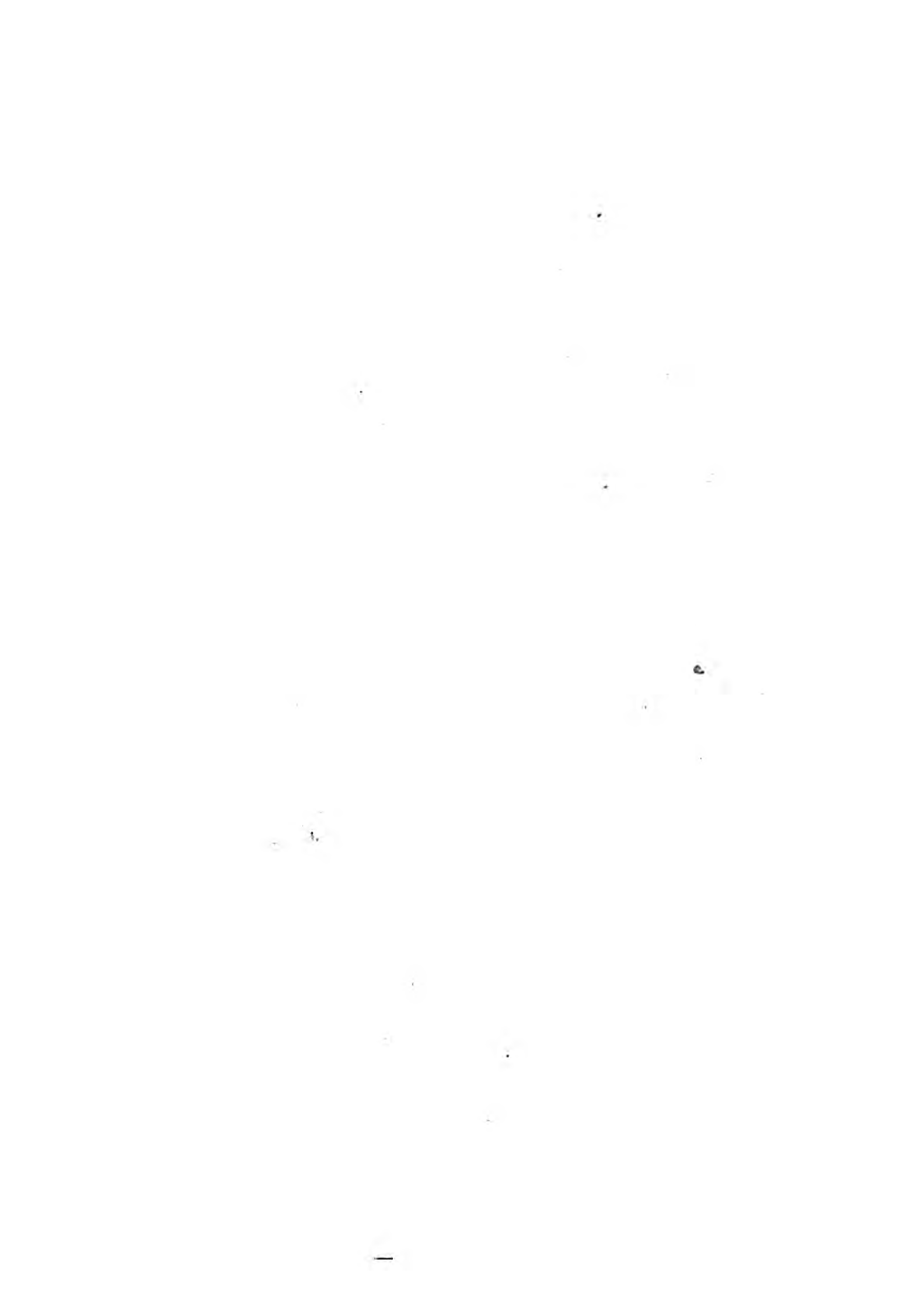


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Baden Powell 127



THE  
HISTORY OF ENGLAND,

CONTINUED FROM

The late Right Honorable

SIR JAMES MACKINTOSH, L.L.D. M.P.

By William Wallace, Esq.<sup>re</sup>

VOLUME THE NINTH.



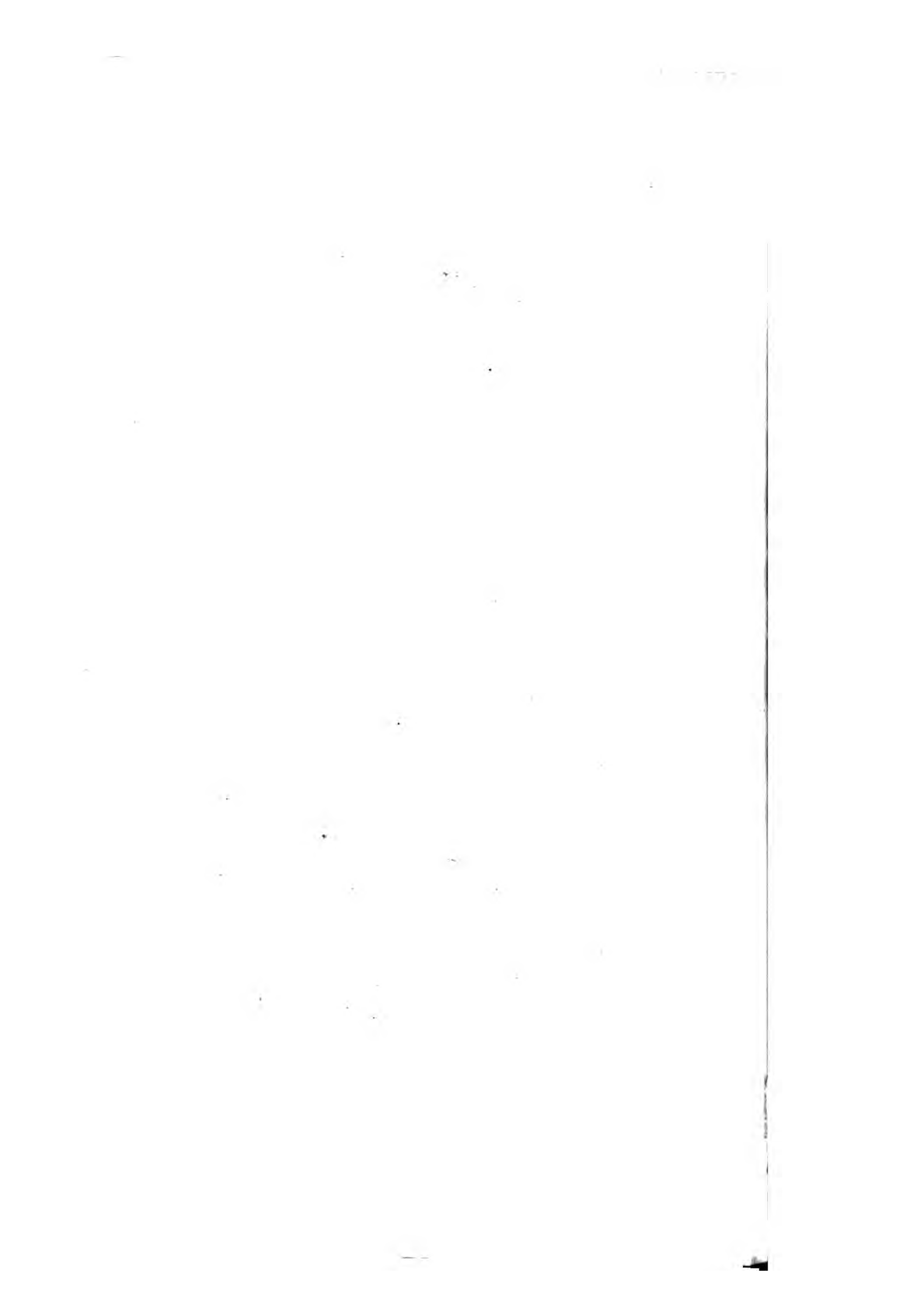
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1839.



THE  
CABINET HISTORY  
OF  
ENGLAND, SCOTLAND, AND  
IRELAND.

BY  
THE RIGHT HON. SIR JAMES MACKINTOSH, M.P.  
AND WILLIAM WALLACE, ESQ.

SIR WALTER SCOTT, BART. AND  
THOMAS MOORE, ESQ.

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ENGLAND.

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UPPER GOWER-STREET.

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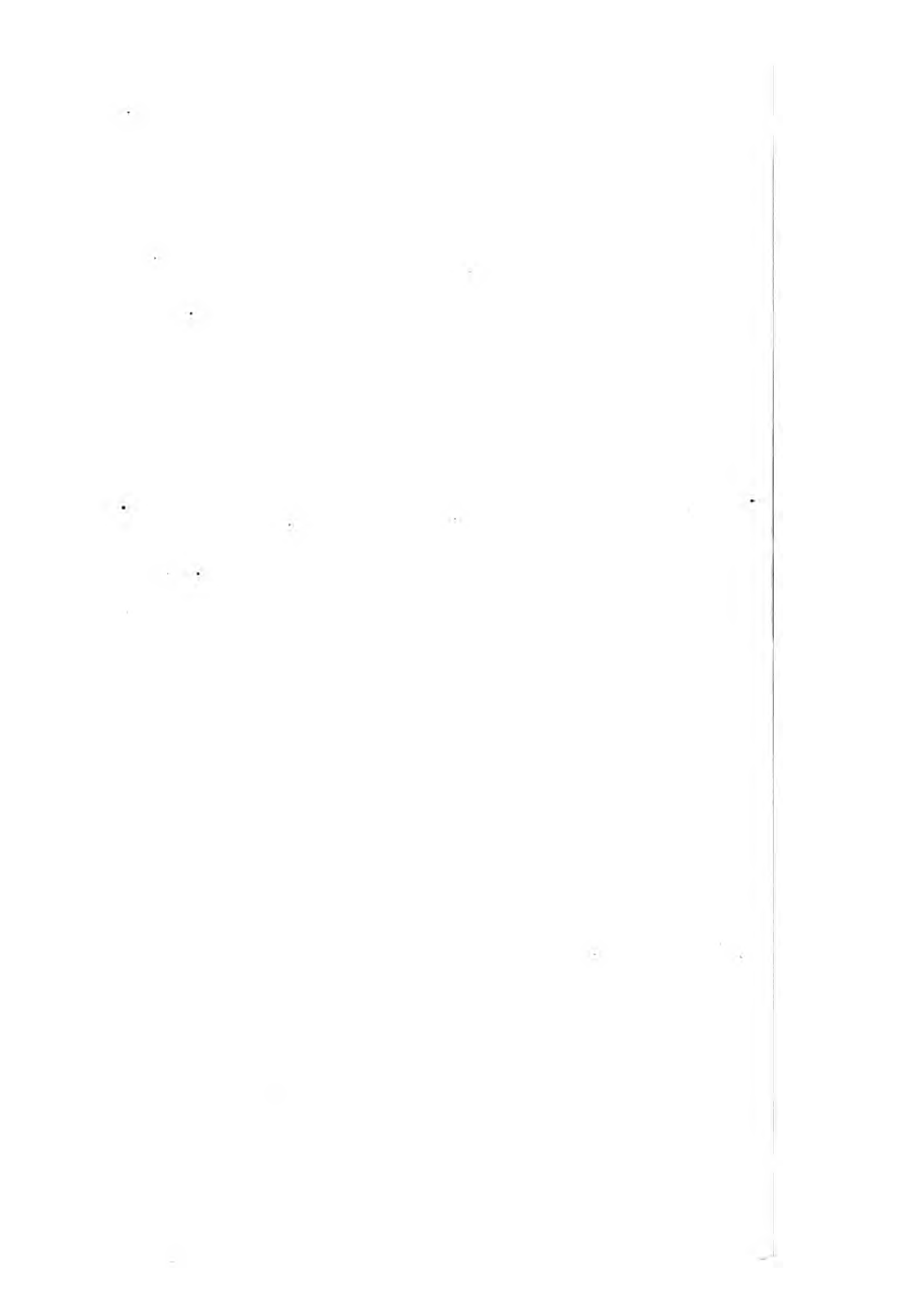
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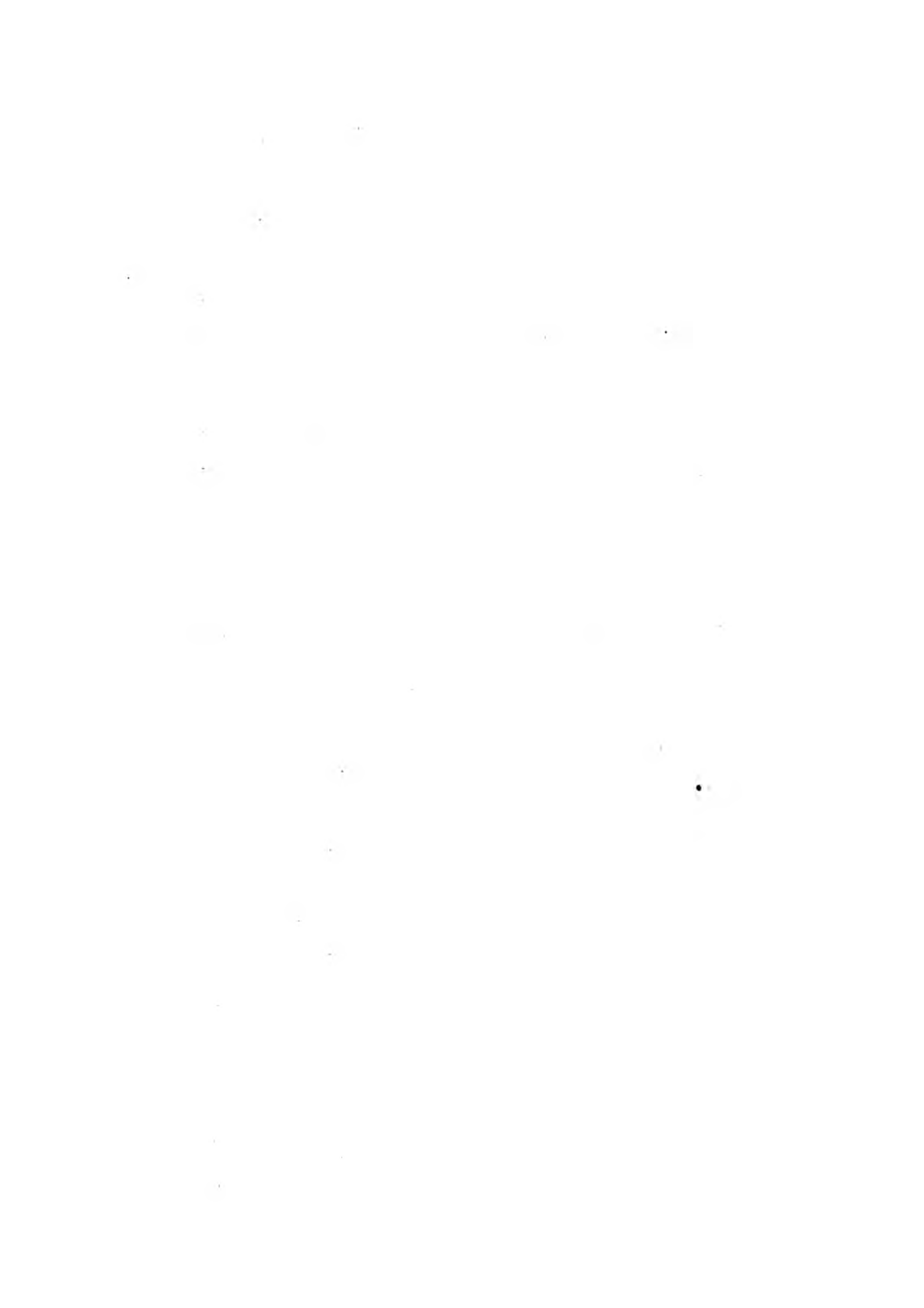
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# HISTORY

OF

# ENGLAND.

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## CHAPTER I.

1690—1694.

THE COUNCIL OF REGENCY.—SCOTCH PLOT.—BATTLE OF BEACHY HEAD. — DISGRACE OF LORD TORRINGTON. — PARLIAMENT. — CONGRESS OF THE HAGUE. — THE GRAND ALLIANCE. — LORD PRESTON'S PLOT.—THE CAMPAIGN.—PARLIAMENT.—MASSACRE OF GLENCOE.—TORY AND WHIG INTRIGUES WITH THE COURT OF ST. GERMAIN. — BATTLE OF LA HOGUE. — CAMPAIGN IN FLANDERS. — BATTLE OF STEINKIRK. — PLOT TO ASSASSINATE KING WILLIAM. — MARLBOROUGH AND OTHER LORDS IN THE TOWER.—THE TRIENNIAL BILL.—BATTLE OF LANDEN.—MISHAP OF THE SMYRNA FLEET. — THE WHIGS IN OFFICE. — PARLIAMENT. — “HUSH MONEY.” — ATTEMPT ON BREST. — THE TRIENNIAL ACT PASSED. — DEATH AND CHARACTER OF QUEEN MARY.

THE course of the queen-regent's administration in England was marked by important incidents during the king's campaign in Ireland. William, on his return, 1690. found a wide-spread conspiracy imperfectly detected; the reputation of the British navy tarnished by defeat; lord Torrington, commander of the beaten fleet, a prisoner in the Tower; the queen fatigued with the difficulties of her position and the dissensions of her council.

This council, nine in number, consisted of five tories to four whigs, and was swayed by the tory lords Caermarthen and Nottingham. But the whig minority troubled deliberations which they were unable to direct; and the whole body was further distracted by personal

jealousies, which even the presence of the enemy's fleet in the British seas could not silence.\*

England was now embarked in the confederacy against Louis XIV., as a party to the grand alliance†, — which was, in effect, but the league of Augsburgh, adapted to existing not contingent hostilities, and to offensive as well as defensive war.

The French king meanwhile had brought his resources into action against Spain, the empire, Holland, and England, by land and sea, upon a vast scale, with surprising vigour. He had four armies; and his navy, which had advanced prodigiously in seamanship and number, since the commencement of his reign, came out of Brest, Toulon, and Rochefort, to reinforce James in Ireland, and favour the secret movements of the disaffected in Britain.

The whigs, both Scotch and English‡, were now thoroughly disgusted with the king whom they had so recently made. Whilst the English intrigued, the Scotch conspired against the new settlement. Montgomery, Ross, and Annandale, who had been among the foremost in helping William to the crown of Scotland, corresponded with the jacobites in England, queen Mary D'Este in France, and James himself in Ireland. Their scheme in Scotland was to combine the presbyterians and tories under the mask of parliamentary opposition; and, in order to insure a majority against the government, the nonjuring partisans of James — having a secret understanding with him — no longer scrupled to take the new oaths. §

The three chief plotters, known by the title of “the club,” went to London under the pretence of complaining to the king of his ministers, Melville and Stair, obtained

\* The members were lords Caermarthen, Nottingham, Pembroke, Lonsdale (sir John Lowther), and Marlborough (tories), Devonshire, Dorset, Monmouth, and admiral Russell (whigs). For their discordant opinions and selfish motives, see Dal. App. b. 5. *passim*.

† Signed at London in December, 1689.

‡ See last volume *ad finem*.

§ Dal. i. 421. and Balcarrass's “State of Scotland.” The compiler of the Life of James says “the club,” and not the king, advised this perjury, and persuaded only a small number.

the release of Lord Arran from the Tower, on the plea of his exemption as a Scotch peer from English judicature, returned to Scotland, and brought into their designs Queensberry, Athol, Breadalbane, Tarbet, and even Argyle.\*

Political conspiracy actuated by selfish interests and resentments commonly fails. The triumvirate soon found that the mass of the presbyterians began to suspect them, and recoiled from the jacobites; they were soon as discontented with James's distribution of parchment honours and appointments, *in futuro*, as with the past conduct of William; each became afraid of being betrayed by the others; and the three clubists hastened to make separate and secret terms for themselves in London.

Ross outstripped his rivals in the race of disclosure. He laid open to the queen-regent the whole scheme, but refused to name the conspirators, and was sent to the Tower. Montgomery made terms for his personal freedom, and named his accomplices in Scotland only, because these had, he said, deserted him.† The latest in coming in was Annandale — but he compensated for delay by the baseness of his discoveries.‡

The first step taken by the queen — or her council — was to commit some of the most conspicuous English jacobites to the Tower; among them her uncle, lord Clarendon.§ None were proceeded against. Even the

\* Life of James II., 426, &c. Dal. i. 420, &c.

† Some have doubted whether he could have given any information to implicate them. Ralph, ii. 215.

‡ See his confession in Dal. App. and Life of James II., 428. He denounced Ferguson who had given him shelter, and Neville Payne another plotter, who went upon his invitation into Scotland. Ferguson, who had been so eager in the revolution, and was rewarded with a place of 600*l.* a year in the post-office by king William, had such an inveterate love of plotting, that he now became an agent of James, and had the adroitness or good fortune to escape; unless, indeed, he was a masked spy of the new government. Payne was put to the torture in Scotland, bore it with great fortitude, and was the last victim of that barbarous process in Great Britain. It was employed in Ireland so late as the close of the last century, without the usual forms of jurisprudence, but with the equivalent sanction *ex post facto* of the Irish lord chancellor Clare.

§ The following are the names given by Dalrymple (i. 427.), who cites, among other authorities, the books of the privy council: lords Clarendon, Yarmouth, Newburgh, Griffin, Castlemaine, and Ailsbury, sir John Fenwick, colonel Hastings, "and," he adds, "many other men of fashion." (See, however, Clarendon's Diary and the Gazettes.)

culprits most deeply implicated in Scotland obtained forgiveness from the generous or contemptuous policy of king William.

Whilst the whig-jacobite coalition thus dissolved of itself, a French fleet of seventy-eight sail of the line, equipped at Brest, to co-operate with it, appeared off Plymouth, under the command of Tourville, vice-admiral of France; and lord Torrington obeyed most reluctantly the queen's orders to give the enemy battle. His professed objection to engage was the inferiority of his force, consisting of thirty-four English and twenty-two Dutch ships of the line. These were under the command of Evertzen, who had brought over the prince of Orange. The queen's orders to fight were peremptory—dictated, it is said, by admiral Russell, who either despised the enemy, or sought to ruin the only rival between him and the command of the fleet.\*

Torrington, after five days' mutual observation and manœuvring, engaged the French on the morning of the 30th of June, off Beachy Head. The admiral's tardiness might find excuse if it ceased at the moment of action. It continued after the signal given to engage. At eight o'clock the combined English and Dutch fleet bore down upon the enemy in line; at nine the Dutch squadron gallantly attacked the van of the French; in half an hour the English blue squadron engaged their rear; it was ten before the centre (the red), under Torrington himself, came into action. This delay proved fatal. The French, taking advantage of the vacant space in the centre, cut off and overpowered the Dutch, whilst Torrington's efforts to repair his fault and relieve them were cautious† and unavailing. After eight hours' fighting a calm intervened; the English dropped anchor; the French who did not follow this example, or had not observed it, drifted with the tide; and the two fleets were soon out of the range of their guns.

\* Burn. iv. 94., Dal. i. 429. See also extract from MS. memoirs of Byng, lord Torrington in Dal. App.

† French accounts.

When night came, Torrington retired eastward, declined an engagement with the French, who chased him faintly next day, and took shelter in the mouth of the Thames. The chief sufferers were the Dutch, in all but reputation. They lost two admirals; six ships, of which three were burned by the enemy; three by themselves to prevent capture. Their remaining ships came into the harbour in a disabled state.\* The loss of the English in ships and men was not serious, but the victory was unequivocal. The victorious enemy already appeared to the excited fancy of the people menacing not only the coast but the capital.

The admiral came to London to defend his conduct, was received with execrations by the people, and committed to the Tower by the queen. He was tried by court-martial at his own desire, and acquitted. The judgment of the court saved his life but not his honour. In Holland he was reproached with cowardice; in England with treason. An official letter of lord Nottingham to the English minister at the Hague, charging him with treachery, was published in the Dutch gazettes; the French accounts of the battle referred to him in disparaging terms; the king marked him out for sacrifice whilst yet untried†, and consigned him to disgrace after the finding of the court. He was that admiral Herbert, who, upon finding that he must support the measures of James, or give up his places at court, proffered his services to the prince of Orange in so curious a strain of pathos and servility.‡ Had he now relapsed into jacobitism, his conduct would have been more completely consistent with his character — and with the time. He probably was not thought worth solicitation when so many other whig leaders were equally accessible, with the advantages of having trusts to betray, and a certain stock of character.

Tourville gained no honour by his victory. He gave up the pursuit at the Isle of Wight, took a few mer-

\* Letter of Evertzen to the States.

† King's speech in parliament, October 20.

‡ See last volume, and his letter in Dal. App.



chantmen, burned a few houses by way of bravado, at Teignmouth, returned to Brest, and was reproached with cowardice\* by Seignelay, the French secretary of marine. That able minister, the son of the great Colbert, who had risen from the people, claimed an early nobility of descent in Scotland, had set his heart upon the restoration of James, and was prevented from commanding Tourville's fleet in person, only by an illness which soon ended his life.†

The valour of the Dutch squadron in the battle of Beachy Head, and the king's victory at the Boyne, touched the feelings of a people who love valour and victory; the terrors of a French invasion soon passed away; a jacobite conspiracy was launched upon the popular mind in proclamations and pamphlets‡; and

\* Life of James II., 409. The admiral took fire at the insult, and the minister made him amends by saying he meant only that Tourville was one of those who are "Poltrons de tête," but not "poltrons de cœur."

† Life of James II., 432.

‡ The queen, it has been observed, sent several jacobite lords and commoners to the Tower on the disclosure of the Scotch plot. She now issued a proclamation for the seizure of several more, among whom were lords Litchfield, Preston, Bellasis, and Montgomery, sir Edward Hales, captain Lloyd, and William Pen. The king had issued a similar proclamation for the seizure of persons therein named before he sailed for Ireland; and all this appears to have been done by mere warrant of the privy council, without information on oath in the second year after the revolution! Sir William Whitlock, a member of the house of commons, alluding to the seizure of suspected persons is reported in the parliamentary history (v. 642.) as using expressions which can leave no doubt of this most arbitrary proceeding. "That persons," says he, "should be secured seems to be a retrenching of the habeas corpus act. If an angel from heaven was a privy counsellor, I would not trust my liberty with him one moment." The queen's proclamation merely asserted the existence of a jacobite conspiracy to aid the French, in general terms; but a famous court pamphlet of the time went into particulars, charged the plot upon the clergy, and especially criminated the suspended bishops. It was this pamphlet that put forth an odious word referred to in the last volume (see vol. viii. p. 281.). The passage in which the word appears is short and worth reciting:—

"We read of one of the nations of Asia, that when any signal misfortune befalls their state, they immediately thereupon offer up to their angry deities some of their priests as a sacrifice to atone their wrath, because, say they, those priests ought to have taught us how to have pleased the gods, so as not to provoke them to inflict such judgments upon us. The truth is, it is a wonder the English nation upon the affront that has befallen them in being forced to turn their backs to the French at sea, have not in their fury *De Witted* some of those men who have brought all this upon us both, by inviting the French, and by the intrigues they have managed at home. And I must tell them that the crimes of the two unhappy brothers in Holland which gave rise to that word were not fully so great as those of some of them; and yet their punishment has been one of the severest that any criminal ever met with in this age."

It would appear from this inhuman effusion that the contemporary champions of king William were not quite so susceptible as his modern

William was received by the nation and the parliament with lively congratulations on his safety and success. He landed at Bristol on the 6th of September, and opened the second session of his second parliament on the 2d of October, with a speech, the merits of which have been echoed with parasite exaggeration. Perhaps he thought the simplicity and modesty of his character and language as chief of the Dutch commonwealth inconsistent with the regal style, or with the habits of the English people. After setting forth his great services and gracious purposes, he tells the house of commons in particular, that "he had neither spared his person nor his pains," and calls upon them "to do their parts;" — that is, to grant supplies for relieving the civil list, paying the army and navy, and supporting the grand alliance. He concludes as follows: — "I hope you will agree with me, that whoever goes about to obstruct or divert your application to these matters, *preferably* to all others, can neither be my friend nor the kingdom's."

This despotic menace, thrown out against the privilege of free speech in parliament, was designed for the whigs; now, as a body, out of favour. It appears to have silenced them. Both houses presented addresses in terms somewhat fulsome to the king and queen. The commons voted, without a division, or, so far as it appears, a debate, the sum of four millions and upwards, then unprecedented and enormous, to be raised by a monthly assessment on lands, by additional duties on various articles of common use, chiefly imported, and by doubling the excise. The only attempt to thwart the court, or rather the king, was a bill, soon abandoned, for appropriating to the public service forfeited estates in Ireland; which William designed for his Dutch and other favourites and followers.

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admirers, about his connection with the barbarous massacre of the De Witts, which this pamphlet calls or rather assumes, doubtless from the whig-orangist view of the matter at the time, — to have been "the severe punishment of two unhappy brothers for their crimes."!!!

A congress, called famous, up to the close of the last century, was now about to assemble at the Hague ; and the king was impatient to join and lead it. He accordingly prorogued parliament on the 5th, and embarked at Gravesend for Holland on the 16th of January. In his eagerness to land, he took an open boat off the island of Goree, soon found himself repelled by the ice and enveloped in fog, and remained exposed for eighteen hours to the inclemency of winter, and the perils of the sea. He encountered all this with his characteristic fortitude and fearlessness.

In England, William studiously avoided those occasions of regal state which bring the sovereign in immediate contact with the people. It was ascribed to his dislike of pomp and exhibition. But the fact seems to have been, that this prince, of saturnine temper and patriot soul, was susceptible of no confidence or emotion, unless associated with his native country. He entered the Hague, at the request of its magistracy, on the 26th, in triumphal state, whilst the vast concourse of spectators hailed him by acclamation, as "William the Conqueror." \* He had with him on the occasion an unusually large train of English lords and commoners — this historic reminiscence must, or should at least, have made them hang down their heads in "the Conqueror's" train.

Two days after this popular triumph, he met the assembled states, and harangued them with simplicity, frankness, and affection, — for he was now addressing the Dutch as their stadtholder, not the English as their king.† It may be proper to cite two points in his speech : — He called God to witness, first, that he accepted the crown of the three kingdoms, not out of any extravagant ambition, since gold or silver could never dazzle his eyes, but for the good of those kingdoms,

\* State of Europe for January, 1691, and late voyage to Holland, cited in Ralph, ii. 254, &c.

† It should perhaps be suggested in justice to his personal character, that "the king's speeches" may have been prepared by his ministers, and those of the stadtholder by himself.

*and to be better able to assist his allies ; next, that he would sacrifice all that he had in the world for the good of the United Provinces.*

The king's next public act was to open the congress, or assembled confederacy, against Louis XIV.\* He harangued them with the energy of one whose soul and genius were in the cause. "It was a time," he said, "not to deliberate, but to act ; a powerful foe, master of the chief barrier fortresses, should be met, not by barren resolutions, but by union, promptitude, and armies. For himself, he would never spare his credit, his forces, or his person ; and he would be ready to make good his word at the head of the confederate army in the spring."

The congress resolved to bring into the field an army of 222,000 men, to be raised by proportionate contingents † ; agreed to the heads of a manifesto against the French king, in which they obliged themselves to make no peace with him, until he should have complied with several conditions therein recited ‡ ; and separated early in March. William retired to his favourite residence at Loo, in Guelderland ; appeared for a moment at the head of the confederate forces to

\* "Of the princes and ministers," says Ralph, "who attended his majesty at the congress, almost all authors affect to give a long and pompous list, in imitation, perhaps, of the tricks of the stage, where it is usual to form a court, or a train of scenemen, or other rabble, to raise a higher idea in the audience of the hero presented before them. It shall suffice, therefore, in this place to say, that the principal persons of the drama after his majesty, were the electors of Brandenburg and Bavaria, the landgrave of Hesse, the princes of the house of Lunenburgh, the princes of Würtemberg, the landgrave of Hesse-Darmstadt, the duke of Holstein, the duke of Courland, the prince palatine of Berkenfeldt, the landgrave of Homburg, the duke of Saxe-Eysenech, the princes of Anspach, the marquis de Gastanaga, and the several ministers of all the princes of the confederacy."

This happy touch has not prevented succeeding and recent historians from heralding the appearance of king William at the congress of the Hague as pompously as their predecessors.

† Spain, the empire, and the English, were to furnish 20,000 each, whilst the small but free and powerful commonwealth of the United Provinces furnished 35,000 men.

‡ The very first was his making reparation "to the holy see" for "his infamous proceedings against the holy father ;" the second, "that he should restore to the respective parties what he had taken since the peace of Munster ;" the third, "that he should abolish all unreasonable taxes and imposts, and restore various rights, liberties, and privileges to *all* his subjects.

witness\*, not prevent, the capture of Mons, by the French king in person ; and arrived at Whitehall about the middle of April.

A new conspiracy had exploded meanwhile against the government in England. Lord Caermarthen received notice of the suspicious hiring of a vessel at Barking for France, and ordered a search. Three persons were seized. They proved to be lord Preston, James's secretary of state, Ashton, of the exiled queen's household, and a jacobite gentleman named Elliott. Lord Preston had his papers bound up in a parcel, having a piece of lead attached, with the intention of their being thrown, upon emergency, into the sea. He dropped them in his confusion. Ashton took them up, and before he could throw them overboard, they were seized in his bosom.† The chief papers were entitled "Result of a Conference," presumed between tories and whigs, and setting forth conditions upon which James should be restored—"Heads of a Declaration to be issued by him," "List of the English Fleet," "Several mysterious or cant Letters"—Lord Preston's memoranda, in his hand, designedly obscure. There was no evidence to reach Elliott.‡ Lord Preston and Ashton were found guilty upon the evidence of the papers. Ashton, both verbally on the scaffold, and in a written paper which he left behind him, protested his ignorance of what the papers contained§ ; avowed his jacobite principles with a frankness which entitles him to credit ; and died resolutely. Lord Preston faltered ; was alternately menaced with death, and tempted with life ; obtained a respite ; expressed his willingness to disclose what he knew of the papers and the plot ; and was examined by lord

\* Louis on his return to Versailles had a medal struck representing a town invested, and an army looking on, with the inscription "Amat victoria testes."

† Trial of lord Preston and Ashton, State Trials, vol. xii.

‡ He was indicted but not tried.

§ The counsel for the crown argued that his concealing them was evidence of knowledge and amounted to high treason, but the chief justice Holt, to his honour, interrupted him with "I doubt that." Justice Pollexfen the whig lawyer, who was the crown prosecutor in Jeffreys' "bloody assizes," not satisfied with Holt's summing up, addressed the jury in a strain of inflammatory, unscrupulous, and disgraceful advocacy.

Caermarthen, in the king's presence. He confessed his having had conferences for the restoration of James with lords Clarendon and Dartmouth, Turner bishop of Ely, and William Pen; and Pen's having assured him of the co-operation of several leading whigs, who did not choose to appear. Caermarthen did not forget how he had been formally worried, and recently denounced by the whigs.\* He pressed the culprit to be more explicit. Lord Preston accordingly named the duke of Ormond, lords Devonshire, Dorset, Macclesfield, Brandon †, and would have named others if the king had not stopped him. William, it is said, was standing behind the minister's chair, touched him on the shoulder, said to him, "My lord, there is too much of this ‡;" and "with equal generosity and prudence," says Dalrymple, "drew a veil over offences into which the best of his subjects had been too hastily betrayed." It is much more likely that he consulted nothing but his policy and contempt. §

The terms prescribed to James have been urged as redeeming circumstances in this mixed whig-jacobite conspiracy, and the chief credit is given to the whigs. They were in substance, that the protestants should have the administration, the catholics liberty of conscience only,—that he must reign a protestant in government, though a catholic in devotion,—that he should leave all matters of dispute or jealousy to be settled by a parliament; and as a pledge of his intentions, that he should prefer protestants to catholics in his council at St. Germain. || What do these conditions amount to but a protestant monopoly of office? There is no provision for the national liberty but the vague reference to the determination of a parliament. The bill of rights itself is treated as waste paper; the king's dispensing power

\* See Parl. Hist., v. 638, &c.

† Dal. i. 467. Life of James II., 443.

‡ Dal. Ibid.

§ It is, moreover, probable that lord Preston, if he proceeded, would only repeat the names in his seized memoranda which stood as follows:— "Dorset, Cornwallis, Montague, Stamford, Shrewsbury, Macclesfield, Monmouth, Devonshire."

|| See the two papers before cited,— "Result of Conference" and "Heads of Declaration"—in the State Trials, vol. xii. 646, *et seq.*

is expressly referred to as "remaining as it was," and James is told that "he has nothing to fear from a parliament, where, besides the king's professed friends and servants, there will not want others who will be glad of opportunity to ingratiate themselves."\*

Of the seized letters, two addressed to James and his queen, as "Mr. Redding," and "Mrs. Redding," were proved the handwriting of Turner, bishop of Ely. "I speak," says the bishop, "in the plural, because I write my elder brother's sentiments as well as my own, and the rest of the family." This brings down the virtue of Sancroft, the "elder brother," and the other non-juring prelates, to the common standard of human infirmity. How is it to be reconciled with their having shortly before — with the resignation of martyrs and humility of saints — called God to witness their innocence of all conspiracy or correspondence for the invasion of England and restoration of James?†

Another of the seized letters was charged upon lord Clarendon. It recommended an immediate invasion, and the king's compliance with the demands of the whigs. The list of the navy was supplied by lord Dartmouth.‡ William pardoned Preston, sent Clarendon and Dartmouth to the Tower, — issued a proclamation for the apprehension of the bishop of Ely, and William Pen, who had absconded, — deprived, and appointed successors to the nonjuring bishops §, — left the

\* State Trials, xii. 713.

† A historian (the acute and honest Ralph) suggests that the letters were not proved to have been written by the bishop, and even admitting this, it was still unproved that he was authorised by the other bishops. Ralph very properly makes light of the authority of Burnet, but subsequent authorities (see Dal. App. book v. and Life of James II., 441, *et seq.*) leave no doubt of the truth of both allegations.

‡ Life of James II., 45.

§ Among the new bishops were Tillotson, Sharp, Patrick, and Cumberland. Speaker Onslow, in a note on Burnet, says, he heard that Cumberland had the first notice of his elevation from a newspaper at Stamford, where he was minister. Sherlock now took the oaths, was made dean of St. Paul's, and reproached with apostasy. The war of pamphlets was carried on with new fury, and it may be presumed that the nonjurors had the best of it, for the government resorted to the strong arm of authority by a proclamation of which Ralph speaks as follows: —

"The plain English of all which is that those who built their whole system on the doctrine of resistance would not connive at any thing which had the least tendency to encourage the practice against themselves: and, having asserted that their own administration was faultless, would not allow

implicated whigs unmolested, — and went abroad to resume the command of the army of the confederates. It is here necessary to glance back at the course of the war.

Louis XIV. obtained neither honour nor advantage in the campaign of 1689.\* It was signalised only by his second and more barbarous devastation of the palatinate. The orders of this heartless tyrant, despatched by his inhuman minister, to lay waste one of the most cultivated and populous districts of Europe, by fire and sword, were, it is said, executed by his officers with disgust, — whilst Europe shuddered.† The next year's campaign was more favourable to the French arms. Victor Amadeus, duke of Savoy, who had passed over to the confederates, was defeated at Saluzzo by marshal Catinat, whilst marshal Luxembourg obtained the great victory of Fleurus, over prince Waldeck and the confederates on the 30th of June, — the very day on which Tourville defeated the combined English and Dutch fleet off Beachy Head.

It was expected that the confederate army commanded by the king of England, in 1691, would crush the enemy in Flanders, the chief theatre of war. Europe was disappointed. The capture of Mons in the presence of William, and in defiance, if not derision, of the congress of the Hague, has been mentioned. The king on his return to Flanders, resumed the command, found himself at the head of a very superior force, tried in vain to bring Luxembourg to action, covered Brussels, relieved Liège, dismantled Beaumont, left the army

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the fact even to be called in question; so that what was patriotism before was sedition now; and the same subjects were held punishable for libellous discourse and behaviour, who were before invited to take up arms, and to act as well as judge for themselves: so much does sentiment depend on interest; and so little is consistency regarded by politicians." ii. 272.

\* See *Œuvres de Louis XIV.*, iv. 290.

† The chief odium was cast upon Louvois; but if the cruelty of that famous minister was rendered still more inhuman by the habits of the cabinet, court flattery, and regal pride had rendered his master no less callous to human woe,—and personal cowardice, which is always cruel, was imputed to both. The braggart character of Louis XIV. is well known, and it is recorded by St. Simon, that "the courage of the Colberts, and *poltronnerie* of the Telliers, became proverbial at court."



under prince Waldeck to be defeated by Luxembourg at Leuse, whilst he enjoyed retirement and the chase at Loo, and came back to England early in October.

There was in all this nothing brilliant or imposing, but the uneasiness of Louis at Versailles, expressed in his letters to Luxembourg\*, the guarded movements of that enterprising captain, his attack and defeat of the allied army, when William no longer was at its head, proved the king of England the master spirit of the confederacy, in the field as well as in the cabinet.

On the 22d of October, the king opened the third session of his second parliament. The burden of his speech was the necessity of large supplies to prosecute the war vigorously against France. The last campaign did not satisfy the public; the whigs could not forgive the king their treachery, and his forbearance; his personal moroseness — perhaps his disgust with selfishness and faction — increased; he bestowed place and profit on the tories†, and gave his confidence only to his Dutch followers. An opinion began to prevail that fleets and armies were voted at an enormous cost for Dutch not British interests. More resistance to the measures of the court was apprehended in the present session than in the last. But the opposition of tories and whigs was ill combined, unprincipled, and inefficient. Various inquiries were instituted in the house of commons, merely to embarrass the government, and pique the king. The first inquiry related to the fleet. Admiral Russell, who had succeeded lord Torrington, shifted the blame of

\* Œuvres de Louis XIV., vol. iv. Campagne de, 1691.

† Lord Godolphin, reputed a tory, had been shortly before placed at the head of the treasury, and Rochester and Seymour were now brought into the privy council. The following curious note of lord Dartmouth on Seymour's appointment will be found in Burnet, iv. 154. : —

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

imputed delays and miscarriages upon the admiralty and the Dutch. Gross abuses were exposed but not reformed, in the economy of the army. An order was made that the commissioners of public accounts, who had been appointed in the preceding session, should lay before the house a list of all persons who had abusively procured the passing of their accounts, or obtained increase of salary on slight pretences, or charged excessive fees of office, or were abusively pensioned on the civil list.

A debate appears to have taken place upon "secret service money paid to parliament-men." \* The "taking off," says bishop Burnet, "parliament-men, who complained of grievances, was believed to be now very generally practised." There is in this very business decisive proof of the existence and extent of the practice. Those votes, if carried out in a searching and honest spirit, would have touched the king, the court, and the administration, to the quick. It must have been by corrupt management that they were afterwards defeated, neutralised, or dropped.

The commons voted the required supplies for an army of 65,000, and a fleet of 30,000 men. Some time was passed in jarring conferences between the two houses respecting a bill for regulating trials in cases of treason, and in the examination of an impostor, named Fuller, who fabricated and denounced a jacobite plot. He was tempted by the Preston conspiracy, recently disclosed, and by the example of the arch-perjurer of the Popish plot, now again respectfully designated the reverend doctor Oates. But religious hatred had somewhat abated, the informer, however depraved, wanted the effrontery of his prototype, and his denunciations were rewarded with the pillory. Parliament continued its sittings to the following 14th of February.

The commencement of this year was signalised by a <sup>1692.</sup> mournful atrocity—the massacre of Glencoe. This horrid affair like that of the De Witts, left upon the reputation of king William a stain which a century

\* See Parl. Hist. v. 666. 672.

and a half of parasite advocacy or party zeal have been unable to remove.

The Highlanders still kept up a sort of desultory and predatory war on behalf of James. Two modes were suggested for the pacification of the Highlands, — a pecuniary compromise with the chieftains—and extirpation. In Scotland, as in other countries ruled from a distant or extrinsic seat of government, the worst myrmidons of power are native of the soil. The majority of the king's Scottish council were of opinion that the government would best consult economy and its dignity by "rooting them out."\* The chief patrons of extirpation were Tarbet, who had to perform due service for the king's mercy in the affair of the club, and secretary Stair, a man innately savage, whose cruelty was hardened to a keener temper by the habits of a state subaltern in a province. Breadalbane, who, like Tarbet, had been implicated and forgiven, received 12,000*l.* from the government on his engagement to tranquillise the Highlands by distributing that sum; was thwarted by a complex tissue of local intrigues; and adopted the extirpating, or, as he called it, "the mauling scheme." Argyle and Atholl declared their readiness to assist in it.

The king had issued his proclamation offering pardon and indemnity to all such Highlanders as should have taken the oaths to his government before the 1st of January, 1692. The Highland chiefs secretly obtained James's permission to submit for the present, and complied with the proclamation, — one only excepted, Macdonald of Glencoe. Even he presented himself with his clan on the last day within the time to take the oaths, before the governor of Fort William. That officer was not legally competent to administer them, upon which the aged chieftain proceeded with his people to Inverary, took the oaths before the sheriff a day or two beyond the time, and returned in perfect security to his home.

\* See Dal. i. 485. 489. App. Book v. Ralph, ii. 570. 577.

Advantage was taken of the delay by Stair and Bredalbane ; they represented the Macdonalds to the king as “ a perverse brood of thieves and rebels,” of whom a terrible example should be made,— and William issued his instructions, denominated with the frank barbarity of Scotch jurisprudence, “ letters of fire and sword.”

There were two sets of instructions from the king, the first dated January 11., containing some mitigations, the second dated January 16., excepting Macdonald and his clan from those mitigations by the following fatal clause:— “ As for that tribe (of Glencoe), if they can well be separated from the rest, it will be a proper vindication of public justice to extirpate the sect of thieves.” The bloody mandate was directed to sir Thomas Livingstone who commanded the troops in the field against the Highlanders. He charged a captain named Campbell, with the execution. This officer was uncle of the wife of one of Macdonald’s sons. He took up his quarters in the valley of Glencoe, with two companies, as a friend ; he was treated with hospitable confidence and kindness during a fortnight ; he rose from the table of Macdonald and his family on the night of the fifteenth day, to slaughter the old chief, his family and his followers by surprise, in their beds! Thirty-eight persons were thus inhumanly butchered. The number would have been greater if one of the sons of Macdonald had not overheard a soldier say to another, “ he liked not the work—he would fight the Macdonalds, but did not like murdering them in their sleep.” An alarm was given and about a hundred and fifty escaped. The massacrers set fire to the habitations, carried off what they could, and left the women and children without shelter, food, or clothing, to perish in the snow.

The defence made for William is, that he signed the warrants without being informed of their purport. Is it credible that any minister would have been daring as well as wicked enough to obtain the king’s signature to

such a warrant by surprise? It appears even that the extraordinary precaution was taken of having it "supersigned" and "countersigned" by the king.\*

William sailed for Holland to resume the command of the allies on the 5th of March, leaving his government execrated and obeyed in Scotland, menaced anew with whig-jacobite plotting and intriguing in England.

James, on his return to France after the battle of the Boyne, earnestly pressed Louis XIV. to place at his disposal a fleet and army for the invasion of England. He even ascribes his haste from Ireland to this design.† Louis, discouraged or disgusted with his failure in Ireland, refused his request. He would not even consent to James's going on board the French fleet.‡

The presence of king William in Flanders, with his forces and his faculties undistracted, convinced the French monarch of his error, and he concerted with James a magnificent armament against England. The hopes of James were buoyed up still more by the apparent success of his agents in tampering with the very servants and councillors of William.

\* The gist of the question is briefly and conclusively stated by Ralph, as follows:—"Now it is admitted on all hands, that these several instructions were both supersigned and countersigned by the king himself, which was such a departure from the ordinary method, as argued either that the secretary did not think it safe in such an instance to perform the duty of his office, or that this double signature was meant to show that his majesty would admit of no excuse for disobedience."

† And yet bishop Burnet (forgetting that in another place he has softened this instruction from the extirpation of the Glencoe tribe, to the making examples of them, and that to excuse the king's signing and countersigning it, he said his majesty did it in a hurry, without an inquiry about it,) has dared to assert that the king's orders carried nothing in them that was in any sort blameable. Another writer of the same stamp, yet bolder, is positive that the massacre did not at all reflect on king William's justice, who never gave, nor intended any such orders. A third, the answerer by authority, of a book frequently quoted in the course of this work, called *Great Britain's Just Complaint*, pronounces, that a milder order never was given; and what is yet more surprising than all, we shall find these abandoned assertions more than countenanced by the voice of the Scottish parliament."—ii. 571, 572.

‡ Dalrymple says (i. 442. 444.), that Louis had urged him to leave the campaign in Ireland to his generals, and make all haste to France, whence he should be conveyed to England with an invading army of 30,000 men. This is inconsistent with the version in the *Life of James* (ii. 408.).

§ *Life &c.*, ii. 413.

The detection of lord Preston's plot did not arrest the course of intrigue.\* Churchill earl of Marlborough offered his services to his former master in terms of abject penitence; Halifax received colonel Bulkely, James's agent, "with open arms †;" and overcame the coyness of Godolphin on receiving the first overture. Godolphin made excuses for holding office under William, but declared that he would take the earliest opportunity of resigning, in order to devote himself without scruple to his lawful sovereign. He accordingly tendered and pressed the acceptance of his resignation.‡ Shrewsbury, Devonshire, Caermarthen William's chief minister, Russell, the commander of his fleet, defiled themselves in the footsteps of Marlborough and Godolphin.§

The chief dependance of James was upon Marlborough and Russell. Marlborough disclosed to James's agents, Sackville and Lloyd, the force of the army and navy, and the king's designs; offered to bring over Caermarthen or join in ruining him; pledged his influence over the army and the princess Anne; obtained from James a written assurance of forgiveness for himself and others; but never ceased to be suspected by him. Russell, whose rapacity was so insatiable that hereproached king William with ingratitude in a letter dated from the fleet, entered into correspondence with James, and engaged to dispose the fleet so as to favour the French invasion of England. He desired at the same time that the French fleet should as studiously avoid his, for if they met he must fire upon the first French ship though he saw James on board. The princess Anne, who had quarrelled with king William for his refusal to sanction a grant of 70,000*l.* a-year to her, now entered into Marlborough's schemes, and addressed a penitent letter to that father whose

\* Life of James, ii. 444.

† Id. *ibid.* 445.

‡ Lord Sidney in a letter to king William (Dal. App., book v. 224.) puts in the mouth of Godolphin a somewhat curious reason for his wish to retire. "He lays it most upon his wife, and saith it will not be convenient for a man of business that is not very young to bring a wife near the court."

§ The particulars may be found in Macpherson's State Papers, v. 1.; Dal. App. book v.; and Memoirs, 492, &c.; Life of James, ii. 444. *et seq.*

reputation she had blackened, and whose person she had betrayed.\*

James now thought his restoration certain. He looked upon the army, the navy, the church, as already his through Marlborough, Russell, and the princess Anne. A declaration † in his name was circulated by his agents in England. It set forth his intended arrival — indemnity for the past, with the exception of certain persons named — security for the future — particularly to the church of England. Among the persons excepted were Marlborough ‡ and Caermarthen, who had already secured their pardon by his written promise, and the fishermen who had laid rude hands upon him at Feversham.

His manifesto satisfied neither whigs, tories, nor himself.§ He, however, proceeded to Cape la Hogue in Normandy, where the army of invasion, about 20,000 strong, with a supply of arms for his partisans already organised in England, was assembled for embarkation. Meanwhile Marlborough's intrigues were discovered, and he was sent as a traitor to the Tower. The battle of La Hogue, or the disastrous fatality which seemed to pursue James, did the rest.

The French king, at this time in Flanders, sent Tourville orders to form a junction with the squadron of D'Estrees, lying at Toulon, attack the English fleet, and open the way for the transport fleet, which should convey James, his invading army and his fortunes, to England.

\* She joined in charging him with the crime of imposing upon his children and the nation a spurious heir. Her letter, though despatched several weeks before, reached James at La Hogue, immediately after the loss of the battle and the ruin of his hopes. (See Life of James, ii. 476, 477. 488, 489.)

† It was drawn by his former chief justice, now his chancellor, Herbert, a protestant. (Life of James, ii. 479. *et seq.*)

‡ Marlborough is said to have been excepted at his own suggestion. It is, however, stated in the Life of James, (ii. 488.), that "some were excepted more for form than any design of punishment, as his majesty took care to advertise my lord Churchill in particular, whom he had not only promised to pardon, but looked upon him 'as his principal agent, as he always termed him in his letters, and therefore writ to him then, that had he not been excepted, it would have discovered too plainly in whose interest he was.'"

§ Life, &c., ii. 487. Dal. i. 494.

Russell at the same time, sailed from the Nore, joined first the Dutch fleet, next the squadrons of Carter and Delaval, and had now under his command ninety-nine ships of the line, carrying above 700 guns, and 40,000 men.

The squadron of D'Estrees, of thirty sail of the line, was prevented by a sudden change of wind from joining Tourville, and the latter with only his own squadron of forty-four ships of the line bore down upon the English off Cape Barfleur on the 19th of May. He was impelled, it was said, to this gallant but desperate contest by the recollection of the reproach of Seignelay; his impression that the English were not yet joined by the Dutch; and appearances of disorder and delay in Russell's fleet.\* The French admiral singled out the English admiral's ship. The battle became general as other ships came up, and continued until four o'clock in the afternoon. A thick fog now suspended the combat. Upon the reappearance of the sun, at six, the French line appeared broken, and Tourville bearing away. The English gave chase during the night and the two following days. Of the enemy's ships some escaped through the race of Alderney to St. Maloes, others ran in upon the coast near Cherbourg; the greater number stranded themselves under the protection of the batteries of La Hogue. Sir Ralph Delaval attacked and burned the former: vice-admiral Rooke† attacked the latter with gun-boats and fire-ships, and the unfortunate James with his suite and his destined army of invasion looked on from the shore. It is said that seeing the English sailors crowding with eager valour into the boats, and boarding from them the enemy's ships, he exclaimed

\* Dal. i. 504., where he cites Burchet.

† Rooke was a tory, and bishop Burnet's account is grossly unjust to him. Lords Hardwick and Dartmouth have left the following remarks on this passage in Burnet's history:—"The French were well beat in the action, and fairly ran for it. Our number was greatly superior, but the whole of our fleet, from Russell's account, did not come into the engagement."—"Was it for burning sixteen of the enemy's ships, or the winds not serving, that Rooke was so much in fault? for the bishop has specified nothing else to support a party lie, that he would willingly have pass for a truth, because he hated the man."—*Burnet*, iv. 168.



with involuntary and generous emotion, "Ah! my brave English, how they fight!" This is apocryphal, but it is certain that he suggested to Tourville the only resource left him, viz., to put landsmen on board the stranded ships, which they could defend as fixed batteries. Tourville rejected his counsel on a point of honour, and the English having boarded, captured, and set on fire thirteen large men of war, with several transports and store ships, returned to the fleet.

The loss of the English and Dutch was inconsiderable.\* The nation exulted in the sense not alone of safety but of triumph. Medals were presented to the officers, and 30,000*l.* distributed among the sailors. Louis XIV. lost all pretension to his short-lived dominion of the sea; James, in a fit of mingled despondence and devotion, retired to the convent of La Trappe†, and the whigs continued their grovelling intrigues.

Admiral Russell was among the first to assure James that his sentiments were unchanged by the victory of La Hogue. He proved it by neutralising, so far as he could venture, a victory forced upon him by fortune and the valour of British seamen. Russell, before the battle,

\* The only flag officer killed was admiral Carter, who had a secret correspondence with James, but whether to betray or serve him is doubtful. (See *Life of James*, ii. 491.)

† A desponding and abject letter, purporting to be addressed by James to Louis, has frequently appeared in print. If the following statement in the "*Life, &c.*" may be relied on, that letter is a fabrication:—"We have not yet (said he, in a letter to the abbé de la Trappe,) suffer'd enough for our sinns; I mean myself and my subjects; whose misfortune he lamented in their seeming success, full as much as his own; he considered the bloodshed, taxes, oppressions, and the other necessary consequences of war, which they unthinkingly gloryd in, and tho' in the bitterness of his soule, he could not refrain acquainting the most christian king with what trouble he reflected upon the loss he had been the occasion of, yet he knew his duty too well to declare he would abandon his own cause, because he found himself unfortunate; or that he should be contented his most christian majestie should do so too, *as by a letter then published as was thought by a French Huguenot, was confidently said, which obliged the king not long after, being asked by a religious person (the compiler) if that letter was writ by him, to make this reply: 'I can never sufficiently acknowledge the obligations I haue to his most christian majesty, but I am a father and a king, and under obligations never to abandon the interest either of my children or my subjects. I will do therefore what I am able, and submit the success to providence, to which I will ever bear a perfect resignation.'* He needed not this accident to have driven him into a retreat from the world; if his circumstances had permitted it, his inclinations led him thither, long before. 'You haue left the world (says he, to the abbé de la Trappe), to worke your salvation; happy are those who can do it; those are the only people I envy.'"—*Life of James*, ii. 495-496.

urged a descent upon St. Maloes with the secret motive of having a pretence for leaving the sea free to James's expedition. Several of the enemy's ships found shelter there after their defeat, and it was the chief repair of French privateers. He now received orders to execute his former design, started various objections, sailed at last, and soon abandoned his enterprize on the ground of the lateness of the season. — It was the beginning of August.\* Russell's whiggism saved him with the public ignorant of his intrigues, but the king removed him from the command of the fleet, which he vested by joint commission in admirals Killigrew, Delaval, and the brave and honest sir Cloudesley Shovel.

Meanwhile the campaign in Flanders was not fortunate. The kings of France and England opened it at the head of the respective armies, and the first grand operation was the siege and capture of Namur. Louis XIV. took to himself personally the glory of the siege.† It is most likely that he had no more share in it than the effect of his mere presence. This celebrated yet scarcely famous siege was directed by Vauban, and the defence by the rival genius of Coehorn. Namur capitulated after eight days, and the citadel, no longer defended by Coehorn, who was severely wounded, surrendered after twenty-two days. The town was invested on the 29th of May, and the citadel capitulated on the 30th of June.

Namur, the strongest place in the Low Countries, at the confluence of the Sambre and Meuse, was an important conquest. It was rendered still more mortifying by the presence of William, and his inability to raise the siege. He made several efforts at the head of the confederate army of 100,000 men, but was foiled by the accidental flooding of the Mehaigne and the capacity of Luxembourg. Louis returned to inhale court incense at Versailles, abandoning the campaign to men more worthy

\* Dal. iii. 11. 13.

† There is in the compilation called *Œuvres de Louis XIV.*, (vol. iv.) a detailed narrative of the siege by Louis himself, (see introduction to it by general Grimouard), in which he bestows the most fulsome eulogies upon himself.

to dispute victory, — marshal Luxembourg and king William. They soon fought one of the most memorable battles of that age.

The king and the marshal counter-mancœuvred for some time with consummate skill, in the opinion of military historians—the former to come to action and surprise Mons, the latter to avoid the one and yet prevent the other — in which he succeeded. William detected a spy of Luxembourg in the camp, forced him to mislead the French general by false intelligence, and resolved to surprise the enemy. On the 24th of July, at day-break, the prince of Wurtemberg, supported by general Mackay with the British infantry, proceeded to the attack. The French general was off his guard, and his lines were thrown into confusion. He, however, restored order, and rallied his troops. The French princes and other nobles of the court who served under him, set the example by fighting sword in hand. The English infantry bore the chief brunt in the van, and count Solmes, who commanded the centre, in spite, it is said, of the king's repeated orders, first left them to their fate, and at last detached to their relief a regiment of horse in ground where he knew cavalry could not act.\* Marshal Boufflers came up with his corps to turn the scale, the assailants were overpowered past hope, a retreat became necessary, and the king conducted it with the utmost coolness and ability. Four hours of carnage produced on either side a loss of about 7000 killed, wounded, or prisoners. Generals Mackay and Lanier, able and experienced officers, fell on the side of the allies — the young prince of Turenne, nephew of the famous captain, and two lieutenant-generals, were slain on that of the French. King William inflicted upon Solmes no heavier punishment than a few weeks' exclusion from his presence — but the offender was his countryman. Such was the issue of the famous battle of Steinkirk.

\* It is said that Solmes, with his national jealousy and Dutch phlegm, said, "Let us see what sport these English bull-dogs will make us;" whilst William exclaimed, "Ah! my poor English, how they are deserted."

Soon after this, the detection of a plot to assassinate the king in Flanders resounded through Europe. The scheme was first discovered in writing among the papers of Louvois, recently deceased, by his son and official successor Barbesieux; and the son followed up what the father had left incomplete. The chief conspirators were Grandval, a French officer of cavalry; Dumont, also an officer; and a Dutchman named Leefdale, who became their accomplice to betray them. They appear to have had guilty conferences with Barbesiueux, Paparel, paymaster, Chanlais, quartermaster of the French army, and Parker, a jacobite intriguer, attached to St. Germain. The king's life was to be taken by firing upon him from an ambuscade, and Chanlais was to be ready with 3000 horse, at the duke of Luxembourg's grand guard, to secure the escape of the assassins. Grandval was seized on the information of Dumont; Leefdale was convicted by court martial and executed in the camp. The official account of the proceedings \* sets forth the information of the two accomplices and the confession of the prisoner, as implicating James, his queen, and madame de Maintenon. The informations or confessions of a hireling spy, and two suppliant criminals, would in any case be questionable. In the publication by authority of the proceedings of the court, consisting of a preamble and the sentence, the statements are suspiciously general and vague, and the accusation was a most efficient party stroke.†

King William sailed from Holland on the 15th of October, arrived at Kensington on the 20th, proclaimed

\* Printed in Somers' Tracts, x. 580.

† Bishop Burnet charges the plot positively and circumstantially upon James, Louis XIV., the French ministry, and Luxembourg. But the bishop is never more positive and particular than where his credit is most doubtful; he was employed in this case, as in that of proving the imposture of a spurious heir, to get up a case against James; and it may be presumed that in the one case as in the other, he pressed into his service as a historian, what he had raked together as an advocate. (See Ralph, ii. 368. *et seq.*) Whether James was capable or not of such a crime, or whether he was frankly guiltless, as he protested or only "innocent of the knowledge" by tacit understanding and design, it would now be idle to examine; but so black a crime should not be fixed upon his memory without sufficient proof, especially under circumstances of strong suspicion against the charge.

a day of thanksgiving for the nation's escape from popery and arbitrary power, to be observed religiously on pain of the displeasure of God and their majesties \*, and opened the session of parliament early in November.

The parliamentary opposition was now organised and embarrassing, and the public thought more of the defeat of Steinkirk than of the victory of La Hogue. It will be remembered that lords Marlborough, Scarsdale, and Huntingdon were sent to the tower. Marlborough, during his imprisonment, continued his intrigues with James, and took advantage of his commitment to make the government of William appear arbitrary and odious. Fortunately for him he was charged, not with the treasonable correspondence, of which he was really guilty, but of which perhaps there was not sufficient proof in law, but as a party, with others, to a treasonable association, fabricated by a person of infamous character named Young. † There was but one witness each against the peers, and they claimed the benefit of the *habeas corpus* act in the court of king's bench. Their application was met with an affidavit of the solicitor for the crown, setting forth in substance, that there was "evidence" against each, and "witnesses" against all of the prisoners; and the court, of which Holt was chief justice, shutting its eyes to this equivocating and shallow evasion of a main provision of the act, remanded them to confinement.

Men without spirit or virtue will act with a semblance of both, where the interest of their order or their own is at stake. The imprisoned lords were released on bail, and complained, each in his place, of his commitment without the oaths of two witnesses, as a breach of privilege. The house ordered the attendance of both the crown solicitor and the judges.

Credit has been given to king William and the revo-

\* See Proclamation in Gazette, October, 1692.

† Among the other parties were lords Salisbury and Cornbury, archbishop Sancroft, and Sprat, bishop of Rochester, in whose house the draft of the pretended association was secreted by an accomplice of the fabricator. (See Sprat's "Relation," &c.)

lution for the purification of Westminster Hall—so far as the bench was concerned. The judges of the king's bench now vindicated their decision by expounding the law of treason in the spirit of Scraggs and Jeffreys. They declared that one witness to a principal treason and a second to a circumstance sufficed.\* The question was several times keenly debated by the lords and decided each time against the government; and a resolution was carried that the judges had acted in violation of the *habeas corpus* act and their duty. A day was fixed for determining the process by which the inculpated lords should be discharged of their bail. This question was debated on the side of the opposition with the vigour and animation of previous success, and the quailing courtiers intimated that a release would be given by the king. The compromise was accepted, and a discharge was accordingly given.

The majority against the court was made up of discontented and intriguing whigs and those uncompromising Tories who were proof against court favour. Among the former, were Halifax and Shrewsbury, who had attended Marlborough as his proffered bail in the king's bench. Halifax, who had been laid aside by king

\* See Hampden's instructive tract, "Some short Considerations," &c., in the *Parl. Hist.*, v. App. 7. The following are his words in reference to this transaction:—"But further we are in an unsettled condition as to our very lives. There is no man ignorant of the barbarous proceedings in trials for treason in the late arbitrary reigns. Men were condemned and executed upon the evidence of single witnesses; upon papers not proved to be their handwriting; by innuendos, and far-fetched constructions; all the benefit allowed them by the laws, was denied them; illegal juries packed upon them; and the laws which had been provided by the wisdom of our ancestors, for the defence and security of the subject's life, were, by perverse and false constructions put upon them by corrupt and mercenary lawyers and judges, made use of to murder and destroy the best men we had. The remedying of this great evil was declared to be one of the main ends of the revolution. And yet things are still at this day in the same condition in that respect, as they were before the king came into England. The lives of the subjects are in as much danger as ever, since there is no manner of security yet provided against the open violations of law in the last reigns. Nay, the very same corrupt opinions are now delivered for law which king Charles's and king James's judges were infamous for. For it is but a few days ago that some of the judges declared in the lords' house, that one witness to a principal treason, and another to a circumstance, was sufficient to convict a man that is indicted for treason; which was the worse of all the opinions delivered upon the bench by the late chief justice Jefferies."—*Parl. Hist.* v. App. 7. p. lxxvii.

William some time before, put on the mask of public justice—Shrewsbury, that of private friendship: both, doubtless, were moved by their secret participation in Marlborough's intrigues.

The next subjects of debate were the miscarriages, so called, of the navy and army. It would appear that the whigs, defeated in their attacks upon Caermarthen, now turned their arms against the weaker and more virtuous Nottingham. Russell, a member of the house, charged his failing to attack St. Maloes upon the admiralty, of which Nottingham was the head. The culprit admiral was a whig, and had the sympathy of the house of commons; the minister, a tory, was vindicated by the lords. Justice was done between them by the king. He dismissed the admiral and retained the minister.

The miscarriages of the army, particularly that of Steinkirk, were ascribed to the preference of foreign, that is Dutch, officers in the command, and the conduct of Solmes was reprobated.\* In fine, the spirit of opposition in the house of commons concentrated in a single resolution—that the king should be advised to employ in his councils those only who were interested in standing by him against the late king James—that is, whigs not tories. It was chiefly directed against Nottingham, who, though a tory in his principles, had served William faithfully whilst so many other of his servants and councillors plunged into jacobite intrigues.

Much credit has been given to the parliament for its proceedings in this session; but no one proceeding or resolution was followed up; and this abandonment may be ascribed to what was frankly called in the language of the time, "the payment of secret service money to parliament-men." It is confessed even by bishop Burnet. "They voted," says he, "some heads of an address relating to those matters, but by a secret management let the whole thing fall after they had passed those angry votes.†

\* Parl. Hist. v. 715. *et seq.*

† Burnet, iv. 187.

To those proceedings and votes, in which the colour of public virtue and independence was given to ambition, interest, and resentment, may be added two bills of a popular character, — the one disqualifying members of the house of commons for all places of trust or profit,— the other, of which the object will be best and fully understood from its title of “the triennial bill.” The former passed in the house of commons, and was even scarcely opposed. This singular phenomenon is accounted for by the fact, that the coalesced majority of whigs and jacobites voted away places from which they were excluded, — that the supporters of the court acquiesced because members were gained, not by the gift of place, but by hard money, — that some votes were given in its favour from an ostentation of independence, — and that the placemen in the house abstained, as parties interested, with a delicacy which would now be thought excessive or absurd. In the house of lords it was keenly debated, and thrown out only by a majority of two.\*

The triennial bill passed both houses, and was refused the royal assent by the king. William had avowed, more than once, his purpose of maintaining the prerogative of Charles and James in its integrity, and refused the royal assent, — giving, it is said, as his reason, that “having found the English constitution the best in the world, it would be presumption in him to try to mend it.” The phrase is probably not his, for it has some point.

A supply, exceeding four millions, was voted for the army and navy, and the session closed on the 14th of March.† Harley, afterwards earl of Oxford, appeared in this session prominently for the first time.

\* Sheffield, duke of Buckingham, then lord Mulgrave, distinguished himself by his eloquence in support of it, and printed his speech, which according to Ralph was received as “a new revelation” by the public. His concluding words are “whatever be the success of this bill some good effect must come of it, for if it passes it will give us security, *if it be obstructed it will give us warning*,” — a remark of permanent application.

† It was in this session that a pamphlet, entitled “William and Mary Conquerors,” and bishop Burnet’s pastoral letter inculcating the same doctrine, were burned by the common hangman in pursuance of votes of both houses. The star-chamber-statute of Charles and James against authors, printers, &c., which would expire this year, was continued.



1693. The king having obtained the supplies, and relieved himself from the parliament, proceeded to Flanders, and took the command of the confederates in the beginning of April. Louis also set out for the Low Countries with the effeminate pomp of an eastern monarch, accompanied by madame de Maintenon and a suite of court ladies. It was expected that some great conquest would be achieved or attempted to signalise his presence with the army as its pageant head. He, however, soon returned to Versailles, leaving the command in form, as well as in fact, to Luxembourg.

That general made a feint movement on Liege, then suddenly moved upon the allied army, at five in the morning on the 28th of July, and after a march of seven leagues in four columns across the Jaar, pushed his vanguard within a short distance of the lines of the confederates. This was within a few leagues of Brussels. It was supposed a stratagem to cover the real design upon Liege. The king and the elector of Bavaria mounted their horses, went out to reconnoitre the enemy in person, became convinced that Luxembourg was advancing to attack them, and made their dispositions' to receive him. The right and left of the confederates rested on the villages of Neer-Werden and Neer-Landen, and the line was protected by an intrenched battery of 100 guns. William did not excel in the art of castrametation, and Luxembourg having observed his position exclaimed, — "Now I believe Waldeck really dead!"

The French, at day-break, attacked both wings with impetuosity, and were received with a tremendous fire. The village of Neer-Werden was the chief object of attack. It was taken and retaken several times, with equal courage and carnage on both sides. At four in the afternoon, the French displaced both wings, broke the line, and forced the confederates to retreat. William is admitted to have fought the battle with signal capacity and valour. He conducted the retreat with equal ability \*,

\* Several anecdotes or traits are recorded of this battle, some true, others apocryphal. The duke of Berwick was led up prisoner to king William,

and rallied and reorganised the army with so much quickness, that Luxembourg did not venture a second attack. "Few battles," says Voltaire, "were more murderous." According to him the French lost 8000, the allies 12,000 men; whilst the English estimate the loss at 10,000 on either side. Among the slain were the gallant Sarsfield, serving as a lieutenant-general in the French service, and Solmes, who had proved so treacherous and inhuman at Steinkirk. It is called by French historians the battle of Nerwinde, by those of England the battle of Landen.

Both armies now continued in a state of inactivity and mutual observation for some weeks. Luxembourg, therefore, must have been like Pyrrhus, weakened by his victory. The capture of Charleroy by the French, after a month's siege, closed the campaign.

It may be added here, though not strictly within the design of these pages, that the king of France was successful against the allies upon the other chief points of the theatre of war. Marshal de Lorges who commanded on the Rhine, took Heidelberg by storm, abandoned it to his soldiers,—that is, to lust, rapine, fire, and sword,—for twenty-four hours, and the cathedral church of Paris echoed a solemn thanksgiving to God for the success with which he had blessed the arms of the most christian king! In Catalonia the strong place of Roses, invested by sea and land, surrendered after a month's siege to marshal Noailles and admiral D'Estrees. In Piedmont marshal Catinat obtained the memorable victory of Marsiglia, over the duke of Savoy and prince

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by his mother's brother, general Churchill, and the king merely took off his hat to the prisoner without opening his lips. The duke of Berwick, who saw him then for the first time, was particularly struck by his eagle eye. Louis XIV., according to another account, said "Luxembourg attacked like Conde, but the prince of Orange (still so called by the French and jacobites) retreated like Turenne." Luxembourg, according to a Dutch historian, said he should be proud to have made such a retreat under the same circumstances. Voltaire states that the king had his horse killed under him in a charge at the head of the regiment of Ruvigni, French protestant refugees, who thus "avenged the intrigues of father La Chaise, and the cruelty of Louvois;" he might, and should, have added, the bigotry of Louis XIV.

Eugene of Savoy, who now began to rank with the first captains of the time.

It is remarked by writers, whose chief business is with the art of war, that the battle of Landen was the last in which superior officers fought sword in hand, and that of Marsiglia the first decided by the bayonet.

Fortune was no less favourable to the French at sea. The victory of La Hogue, it has been observed, was more brilliant and imposing than destructive of the naval power of France, and great efforts were made at Brest and Toulon to repair her losses. Tourville and D'Estrees were soon in command of two fleets of sixty and thirty ships of the line. Their object was now to attack English commerce in the West Indies and the Mediterranean, not to invade England, and the two French admirals came out of Brest and Toulon chiefly with a view to intercept the English merchant fleet destined for the Levant. The French fleet under Tourville and D'Estrees sailed in May; the English and Dutch combined fleet under the joint command of Killigrew and Shovel sailed a month later from St. Helen's, convoyed the Smyrna fleet fifty leagues south of Ushant, and then consigned it to the charge of sir George Rooke with a squadron of twenty-three ships of the line.

The three English admirals returned northward to defend the shores of England against Tourville, whilst that commander was cruising off the coast of Portugal, with the purpose of falling in with the English Smyrna fleet. Rooke accordingly, whilst convoying 400 merchantmen richly laden, discovered, to his surprise, a vast French fleet in Lagos bay, and sixteen sail actually bearing down upon him. He made battle to protect the merchant ships with prudence and resolution, but lost forty merchantmen and four men of war, and bore away for Madeira, whilst Tourville returned in triumph to Toulon.

About the same time, sir Francis Wheeler sailed as convoy of the West India fleet, with a squadron of twelve men of war and 1500 soldiers destined to attack

the French settlements in those seas. The expedition failed in attempts upon Martinique and other settlements, and the squadron returned to England in a wretched state. The ships were worm-eaten, and the ships' crews and soldiers suffering from the hardships and disease of an ungenial climate.

The king landed at Harwich from Holland on the 29th of October, and reached Kensington next day. He found the nation discontented, his tory ministers unpopular, and he reinstated the whigs. There is something not a little curious in the circumstances under which he now resorted to his old friends. The leaders of that party were engaged deeply as ever in their intrigues with James\* — William knew it — and the mediator was lord Sunderland. That consummate state juggler was now the intimate but unavowed counsellor of king William, and he continued to practise his ancient arts.† As he formerly betrayed James to William, so he now betrayed William to James. But he was nothing more than a finished type of the politicians of his time in England, and his perfidy was rather mitigated as he advanced. In James he betrayed a trusting sovereign, in William a politician who made use of him.

The odium of the losses at sea fell chiefly upon lord Nottingham. William took the seals of office from that minister by whom he was faithfully but feebly served, transferred them to lord Shrewsbury, then pledged to assist in the restoration of James, and was aware at the time of the fidelity of the one, and the perfidy of the other.

Shrewsbury became secretary with reluctance, whether from some remaining scruple of personal honour, or from personal fear, is doubtful. The weakness of his virtue is not easily distinguishable from that of his nerves. It is recorded as a traditional anecdote, that the king sent a colonel of guards with the seals in one hand, a warrant

\* See Macpherson's State Papers, vol. i. *passim*. Dal. iii. 39, *et seq.* (notes). Life of James, ii. 501—515.

† Macpherson and Dalrymple, *ut sup.*

to commit him for treason in the other\*, and that he preferred, as might be expected, the cabinet to the Tower. William was little used to indulge in sallies of imagination or eccentricity, and it is difficult to reconcile Shrewsbury's knowledge of the detection of his intrigues with his subsequent declarations to the king.† To attempt unravelling the tissue of perfidy, whig and tory, wrought by the Shrewsburys and Russells, the Godol-

\* Dalrymple writes as follows, with what truth or probability the reader may be left to judge: — "Upon William's return from Holland, after the battle of La Hogue, he reproached lord Godolphin with the correspondence he carried on. I take this anecdote from report; but it is a report so universal, that I imagine nobody disbelieves it. Godolphin denied it: but the king put a letter into his hand, written by Godolphin to James, which had been stolen from that prince's cabinet, and desired him to reflect upon the treachery of those he was trusting, and the mercy that was shown by him; a generosity of proceeding which attached Godolphin for ever after to his master. William asked lord Shrewsbury about the same time, "Why he had quitted his service?" Shrewsbury answered, "Because his measures had not corresponded with his promises to the nation." The king looking stedfastly upon him, said, "My lord, have you no other reason?" The other answered, "He had not." William then asked, "When he had last seen sir James Montgomery?" Shrewsbury faltered, but recovering himself, said, "He could not help seeing people who called at his door, but that his principles were loyal." "I know you to be a man of honour," replied the king, "I will believe what you say: but remember what you have said, and that I trust to it;" and, without waiting for an answer, quitted the room. It is likewise reported, that at an after-period, when it was of consequence to king William to make the world believe he was not deserted entirely by the whig party, he sent a colonel of the guards to let Shrewsbury know, that he had orders either to conduct him to the Tower, on account of his connections with James, or to leave with him the secretary's seals. "I found this anecdote in memoirs which the late lord Balcarras showed me, written by himself [since printed in Somers's Tracts]. He had it from lord Bolingbroke, and the field-marshal, earl of Stair, whose lady was aunt to lord Balcarras."—*Dalrymple*, i. 498—500.

† Shrewsbury Correspondence, 147. Yet the following statement is made by Lloyd (a Jacobite agent), in a report to James: —

"I went to wait on the countess of Shrewsbury who was sick. I made her the compliments I was ordered by your majesty and the queen. In return to which she answered me with all the sentiments of duty and affection for your interests. She afterwards told me how her son, the earl of Shrewsbury, had been obliged to accept of an employment; the prince of Orange having sent for him, to offer him the post of secretary of state, which he refused on account of his bad health. But the prince of Orange shewed him that he had a very different reason, by repeating to him a discourse which he had held about your majesty. This surprised the earl of Shrewsbury much, and convinced him of the danger of refusing the employment; but as he expected a descent in England in a few days, he demanded some time to go to the country on account of his health, and other pressing business, before he received the seals. The prince of Orange having granted this, he went to the country accompanied by his friends, well mounted, with an intention of joining your majesty in case you had come, as was expected and wished. But that having failed, to his great regret, he was obliged, on his return, to accept of the seals; which she told me from him, he did only in order to serve your majesty more effectually hereafter."—*Macpherson's State Papers*, vol. i. p. 481.

phins and Caermarthens, around king William at this period of his reign, would now be a hopeless and barren task. The infamy of Marlborough alone stands out in palpable relief. There is an excuse for William's distrust of human virtue and contempt of human nature in his intercourse with the politicians of his time in England.

Admiral Russell was reinstated in the command of the fleet, and soon after placed at the head of the admiralty. The king had previously, on the eve of sailing for Holland, made a step towards the re-admission of the whigs, by appointing Trenchard\* secretary of state in the room of lord Sidney, who had gone over as lord lieutenant to Ireland, and Somers, keeper of the great seal†, hitherto in commission. The whigs had now a majority in the council, but they had still to contend with the experience, capacity, and arts of Caermarthen and Godolphin.

On the 7th of November, the session was opened by the king, a week only after his return. He acknowledged "the disadvantages at land," and "the miscarriages at sea;" urged a more vigorous prosecution of the war, and called for "a suitable supply." The house of commons unanimously echoed the speech in its address; voted 83,000 soldiers, and 40,000 seamen, for the ensuing year; and placed the king in a condition to reject pacific overtures made by the king of France.

The session, however, did not proceed with uninterrupted smoothness between the commons and the king. The place bill — that is, the bill disqualifying members of parliament for all places of trust and profit — now passed both houses, and was refused the royal assent. An indignant address to the king was voted by

\* He was the person implicated in the Rye-house plot, so called, and whose irresolute conduct prevented a rising.

† The king appointed the law officers of the crown without consulting the new lord keeper, who immediately remonstrated, and tendered his resignation — See his letter in the Hardwick Papers, ii. 426. — It is addressed to the king at Harwich, on his way to Holland.

the house of commons, declaring that whoever advised him to refuse his assent was an enemy to their majesties and the kingdom. This explosion of virtuous indignation appears to have had in it something of party juggle. The king answered with an evasive and unmeaning expression of his respect for the constitution and his esteem for parliament. An address for a more satisfactory answer was rejected by a large majority; and two reports from the committee of public accounts exhibited in detail the extent to which votes were obtained, or opposition silenced by corruption. Among the persons named, are sir John Guise, who obtained the underwood of the forest of Dean as a reward for his having joined the prince of Orange at Exeter, "to the great hazard of his fortune and life," and admiral Russell, who received 10,000*l.* for his victory of La Hogue. It is stated, in a tract of the time, that the secretary to the treasury was known to have distributed 16,000*l.* in three days among members of the house of commons. The sums expended to gain votes or silence opposition were called "Hush Money."\*

A tedious and fruitless inquiry respecting the "miscarriages" at sea occupied both houses. The session was signalised by the establishment of the Bank of England; a new charter was granted to the East India Company; an impeachment for numerous and flagrant enormities against Coningsby and Porter, lords justices of Ireland, was put aside "in consideration of the state of Ireland at the time†"; finally parliament was prorogued on the 25th of April.

It would appear that William by this time felt himself more firmly seated on the throne. Hitherto he exercised only the substantial powers of the crown as head of the government; he now exercised its pageant pre-

\* Com. Jour., December, 1693. Parl. Hist., v. 807, and App. xi. Ralph, ii. 472.

† Coningsby was a member of the house, and vindicated himself by saying, "Most of those things called traitorous, protestants will tell you preserved Ireland."—(Parl. Hist. v. 818.) One of "those things," &c., was his ordering "by word of mouth" a man to be hanged without trial, who was accordingly and immediately hanged.

rogatives. He made lords Bedford, Devonshire, and Shrewsbury dukes by their respective titles ; lords Caermarthen and Clare by the titles of Leeds and Newcastle: he made lord Mulgrave marquis of Normanby with a pension of 3000*l.* a year ; lord Sidney earl of Romney with the wardenship of the cinque ports ; the brother of the duke of Ormond an English baron and earl of Arran in Ireland. At the same time the whigs were strengthened by the appointment of Charles Montague, afterwards earl of Halifax, to the chancellorship of the exchequer. This done, he sailed for Holland about the middle of May, and took the command of the allies in the beginning of June.

This year, the campaign on the various points of the vast theatre of war was in favour of the confederates. The advantage, however, was merely negative. France seemed arrested in her career or exhausted by her victories. It would appear that two of the worst visitations of despotism and nature, grinding imposts and scarcity of food, diminished the supply of revenue and recruits in France\*, and hence, doubtless, the overtures of peace made by the French king.

In the low countries, the chief operation was, an attempt of king William to penetrate into French Flanders, which was defeated by Luxembourg. The defensive movement of the French general, executed with great skill and rapidity, left the strong place of Huy uncovered, and it was taken by the allies. It was the purpose of the French, with an inferior force, to avoid a general engagement ; the campaign passed in manœuvring, and both armies took up their quarters for the winter about the middle of October.

In Spain, the French opened the campaign with success. Marshal Noailles attacked and defeated the Spaniards on the river Ter ; received the vain title of viceroy of

\* " Il commençait," says Voltaire, " à devenir difficile en France de faire des recrues et encore plus difficile de trouver de l'argent. La rigueur de la saison qui détruisit les biens de la terre en ce temps apporta la famine. On périssait de misère au bruit des *Te Deum* et parmi les réjouissances." —*Siècle de Louis XIV.*



Catalonia as a reward for his victory ; and moved upon Barcelona with 30,000 men. The French admiral Tourville had, at the same time, passed the Straits to co-operate with him. This whole design, which threatened Spain with the most serious consequences, was broken by the appearance of admiral Russell, with the English and Dutch combined fleet, in the Mediterranean. Tourville took shelter in Toulon, and Noailles, abandoning his hope of further conquest, fell back upon his line of operations.

But the chief incident of the year, as affecting England, was the expedition to Brest. The disastrous result is chiefly memorable for the darkest stain upon the reputation of Godolphin and the irredeemable infamy of Marlborough. It was the king himself who advised and decided, against the opinion of Russell, that admiral's fortunate appearance in the Mediterranean. He now resolved to strike a blow at the French navy in the harbour of Brest, one of the chief naval arsenals of France, and not remote from the shores of England. An expedition consisting of 30 ships of the line and 6000 soldiers, respectively commanded by lord Berkeley and general Tollemache, was equipped for that purpose. William designed that it should sail in the spring ;—his perfidious servants retarded the equipment in pursuance of secret instructions from James\*, and the expedition did not sail till the beginning of June.

But delay alone would not have sufficed to defeat the expedition, the enemy being still ignorant of its destination. This fatal disclosure was made first by Godolphin, and soon after by Marlborough, to James, for the benefit of Louis XIV. The proof of guilt against Godolphin is contained in the report of captain Lloyd, a Jacobite

\* "Admiral Russell," says Dalrymple (iii. 45., citing Macpherson's State Papers), "by private orders from king James, having accepted the command of the fleet, which had been taken from him the year before, and king James having given private instructions through the hands of the countess of Shrewsbury to him, the duke of Leeds, the lords Shrewsbury, Godolphin, and Marlborough, and others, to create delays in the fitting-out of the fleet, lord Berkeley, who commanded it, was not able to sail till the first week in June."

agent \*,—against Marlborough in his own letter †,—both addressed to James.

The squadron of thirty ships, Dutch and English, appeared off Brest on the 7th of June. It soon became manifest that advantage had been taken of the notices given by Godolphin and Marlborough, to render the place impregnable. The genius of Vauban was employed in the defences; the harbour was protected with

\* Macpherson's State Papers, i. 480.

† Ibid. 487. The letter of Marlborough has been frequently printed. It is, however, so curious a document that it may be right to present it here to the reader, preceded by that of colonel Sackville, a Jacobite agent, through whom he sent it.

*Translation of a letter in cypher, from Mr. Sachfield, major-general of his Britannic majesty's forces, to the earl of Mellfort.*

“ May 3d, 1694.

“ I have just now received the enclosed for the king. It is from lord Churchill; but no person but the queen and you must know from whom it comes. Therefore, for the love of God, let it be kept a secret even from lord Middleton. I send it by express, judging it to be of the utmost consequence for the service of the king, my master, and consequently for the service of his most Christian majesty. You see by the contents of this letter, that I am not deceived in the judgment I formed of admiral Russel; for that man has not acted sincerely, and I fear he never will act otherwise.”

*A translation of lord Churchill's letter to the king of England.*

“ It is only to-day I have learned the news I now write you, which is that the bomb-ketches, and the twelve regiments encamped at Portsmouth, with the two regiments of marines, all commanded by Talmask, are destined for burning the harbour of Brest, and destroying all the men of war which are there. This will be a great advantage to England. But no consideration can prevent, or ever shall prevent me, from informing you of all I believe for your service. Therefore you may make your own use of this intelligence, which you may depend on being exactly true. But I must conjure you, for your own interest, to let no one know but the queen, and the bearer of this letter.” . . . . “ Russel sails to-morrow with forty ships, the rest being not yet paid; but it is said that in ten days the rest of the fleet will follow, and at the same time the land forces. I have endeavoured to learn this some time ago from admiral Russel. But he always denied it to me, though I am very sure that he knew the design, for more than six weeks. This gives me a bad sign of this man's intentions. I shall be very well pleased to learn that this letter comes safe to your hands.”—*Macpherson's State Papers*, vol. i. p. 487. *Dal.* iii. p. 44. *note.*

The reference to Russell throws little light on his conduct and views. The intriguers of the court and council in England laboured to supplant each other at St. Germain, as well as at Whitehall. The motive of Marlborough obviously was to make Russell suspected by James, and it is possible, if not likely, that the king, who was still in England, would keep the secret from Russell, who was at the time charged with the command of the combined fleet, destined for the Mediterranean. It is stated by the compiler, not the king, in the “*Life of James*” (ii. 523.), that “the king (James) had received notice likewise from my lord Arran.” If this may be relied on, the information must have come from lord Sunderland, through lord Arran, his son-in-law, whom he made the vehicle of a similar disclosure respecting Toulon in the following year.

batteries mounting near four hundred guns; the ships were beyond the reach of attack or injury; and the shore was lined with troops. Tollemache saw the enterprise, was hopeless, yet gallantly exclaimed, "The die is cast, and it would be dishonour to retreat;" made a desperate but vain attempt to land, with about 1000 soldiers; and was mortally wounded.\* The loss of the English was about 700 soldiers killed, wounded, or made prisoners; 400 seamen, and a ship of war. The loss of the enemy, as might be expected, was trifling, — by their account, only 45 men.

Lord Berkeley returned to St. Helens with his squadron, in a damaged and despondent state. To avenge this disaster, or divert the public mind, he again put to sea by the queen's orders; stretched over to the coast of France, and bombarded, with terrible effect, Dieppe and Havre; spread terror, and that only, by demonstrations of parade, from Cherbourg to Dunkirk, and returned to anchor once more at St. Helens.

These services were performed by a combined English and Dutch squadron. The Dutch celebrated by a medal the destruction of the port of Havre; and Louis XIV. retaliated by as wanton a bombardment of the city of Brussels. The injuries thus inflicted on both sides fell upon the inhabitants, scarcely to be considered parties to the quarrel, and did not materially affect the issue. But it seems the lot of the people to suffer for the passion or caprices of their rulers; and the last interests consulted in courts, cabinets, and camps, are those of the community, and of humanity.

The king arrived from Holland on the 9th, and opened the session of parliament on the 12th of November. He said the enemy was unable to cope with England at sea; a stop was put to the progress of the French arms in the last campaign; and a vigorous pro-

\* He was a brave soldier, reputed the son of Cromwell, and not unwilling, it is said, to bear the stain of illegitimacy, for the honour of being the son of the illustrious protector. It is further recorded, that he denounced in his last moments the treason to which he fell a victim.

secution of the war would procure peace to Christendom. The house of commons had now become a mere engine for raising supplies, and a supply, amounting to nearly five millions, was granted without opposition. To meet this, the tonnage and poundage duty, which expired this year, was continued for five years more, and a tax of four shillings in the pound was levied on the land.

The triennial bill passed both houses, and received the royal assent. The house of commons appeared to hang back for some days before voting the supplies ; the supply bill proceeded *pari passu* with the triennial bill ; and the king's assent to the latter, which he had previously refused, was looked upon as the condition, express or tacit, upon which the house of commons granted the former.

There is something in the fate and character of this act to suggest a passing reflection. It originated with the founders of the commonwealth—it was thrown aside, with so many other monuments of English virtue, by the Restoration. The bill now brought in was prepared and presented by Harley, the chief organ of toryism in the house ; it set forth in the preamble that frequent and new parliaments tended to the happy union and good agreement of the king and people ; and it was doomed to be again thrown aside, after the lapse of only twenty years, for the greater security of the protestant religion, and the house of Hanover, by the hands of a whig minister. More than a century has since elapsed ; but the preamble launched a vital surviving truth, which must re-assert itself, unless rational government shall retrograde in England, — which is most unlikely.

The triennial act was received by the nation as a new charter of liberty ; but the public joy and the proceedings of the session were soon arrested by the illness and death of queen Mary. She was seized with small-pox, in a malignant form, and died of that disease, together with, it was said, the ill-treatment of her physicians \* ,

\* The two leading doctors were Radcliffe and Millington ; the whigs reproached the former, a tory ; the tories the latter, a whig.

at one in the morning of the 28th of December, in the thirty-third year of her age. It is said that she prepared herself to die with piety and resignation. This is recorded not only by bishop Burnet in his apocryphal history, but by archbishop Tennison \*, who attended her in her last moments, and preached her funeral sermon.

There are some grounds for suspecting that a false lustre was shed upon her death, and character. She appears to have forgotten that she had a father, whom she despoiled and proscribed; and the deprived bishop Ken accounts for her unfilial oblivion by supposing that her piety was fallacious or her conscience seared.† The archbishop had much private discourse with her, if Burnet may be relied on; but of what passed between them nothing is known. Were he a death-bed confessor, and she a dying penitent of the church of Rome, it would naturally be suspected that he abused her conscience, or concealed her remorse for the benefit of his order. It is scarcely credible that she should never think, in such a moment, of a father's malediction, even though she had brought herself to suppose she had not deserved it. "Mild and pious" are epithets commonly applied to her. She was a woman of weak character and narrow mind. An imperious, if not brutal, husband broke her into a submissive wife; episcopal authority, and a bigoted education, prostrated her conscience and her reason to the church; and this seems to have passed for mildness and piety. Whig historians and pamphleteers, referring to her letters, published by Dalrymple, have lavished praises on her prudence as queen regent, her affection as a wife, her tenderness as a daughter during the king's

\* Sancroft, the deposed archbishop of Canterbury, and Tillotson his successor, died about this time. Their characters were compared and contrasted by their respective partisans. It is hard to refuse Sancroft the praise of having atoned for an obnoxious dogma by the sacrifice which he made for it. Tillotson once held the same dogma of passive obedience; tried to extort from lord Russell his dying assent to it, under the government of a bad man, and worse prince; renounced it when it was no longer the way to advancement at court and in the church; and only made his sincerity more questionable by the coyness with which he accepted the vacant place of Sancroft.

† Letter to archbishop Tennison.

absence in Ireland. Her professions of fondness in those letters for the most unlovable of husbands and of men are so diffuse and fulsome, as to suggest the notion of falsehood. As regent, she must have been directed by the council; and in the very letter cited as a proof of her filial piety, she refers to her unhappy father, under circumstances the most distracting to a daughter's feelings, by the cold and cutting appellation of "the late king." "When I heard," says she, "from Mr. Butler the joyful news (the victory of the Boyne), I was in pain to know what was become of the late king, and durst not ask him." Her great merit seems to have been, that she lent herself as a passive instrument, in the hands of her husband and a party, to depose and proscribe her father. The most indulgent view of her conduct is, that she had no will of her own; and this was the best excuse which her warmest partizans could make for her unnatural demeanour on her arrival at Whitehall.\* The excess of the king's affliction for her death, as described by bishop Burnet, is inconsistent and incredible.

She had a vulgar squabble with her sister respecting lady Marlborough, whom the princess Anne refused to dismiss from her service at the queen's desire †, and refused to see her on her death-bed. That princess, equally weak and more vulgar, wrote a letter of hollow condolence to the king, at the suggestion of lord Sunderland, who, it appears, overcame her aversion, and the result was a reconciliation on the king's part, equally hollow.

\* See Vol. VIII.

† Mr. Hallam ascribes her inveterate resentment to her being aware of her sister's having secretly asked, and obtained, her father's pardon, whilst his malediction continued to ring in her own ears,—a supposition not very creditable to the "mild and religious temper" which he assigns to her. Such was the disposition to give a false colour to her behaviour and character, that her not seeing her sister was ascribed to the advice of her physicians.

## CHAP. II.

1695—1698.

EXTENSIVE BRIBERY. — IMPEACHMENT OF THE DUKE OF LEEDS. — EXPULSION OF THE SPEAKER, TREVOR. — CAPTURE OF NAMUR. — REPUTATION OF KING WILLIAM. — HIS REPULSIVE MANNERS. — IMPROVEMENT IN THE LAW OF TREASON. — DERANGEMENT OF THE CURRENCY. — NEW COINAGE. — GRANTS TO THE EARL OF PORTLAND. — SECOND DECLARATION OF KING JAMES. — LANCASHIRE PLOT. — ASSASSINATION PLOT. — TRIAL AND EXECUTION OF CONSPIRATORS. — DESPONDENCY AND CONDUCT OF JAMES. — NEW OATHS TO KING WILLIAM. — OVERTURES FOR PEACE. — CASE OF SIR JOHN FENWICK. — HIS EXECUTION. — ELEVATION OF LORD SOMERS. — TREATY OF RYSWICK. — STANDING ARMY DURING PEACE. — PARLIAMENT DISSOLVED.

1695. A QUESTION was raised by the tories in and out of parliament, whether the queen's death did not operate as a demise of the crown to produce a dissolution. The object was to cast a slur upon the king's title. Lords Nottingham and Rochester, in their places, maintained the affirmative. Bentinck, earl of Portland, rebuked them in the tone of a peer by conquest. He said it was a matter not only not to be debated, but not even to be mentioned, — and it proceeded no further.\*

The petition of a borough respecting a local grievance, led to an unparalleled exposure of bribery, extending from the subalterns of office to the throne. The burgesses of Royston complained of illegal exactions by officers and soldiers of a regiment quartered there. An inquiry was instituted, and the matter of complaint proved. It further appeared that the regiments were robbed by their colonels, — and both, by the army agents, who bribed Guy, secretary of the Treasury, for passing their accounts. Several of the offending agents were brought as culprits to the bar of the house. Colonel Hastings was cashiered for various malversations as commander of his regiment, stationed at Royston ; and

\* Ralph, ii. 542—544.

Guy the secretary, a member of the house, was committed to the Tower.

The success of the Royston petition, and its results, encouraged others. Several persons petitioned against the commissioners for licencing hackney-coaches. It was provided by statute that each person receiving a licence should swear to the payment of no more than 50*l.* for it. The wife of one of the commissioners satisfied the scruples or the fears of applicants by a piece of casuistry which amused the public. She said the oath applied to "giving," not intending to give, "and they were at liberty to give her the money after they had been sworn." Some of the commissioners were found innocent, others convicted and punished.

A general cry of bribery and corruption in the camp, the court, the city, the two houses\*, was now raised through the country, and clamour was soon converted into truth. It was observed that a bill brought in at the solicitation of the corporation of London relative to a public charity, and entitled "The Orphan's Bill," was, after long opposition or neglect, now passed with marvellous facility. Suspicion was excited; the books of the city chamberlain were examined by order of the house; two entries were found, of twenty guineas paid to Hungerford, chairman of the committee on the bill, "for his pains and services," and a thousand guineas to Sir John Trevor, speaker of the house of commons. Trevor is described as bold, adroit, and corrupt. His effrontery was subjected to the test of putting from the chair a resolution, declaring that he had taken a bribe. He however had the grace to absent himself next day, on the plea of being "suddenly taken ill with a violent colic †," and both he and the chairman of the committee were expelled. ‡

The new speaker was Mr. Paul Foley, a tory, elected

\* State Tracts cited in Ralph, p. 547.

† See his letter in Parl. Hist. v. 910.

‡ He was master of the rolls as well as speaker, and continued to hold his judicial office many years, after having been thus branded with personal corruption. (See Note in Parl. Hist. *Ibid.*)



in opposition to Sir Thomas Littleton, the court candidate proposed by Wharton, comptroller of the household.

The discovery thus made in the city books led to an order of the house, that the same committee should pursue still higher game. It was observed that the East India Company had obtained an act of parliament and a royal charter with surprising good will. The books of the company were inspected. A startling fact presented itself in the increase of secret service money, within a few years, from about 3000*l.* to 150,000*l.* a year. Sir Thomas Cook, governor of the company, and a member of the house of commons, was called on for an explanation, refused, and was committed to the Tower.

A bill, compelling him to answer under pains and penalties, was brought in and carried through both houses, with a provision of indemnity for his individual act in the subject-matter of inquiry. The duke of Leeds opposed it in the house of lords, with such vehement protestations of his own disinterestedness, that he became suspected. Cook, under the influence of his commitment and the indemnifying clause, gave in a written statement, from which it appeared, that 40,000*l.* had been placed in the hands of sir Basil Firebrace, a city merchant and politician, to be disposed of in remunerating favours to the company. The latter was now brought upon the stage. At first he professed to suffer a sudden loss of health and memory ; but at last he was able to recollect, that 5000*l.* of the above sum had been placed by a person named Bates in the hands of a Swiss servant of the duke of Leeds, named Robert, with his master's leave. It appeared, from the examination of Bates — so far as it could be relied on — that the money remained in the hands of Robert for eighteen months, and was refunded only three days before Bates was questioned.

The duke, whilst vindicating himself in the house of lords, was privately informed that a vote to impeach him was pending in the house of commons, broke off his speech, and requested permission to address that house. Leave was given, and he made his defence. "It is," said he, in the course of his address, "a bold truth,

but it is a truth, that but for me this house had not been now sitting." His notion was, that a share in the revolution atoned for every sin ; but his arrogance only revolted the house, and he was impeached. Robert went off to Switzerland ; the commons could not follow up the impeachment without him ; the duke of Leeds defied his accusers, clamoured for an immediate trial, and again made indignant protestations of innocence, which were received with derision.\*

Some further and very curious particulars were brought to light by the inquiry. Sir Basil Firebrace recollected a vote of the company for 50,000*l.*, which sum was lodged in the hands of Tyson the deputy-governor, to be paid on the passing of the company's act ; he further remembered, with some difficulty, that it was offered by Tyson to the earl of Portland, and rejected by that lord. Tyson himself said he was instructed to offer it to the king, through the earl of Portland, who told him "the king would not meddle with it." Being asked whether he had offered it to lord Portland, he answered, "No, if I had I must never see his face again." Historians of the period, whig and tory, down to the present age, have taken this occasion to shower praises upon the favourite's incorruptible virtue. Ralph alone, with his keen perception and fearless love of truth, remarks upon Tyson's account, as "more strange than credible, considering his lordship's rapacious use of the king's favour, and the venal practice of the time." It may be added, that Firebrace being further questioned, said, he was informed by Tyson of lord Portland's refusal "lately," that is, since the inquiry began ; that the money remained in Tyson's hands, "or elsewhere," above a year ; and that upon the obtaining of the charter, a present of 10,000*l.*

\* He moved that he should be tried immediately, or that the impeachment should fall ; and sat down amidst ironical cries of "Well moved," from several peers. Their cries, at least, are so interpreted. "Surely," says Ralph, "that outcry of theirs was a mark of scorn, not approbation ; for though the duke, by sending away his servant, had deprived his adversaries of that legal proof which was necessary to conviction, enough had appeared to prove him guilty in the opinion of the whole world."

was accepted by king William, after the immaculate example of Charles II.!\*

There appears to have existed a corrupt or timid understanding to carry the inquiry — where it did not affect mere underlings — no farther than the threshold of truth and justice†, and a prorogation soon put a complete stop to the proceedings.

It is a curious anomaly, that a parliament so tainted should proceed even thus far, and pass such measures as the triennial and place bills.‡ Perhaps the mask of virtue was put on, from a consciousness of its absence, as that of religion is assumed by those who have least real piety. Lord Nottingham and sir Edward Seymour alone appear to have frankly rejected proffered bribes.§

The duke of Leeds continued president of the council, with his reputation tarnished. His name, however, was omitted in the council of regency; his place in which, and his influence with the king, appear to have passed to one more worthy of them, — the lord-keeper Somers. The list of the new regency was made public on the day of the prorogation.|| The names were, the archbishop of Canterbury, Somers, Pembroke, Devonshire, Shrewsbury, Dorset, and Godolphin. It was expected that the princess Anne, now heir-apparent, would have been named, and her exclusion was ascribed to the king's jealousy of power. Recent disclosures¶ account for it with more fairness to him, by his knowledge of her having been engaged with Marlborough in his Jacobite intrigues.

The death of Trenchard happened about this time, and his office of secretary was given to sir William Trumbull, a man, like sir William Temple, respectable rather than eminent for his virtue, his capacity, and his diplomatic experience.

\* See Parl. Hist. v. 911—940. Ralph, ii. 548, *et seq.*

† "It was believed," says Burnet (iv. 260—265.), "too many of all sides were concerned in it, for, by a common consent, it was never revived."

‡ See p. 29., *antè*, and note, respecting those bills.

§ Burnet, iv. 265., *et seq.*

|| May 3.

¶ Those of Macpherson, Dalrymple, and the Life of James.

King William left England about the middle of May, to take the command of the allies. His first object and only achievement were the siege and capture of Namur; but that single success gave lustre to the campaign. The defences of Namur by Cohorne were improved by Vauban; the garrison was 10,000 strong; marshal Boufflers threw himself into the town with an additional 6000 men; the French declared it impregnable, by an inscription on one of the gates.\* "Namur," says Voltaire, "was defended by 16,000, and protected by an army of 100,000 men. But that army was no longer commanded by Luxembourg, a captain alike accomplished and inhuman, who was succeeded by the incapable Villeroi."† It is possible that king William was tempted not only by the magnitude of the conquest, but his memory of the indecent taunts and ribaldries in which the French had indulged against him personally, when Louis XIV. took Namur in his presence at the head of a superior force.

The consummate skill of king William in conducting and masking his preparatory movements—the prodigal gallantry on the part both of the king‡ and the army, which put him in possession of Namur after two months siege,—the carnage exceeding 10,000 slain in breaches, assaults, and sallies on either side—do not come within the purpose of these pages. An honourable capitulation

\* Reddi quidem, non vinci potest.

† Most English historians of this war adopt, some with, others without, acknowledgement, the views of Fenquières in his military memoirs. The following note, in a recent edition of Voltaire's "Siècle de Louis XIV.," is worth citing in reference to Fenquières and marshal Villeroi:—"C'est peut-être la première fois que les reproches que Fenquières adresse trop souvent aux généraux dont il était jaloux sont fondés. Villeroi était un homme sans talent, qui devait toute sa fortune militaire à la faveur. Si les Français sont commandés par Villeroi, disait le prince Eugène, je les battraï; si c'est Vendôme, nous nous battons; si c'est Catinat, je serai battu."—*Voltaire*, tome ii. p. 84.

‡ Godfrey, deputy-governor of the bank of England, who had gone out to arrange the remittances to the army, was killed by the king's side. "Tradition," says Ralph, "also adds, that a short parley had just before passed between them, to the following effect:—

"KING. As you are no adventurer in the trade of war, Mr. Godfrey, I think you should not expose yourself to the hazards of it.

"MR. GODFREY. Not being more exposed than your majesty, should I be excusable if I showed more concern?

"KING. Yes; I am in my duty, and therefore have a more reasonable claim to preservation."—*Ralph*, ii. 599, note.

was granted to marshal Boufflers\* and the garrison. King William returned now, for the first time crowned with victory as well as glory, to England. Perhaps his previous acquisition of fame, without the fascination of victory, was the better proof of sterling merit.

The king arrived at Kensington on the 21st of October, held a council that night, and issued his proclamation next morning for a new parliament to meet on the 22d of November. The existing parliament was limited by the triennial act to the 25th of March following; but it was calculated that elections influenced by the magic of military success would be in favour of the court.

William made a royal progress, so called, to ingratiate himself with the people. It did not prove successful. "His cold and dry way," says bishop Burnet, "had taken too deep a root." The University of Cambridge harangued him by deputation, at Newmarket, but did not solicit the grace of a visit. Oxford invited him to a banquet; but he neither ate nor drank, because an anonymous letter picked up in the street gave warning of a design to poison him.† To manifest the high consideration of lord Sunderland, he remained a few days, in passing, at Althorpe.

The press at this time teemed with party pamphlets, "fruitfully," it was said, "as the mud of Nile." Among the most remarkable was a short tract by lord Halifax, entitled "Cautions to those who are to choose Members." He died before the meeting of parliament, and this production may be regarded as the last chaunt of the dying swan. It is characterised by the vigour of his mind, the liveliness of his wit, and the graces of his style.‡ This accomplished person, from his volatile

\* The French marshal was stopped and kept prisoner when marching out with the garrison, in consequence of the French king's refusal to exchange 6000 prisoners taken by the French in Dixmude and Deynse, and was kept as a hostage until the exchange was made.

† Ralph, ii. 608.

‡ Ralph has given (ii. 608, 609.) the following permanently interesting abstract of its chief heads:—

"These cautions are in number twenty; but those which seem to have arisen more peculiarly from the crisis, and which also seem to be worth attention at any crisis, were the last six; viz.—The 14th, against *practising*

ambition and spirit of intrigue, was a tory, a whig, a courtier, a patriot; and survived in every quarter both confidence and respect.\*

The new parliament met on the day appointed, re-elected Foley to the chair, and was harangued by the king in the usual strain respecting the protestant religion, the liberty of Europe, and liberal supplies. It signalled itself at the outset by the most beneficent measure of this reign, the treason bill, commonly called the act of the 7th of William. The provisions of this act are now familiar. It may be well, however, to state generally its chief provisions in favour of the prisoner, viz. the finding of the indictment within a certain time

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*lawyers*, as having two duties to attend which were often inconsistent, and sometimes irreconcilable with each other; as being used to argue on both sides the question indifferently for the same consideration; and as having an eye to preferment as well as gain in all their doings.—The 15th, against *violent party men*, as being no longer free agents; as having liberty only for their motto, but being in reality greater slaves than anybody desired to make them; as having, even in times of peace, and in opposition to the original contract and the bill of rights, subjected themselves to the dominion of a sort of martial law, by which he that quitted his colours became liable to be treated as a deserter; as having neither reason nor resolution of their own; as labouring under a political hectic; as having the public always in their mouths, and self always at heart; as resembling more a corporation of merchant adventurers than the delegates of the people to manage the common stock for the common interest, &c.—The 16th, against the pretenders to exorbitant merit in the late revolution, as having no other merit to recommend them; as bringing in longer bills than ought to be allowed, and making larger claims than the nation could pay.—The 17th, against military officers, as being out of their element in the senate-house; as being disqualified by their very habits and accoutrements (which were such as might authorise the peaceable part of the assembly to swear they went in fear of their lives) from appearing there; as being no longer their own men, and consequently unfit to protect the liberty of others; and as serving two masters, whose commands might be opposite and irreconcilable, if not ruinous to each other.—The 18th and 19th, against pensioners and placemen, as being dependents on the crown, not free representatives of the people; as being more liable to vote according to their own interest, than according to the interest of their country; as not having the aspect of freemen if they had the virtue to be so; and as standing, according to equity, proscribed, by the self-denying bill which had passed the house of commons, though it had not the good fortune to pass into a law.—And the 20th, against such as, for reasons best known to themselves, had thought fit to oppose the triennial bill.”

Lastly, having done with his cautions, he comes to a close in these words:—“In the meantime, having told my opinion who ought not to be chosen, if I should be asked—Who ought to be? My answer must be, Choose Englishmen; and when I have said that, to deal honestly, I will not undertake that they are easy to be found.”—*Ralph*, ii. 608, 609.

\* There is in M. Lemontey's extracts from the MS. journal of Dangeau a ridiculous insinuation that lord Halifax became obnoxious to king William, and died of poison.

from the offence ; a copy of the indictment ; the names and residences of those summoned on the jury ; peremptory challenge ; full defence by counsel.\* The prevailing notion is, that the credit of this act belongs to king William and the whigs. It is a mistake, artfully or ignorantly propagated. The opposition of the court, and the strong personal bias of the king, caused its rejection in previous sessions. It was carried by the Tories, even according to bishop Burnet. "Another bill," says he, "was set on foot, which was long pursued, and in conclusion carried by the Tories ; and the design of it (charitably continues the historian-bishop) seemed to be to make men as safe in all treasonable conspiracies and practices as possible."† It was formerly opposed in the spirit of this whig churchman by the great whig lawyer sir John Somers. "I declare my judgment," said he, "against this bill. It is unnecessary and inconvenient. You take away impeachments if counsel stand upon an equal footing with the commons.‡ If a man have the good luck to conceal treason for a time, he may escape under it. Taking this bill altogether it is so difficult to prevent treason under it that I am against it."§

The Tories may have been interested. They were certainly more exposed to the edge of justice or the law — more in want of a shield against a dominant court party and the power of the crown. But, whatever their

\* The well-known anecdote of the second lord Shaftesbury respecting this bill, is told as follows by Ralph : —

"Lord Ashley, grandson of the great earl of Shaftesbury, at present famous for his moral tracts, entitled 'Characteristics,' being returned a member for Poole in Dorsetshire, and attempting to utter a premeditated speech in favour of that clause in the bill which allowed the prisoner the benefit of counsel, fell into such a disorder that he was not able to proceed. But having at length recovered his spirits, and together with them the command of his faculties, he drew such an argument from his own confusion as more advantaged his cause than all the powers of eloquence could have done. 'For,' said he, 'if I, who had no personal concern in the question, was so overpowered with my own apprehensions that I could not find words or voice to express myself, what must be the case of one whose life depended on his own abilities to defend it ?'" — *Ralph*, ii. 613. *note*.

† Burnet, iv. 254.

‡ The lords gained a further and important advantage under it — that of being tried by the whole house, previously summoned.

§ Parl. Hist. v. 712, 713.

motives, they are entitled to the everlasting gratitude of their country.

The king overcame his dislike of the treason bill from an apprehension of delay or diminution of the supplies. He now obtained without difficulty five millions and upwards, to defray the expenses of the war in the succeeding year. The army was to consist of 87,400 men. It is to be remembered, that in these votes the military force is stated exclusively of officers.

A severe and delicate public grievance had been referred to in the former, and was noticed by the king at the opening of this parliament — the depreciation of the silver currency, chiefly caused by the fraudulent practice of “clipping.” It was fallen in value with reference to the gold coin more than a third according to some, nearly a half according to others. There was confusion and discontent in all transactions, and in every class of the community. Several tracts were published on the subject. The great question was, whether the standard should or should not be raised. The affirmative was maintained by Lowndes, a writer at the time, of authority in the matter; the negative by Locke. Charles Montague, chancellor of the exchequer, called to his aid Locke and Newton; and guided by their lights and his own, submitted to parliament a plan for recalling and recoinng the clipped silver, reissuing it at the established standard of weight and fineness, and charging the public with the deficiency of near two millions and a half\*, through an impost, now familiar to the people — the window tax.†

The king's partiality to his Dutch followers disgusted the public, and did not escape passing strictures in parliament. A flagrant instance was now brought in form before the house of commons. He bestowed upon lord Portland four crown-manors in Denbighshire. The gentlemen of that county took fire at the aliena-

\* Dal. iii. 62. Parl. Hist. v. 969. *note*, where it is stated to have been 2,200,000*l*.

† It was passed in the first instance for seven years.



tion of appendages of the principality of Wales, and petitioned the house of commons against the passing of the grants. The petition was presented by Price, afterwards a judge, with a speech well described as equally bold and bitter.\* The house of commons addressed the king to recall the grant. He complied in a tone which proved that though he changed the means he would not be diverted from the end. "I will," said he, "recall the grant, and find some other way of showing my favour to my lord Portland." He did so, by bestowing upon his favourite a dozen manors in the several counties of Lincoln, Cumberland, Chester, Norfolk, York, Lancaster, and Kent.† The favourite's rapacity, and the king's profusion, revolted whatever remained in the nation of public spirit.

1696. On the 24th of February, the king announced in person to both houses, the discovery of a plot to assassinate him, and a design to invade the kingdom. It is necessary to glance back at the continued intrigues of the court of St. Germain in England.

James's declaration of 1692, it has been observed, was received with dissatisfaction and distrust. He published a second in the following year, pledging himself to all that was required of him by the malecontent whigs as the condition of his restoration. This second declaration had no better success than the former, and merited still worse. The history of it, as recently come to light, exhibits a complication of perfidy. The whigs, after obtaining all they had asked, did not stir in his favour. The jacobites, particularly the non-juring lords spiritual and temporal, remonstrated against the promise to submit his prerogative to the decision of parliament. He was himself dissatisfied as a king with the "hard terms" imposed on him by the whigs; as a catholic with the engagement extorted from him by the protestant tories "to protect and defend the church of

\* It was printed with the title of "Gloria Cambriæ, or the speech of a bold Briton against a Dutch prince of Wales," and may be seen in Somers's Tracts, and the Parliamentary History.

† Ralph, ii. 621. Parl. Hist. v. 986-7.

England as then by law established." But "his church of England friends absolved him beforehand" from his promises to the whigs\*; and he reconciled his conscience to his promised defence of the church by a latitude of construction which he called reasonable †, and by the authority of the famous Bossuet. It appears further, from a letter of lord Melfort, one of those who advised this declaration, that it was a device to procure James's restoration, and be no longer observed. ‡

The only and the worthy fruit which James, to use the words of his biographer, "reaped from this declaration, was blame from his friends, contempt from his enemies, and repentance in himself." §

He importuned Louis XIV. to invade England whilst the effects of the battle of Landen, and the disaster of the Smyrna fleet, were still felt by the English people. || Louis made the overtures already mentioned for peace, and left James to his intrigues. ¶

Next year the Lancashire plot, so called, was denounced to the government by two informers named Lunt and Taaf; several jacobite gentlemen were taken up; and two emissaries from the court of St. Germain, Parker and Crosby, were committed, the one to the

\* Life, &c., ii. 515.

† It was substantially the same construction he (or the compiler of "The Life," &c.) put upon his declaration to the council on coming to the throne. (See Vol. VIII. p. 5.)

‡ There is an interesting note containing some new information on this subject, appended to the third volume of Mr. Mazure's History of the Revolution of 1688. It appears from this note, and from James's memoirs, that James agreed to the "hard terms" proposed to him, and accordingly issued his second declaration at the strong instance of Louis XIV., and the French minister Colbert de Croisy — that he had hopes in reserve of receiving back from his people the points of prerogative which he conceded — that he submitted, after the fact, a case of conscience to four of his own priests; viz., fathers Saunders, Betham, Innes, and Fenwick, who denied, and the famous Bossuet, who (having the French king's order to give his opinion) affirmed, that James might in conscience promise to protect and defend the church of England, &c. — that lord Melfort addressed a letter to the French cardinal Janson at Rome, together with a letter from Bossuet, and that prelate's opinion in writing — that James was surprised (as appears from his memoirs) at the silence of the cardinal — that in point of fact the letters never reached the cardinal, having been secretly intercepted and kept back by Louis XIV. — and that Melfort's letter disclosed the perfidy of the whole declaration in the following significant words: —

"*Enfin cette déclaration n'est que pour rentrer.*"

§ Life, &c. ii. 511.

|| Ibid. ii. 516.

¶ See Mazure, vol. iii. p. 444. *nots.*

Tower, the other to Newgate. The Lancashire prisoners were brought to trial, but the informers were persons of the worst repute. Taaf confessed the whole a fabrication; the chief counsel for the crown gave up the prosecution; the prisoners were acquitted of course; and the informers were committed to Newgate. This plot was the subject of much controversy, and many pamphlets. On one side it was maintained that Taaf was bought over by the jacobites; on the other, the government was accused of retaining in its pay bands of profligate informers, to serve the worst passions and uses. Trenchard, the secretary, was charged with corrupt tampering, if not subornation of perjury.\* Parker, meanwhile, had escaped from the Tower; and Crosby was liberated on bail. They were taken up, it should be observed, on suspicion — not charged with the Lancashire treason.

Louis XIV., moved at last by the prayers of James, the promises of the English jacobites, and his own interest, resolved to make a descent upon England. An invading force, military and naval, was collected accordingly at Calais and Dunkirk, in the winter of 1695-6. There was no suspicion excited by the movement of troops and transports so near the seat of war, except on the part of the Dutch, who apprehended a descent upon Zealand.

Meanwhile James had sent sir George Barclay, colonel of his guards, an expert and daring intriguer, to promote an insurrection in England, and the duke of Berwick to lead the insurgents. Barclay left St. Germain's with a commission from James authorising and commanding his loving subjects to rise in arms, and make war upon the prince of Orange and all his adherents.† Arrived in London, he found, by his

\* Ralph, ii. 524. and citations (*ibid.*) from Ferguson's letter to secretary Trenchard. Ferguson was now a raging jacobite. It is told of him by Sprat, bishop of Rochester, that he vowed to be in every plot during his time. He appears to have kept his vow; and what is more strange, he continued to escape the clutches of power and the law.

† See the Commission, *post.*

account, "a design on foot to form a party to fall upon the prince of Orange."\* It was first mentioned to him by captain Charnock, who complained that "his majesty would never permit them to put it in execution."† Sir William Perkins, also an accomplice, opened the design to him more fully, and said they wanted nothing but the king's leave. Barclay removed all objection or scruple by producing his commission, which he and they thought a sufficient warrant "to attack the prince when his guards were about him;" and thirty-five jacobite desperadoes were recruited "to undertake a brave action without asking questions."‡ Some, however, it would appear did ask questions, and were satisfied with Barclay's statement that he had king James's commission, or that of others who professed to have seen it.§

Eventually it was resolved to attack William on his return to town from hunting, in a narrow part of the road between Brentford and Turnham Green. Saturday was the day on which he usually hunted; and it was arranged to attack him on Saturday the 15th of February. He remained at Kensington, and the conspirators were disappointed. They ascribed this to accident. On the following Saturday he again remained at Kensington; the conspirators in conclave talked of treachery — yet thought it might be accident a second time — did not abscond, and were for the most part arrested that night in their beds. Barclay, an adept in plotting, saw his danger, and escaped to France.

There are three authorised narratives of the detection of this "assassination plot" — two anonymous, the third bearing the name of sir Richard Blackmore, — he whose knighthood was treated by the wits of the succeeding reign as a happy memorial of king William's taste in poetry. Here it will suffice to state the main

\* Life of James II., 548.

† Id. *ibid.*

‡ See depositions in State Trials, vols. xii. and xiii.

§ See Trials for the Assassination Plot. St. Tr., vols. xii. and xiii.

facts. On the 10th or 11th\* of February, captain Fisher, an accomplice, disclosed the plot, and the day fixed for its execution (the 15th), to lord Portland, but would not name the conspirators. The king, it is said, regarded the information with fearless or contemptuous indifference, and expressed his intention to hunt as usual that day. On the preceding evening of the 14th, however, a second informer, captain Prendergast, presented himself to lord Portland, at Whitehall, and accosted him in these startling words — “My lord, persuade the king to stay at home to-morrow, for if he goes to hunt, he will be assassinated.” He further declared himself “an Irishman, and a papist,” but one who “abhorred such a business, and had resolved from the first instant to defeat it.” He too refused to name his accomplices. Upon this second information the king put off his hunting, but without, as it has been observed, alarming the conspirators.

Meanwhile a third accomplice, named De la Rue, gave information to secretary Trumbull,—but still the evidence was insufficient and the detection incomplete. Fisher and Prendergast would not name their accomplices, and De la Rue was not only an unsupported witness, but gave scanty information. Lord Portland in this difficulty brought Prendergast and De la Rue separately before the king, who told them “he esteemed their persons,” and “thanked them for their care,” but added that the life which they had saved could be preserved only by giving up those who had conspired to take it away. “They could not,” says one of the narrators above cited, “resist the awful eloquence of an injured monarch, and were at last prevailed with to make an atonement for their guilt by discovering their fellow criminals.”

Such are the accounts echoed down through a century and upwards. It may be observed upon them, that the humane compunction and delicate honour of the informers, and the king’s magnanimous resolution to hunt in

\* The accounts differ as to the day, but the fact is not material.

defiance of the first warning, are, to say the least, apocryphal.\*

A proclamation was issued, on the 24th, for the apprehension of such conspirators as were not yet in custody, offering a reward of 1000*l.* to any one who should discover, and apprehend them; and the same reward, with the king's pardon, to an accomplice.†

\* Fisher, according to Dalrymple, "was unhappy in his mind with the dishonour of the action, but refused to name his accomplices, and then fled from the sight of man, and was heard of no more." This was so far from the fact, that he was the first to propose an attempt upon the king's life whilst passing from Whitehall gate to St. James's Park gate on his way to the Chapel Royal (see Sir G. Barclay's Narrative, "Life," &c. ii. 548.); that his private depositions may be seen in the State Trials (vols. xii. and xiii.); and that he lived in all the respect of a pensioner on the civil list, at 260*l.* a-year. Prendergast was the very person who undertook to discharge at the king in his carriage a piece charged with eight slugs; and he not only attended in conclave, but brought in a recruit after his information, in order to ensnare his accomplices more completely. He was no doubt one of "the others" who got pensions (St. Tr. xiii. 783.); and he became, according to Oldmixon, "a good protestant, a baronet, and an officer in king William's army."

The following strange story of his death is told in Boswell's Life of Johnson:—

"General Oglethorpe told us, that Pendergast, an officer in the duke of Marlborough's army, had mentioned to many of his friends that he should die on a particular day. That upon that day a battle took place with the French; that after it was over, and Pendergast was still alive, his brother officers, while they were yet in the field, jestingly asked him where was his prophecy now. Pendergast gravely answered, "I shall die, notwithstanding what you see." Soon afterwards there came a shot from a French battery, to which the orders for a cessation of arms had not yet reached, and he was killed upon the spot; colonel Cecil, who took possession of his effects, found in his pocket-book the following solemn entry:—

"(Here the date), Dreamt—or—Sir John Friend meets me." (Here the very day on which he was killed was mentioned.) General Oglethorpe said he was in company with colonel Cecil when Pope came and inquired into the truth of this story, which made a great noise at the time, and was then confirmed by the colonel.

De la Rue, who was moved to make disclosures only by "the awful eloquence of an injured monarch," had been "a trepanner" for six months before, and proposed a plan for seizing the conspirators whilst lying in wait to assassinate the king. (See his depositions and evidence in State Trials, xii. p. 1410, &c.)

As to the king's purpose of hunting, in disregard of Fisher's information, it appears a mere flourish of the court historians of the plot. A show of the usual arrangement was kept up, to delude the assassins; but sir George Barclay states, that immediately on his arrival in London, he made it his business to learn the king's days of council and recreation, and the number of his guards; but he adds, "*after we were in readiness, I could never learn he was anywhere abroad at night, or a-hunting.*" King William was a brave captain and fearless man; but a wanton and fool-hardy exposure of his life was alien to his character, and inconsistent with his conduct even in the field.

†The following are the names in the proclamation:—The duke of Berwick, sir George Barclay, major Lowick, captain Porter, captain Stow, captain Walbank, captain James Courtney, lieutenant Sherburne, Price Blaire, Dinant, Chambers, Boise, George Higgins, and his two brothers, Davis, Cardel, Goodman, Cranburne, Keyes, Prendergast, Burly, Trevor, sir George Maxwell, Durance (or Durant), Christopher Knightley Holmes, sir William Perkins, and Rookwood."

Several had been arrested before, others after the proclamation, and some few escaped. The offer, or the hope, of pardon induced some to confess their guilt, and give evidence against their associates. The most infamous of these was captain Porter. He had been among the most forward and atrocious in the plot. Three of the conspirators were brought to the bar of the Old Baily, on the 11th of March. These were captain Robert Charnock, captain Edward King, and Thomas Keyes. Charnock had been a fellow of Magdalen College; sided with the king in the famous affair of that college; became, or was then, a Catholic; and served in James's army in Ireland. King was also an officer of that army. Keyes was a regimental trumpeter, and the servant of Porter; by whose order, as his master, he professed to have acted. They were convicted, and executed\*; the last, chiefly upon the evidence of his master. Servants, it was observed, were often witnesses in treason against their masters; but a master being a witness against his servant was a novel infamy.

The trials of sir John Friend and sir William Perkins, brigadier Ambrose Rookwood, major Robert Lowick, and captain Charles Cranburne, officers in

\* Charnock was solicited, through his brother, to confess all he knew; "seemed to be once in suspense," but refused to save his own life "by doing that which would take away the lives of many."—"Thus," says bishop Burnet, "was the matter understood at the time. But many years after this the lord Somers gave me a different account of it. Charnock, as he told me, sent an offer to the king of a full discovery of all their consultations and designs; and desired no pardon, but only that he might live in some easy prison; and if he was found to prevaricate in any part of his discovery, he would look for the execution of his sentence: but the king apprehended that so many persons would be found concerned, and thereby be rendered desperate, that he was afraid to have such a scene opened, and would not accept of this offer." Burnet, iv. 309. This will be found wholly inconsistent with the king's desire to sound the utmost depths of the plot; and therefore incredible. "I do not recollect," says lord Hardwicke, in a note on this passage, "any thing in lord Somers's papers relative to these trials," nor is there in Somers's Tracts. Speaker Onslow's remark on it is "like the story of Pompey in Spain." It is obvious that neither of them believed it. Why endeavour to make Perkins save himself by making discoveries, and reject the proffered discoveries of Charnock. Charnock defended himself on his trial with ability and coolness (State Trials, vol. xii. *ad. finum*); wrote a letter whilst under sentence, to a private friend (probably Innes, who has given the spirit of his "Life of James II.," 555-556), vindicating the moral lawfulness of the design upon the life of William.

James' guards, soon followed. They, too, were convicted, and executed, chiefly upon the evidence of the informers already named. Sir John Friend, a London brewer, and a zealous, if not infatuated, jacobite, was not even accused of the assassination plot, but was present at consultations to restore James. Perkins was not to be present in person, but undertook to furnish five men, mounted, for the execution of the plot, and to raise a troop of horse on the landing of James. He was much trusted by the jacobites\*, admitted the full extent to which he was implicated, and refused to purchase life by becoming an informer.†

It is still a historic, and was long a party question, whether James was cognizant of this plot to assassinate William. James declares that he was guiltless of all knowledge of it; that he more than once rejected and forbid any such attempt upon the life of "the prince of Orange" when proposed to him‡; and every one of the executed conspirators solemnly declared, on the scaffold, that their design upon William's person was wholly unknown, not only to James, but to the English jacobites, protestant and catholic. On the other side it is maintained, that a commission to attack or seize the person of king William was long expected from St. Germain; that Barclay brought over such a commission; that sir

\* The following character of him is given by a captain Smith, his nephew and a government spy:—

"He is no papist, but I fear too much engaged in their interests; as to his being a non-juror I do not know; he does not go to church, and refuses to act as a justice of peace in his country, and is under indictment for not acting. He was near twenty years a six-clerk in chancery, and sold his place for 6,500*l.* There are many of good quality in his party; and no man is in greater favour with the late king, and more like to be great himself if there should be a change."

† Three non-juring clergymen, Shadrach Cook, William Snatt, and Jeremy Collier, noted for his horror of the stage, attended Friend and Perkins on the scaffold, and gave them absolution publicly; in the words following: "And by his (Christ's) authority committed to me I absolve thee from all thy sins, in the name, &c.," with the imposition of hands. Cook and Snatt were censured by the archbishops, and several bishops; confined in Newgate; prosecuted and convicted, but by a special and nugatory verdict. Collier secreted himself, and published from his retreat a defence of the absolution, in which he put forth for the church of England spiritual pretensions not distinguishable from those of the church of Rome.

‡ Life, &c., ii. 545.



William Perkins confessed having seen a general commission to levy war against the prince of Orange, but denied having seen or heard of any commission particularly levelled against the prince ; and that even giving him credit, the distinction was immaterial. The commission itself, printed for the first time in the recent life of James, runs as follows : —

“ JAMES R.

“ Our will and pleasure is, and we do hereby fully authorize, strictly require, and expressly command our loveing subjects to rise in arms, and make war upon the prince of Orange, the usurper of our throne, and all his adherents ; and so seize for our use all such fortes, towns, strong houldes within our dominion of England, as may serve to further our interest ; and to do from time to time such other acts of hostilitie against the p<sup>ce</sup>. of Orange, and his adherents, as may conduce most to our service ; we judging this the properest, justest, and most effectual means of procureing our restoration and their deliurance : and we do hereby indempnify them for what they shall act in pursuance of this our royal command. Given at our court of St. Germaines en Laye, the 27th of December, 1695.”

Is not this a commission simply and solely to levy war by armed insurrection, in terms so precise as to negative by implication the permission of any practice inconsistent with the usages of war and the relations of hostility ? Barclay, it is true, says he thought himself authorised by it “ to attack the prince of Orange when his guards were about him.” But this did not occur to him until the design was proposed to him in England ; and James should not be held responsible for the construction put upon it by a reckless partisan. The production of this document tends to clear, not to convict, him.

But a second document, still more recently brought to light, appears to be considered decisive against James.

A living French writer \*, whose valuable contributions to English history have been cited in the last volume, discovered, "among a great number of papers relative to the affairs of James II. at St. Germain," a minute of a warrant from James "to seize, secure, and bring before him the person of the prince of Orange." It bears the date of 1693, in pencilling; and appears, from a marginal note in the same hand, to have been written by a French minister. The existence of this bare minute is surely no ground to presume that the warrant was perfected. It may quite as fairly be presumed that James, who says that proffered attempts upon William's life were more than once rejected by him, withheld his sanction in this instance, and did not perfect the warrant. This new document advances the case very little, if at all, against James. †

\* Mazure, Histoire de la Revolution de 1688. tom. iii. Note Sixième ad finem.

† M. Mazure professes to have brought the assassination plot home to James; and Mr. Hallam, whose authority in English history is of the highest order, was induced by the discoveries of Mazure to withdraw from James his "charitable and reasonable verdict of 'not proven.'" The case stated by Mazure therefore merits, and requires, a more detailed examination.

The first thing that strikes the reader is, the industry and eagerness with which M. Mazure strains for a conviction. He begins with an account of the assassination and invasion plot, from what he calls "The Memoirs of James II.," but in point of fact from Innes's compilation from the Memoirs: he makes the king responsible for what is professedly the compiler's; and he not only does not distinguish between the compiler and the king, but he rests his case on the compilation, and he slurs over the passages marked as literal extracts from the memoirs of the king. This is unfair at the threshold. His first extract begins: "Mais dit-il dans ses Mémoires, &c." Now this passage is the compiler's, not the king's; it is, moreover, not so material as M. Mazure seems to think it; and he mis-translates the conclusion. "Tout ce dessein," says he, "se trouva par là rompu." The words of the compiler are, "And *in the end* ruined the whole design." The compiler says, "It was a more than usual trouble to the king to see his project broke, his hopes blasted, and his friends ruined, by their pursuing methods contrary to his judgment, and without his consent; for he had (as was say'd) been long solicited to agree to something of that nature, but had still rejected it." This is translated as follows, with italics, which are preserved in the citation; and he still gives it as written by the king: — "Le roi éprouva un surcroit de douleur en voyant que son projet étoit rompu, ses espérances détruites, et ses amis perdus, *parce qu'ils s'étoient opiniâtrés à user de moyens pour lesquels ils n'avoient jamais eu le consentement, et bien moins l'approbation, de S. M. ; car on lui en avoit plusieurs fois fait la proposition, et il l'avoit toujours rejetée.*" Next comes a literal and important extract from the king's memoirs; but M. Mazure, who is so particular in his citations from the compiler, gives an abstract only of what is recorded by the king — how faithfully, the reader shall have the means to judge. M. Mazure says, "En continuant son récit, Jacques II. déclare que ces projets contre la personne de Guillaume remontent à l'an-

Still it would be too much to affirm with the advocates of this ill-fated and ill-used Prince \*, that he

née 1693, et qu'il s'y opposa ; qu'une seconde proposition fut renouvelée quelque temps après, et qu'elle fut également rejetée ; que pour la troisième fois elle fut reproduite au commencement de 1695 par un nommé *Crosbie* ou *Clench*, qui demanda des pleins pouvoirs signés de S. M. Jacques II., s'y refusa encore et défendit à *Crosbie* de rien entreprendre de semblable. Mais à peine de retour à Londres, *Crosbie* annonça qu'il recevoit des pleins pouvoirs.

“ Il y en eut à la vérité, continue Jacques II., qui n'ajoutèrent aucune foi à ses discours ; mais d'autres plus credules ou plus zélés allèrent jusqu'à louer un vaisseau qui devoit servir à l'enlèvement. En attendant, M. Charnock ayant eu quelques soupçons, écrivit en France pour connoître la vérité ; et quand il apprit que tout ce qu'on lui avoit dit étoit faux, lui et tous ses amis y renoncèrent.

“ Sir Georges Barclay se trouvoit pourtant en secret à Londres. On a dit plus haut que des ordres lui avoient été donnés pour faire la guerre au prince d'Orange, et pour se mettre à la tête des insurgés. On lui proposa à cette occasion *l'ancien projet*, auquel il accéda ; et en conséquence on se prépara à attaquer le prince d'Orange avec quarante hommes à cheval, soit quand il iroit à Richmond, soit quand il en reviendrait. *On sait que ses pouvoirs ne l'autorisoient à rien de semblable.*” Now the king writes as follows : — “ About the end of the year 1693, a proposal had been made to the king by one newly come out of England, of seizing and bringing away the prince of Orange, and of making a rising in and about London ; but his majesty would not hear of it, looking upon the project as impracticable, and exposing his friends when he had no prospect of seconding them. The same thing some time after was proposed again, and again rejected. Notwithstanding which, in the beginning of the year 1695, it was a third time moved by one *Crosbie* or *Clench* (as was mentioned before), who came from people that wished the king well (as he pretended), tho' an other set of men than those the king had hitherto corresponded with : these persons he sayd mad no doubt of seizing the prince of Orange and bringing him off, but desired a warrant, signed by his majesty, to empower them to do it ; this the king again rejected, and charged him not to meddle in any such matter, nor so much as to mention it any more when he return'd for England, which he was then obliged too very soon, being only out upon bail ; but notwithstanding this injunction, at his arrival in London, he droue it on what he could, and was so indiscreet and insolent, as to encourage not only those people of his club to prepare, assuring them an order would soon be sent accordingly. But having, by some means or other, found out several of the other club, as Mr. George Porter, Goodman, Sir William Perkins, and Charnock, engaged them to join with him ; and to gain the greater credit and reputation with them, assured them an order would speedily be

\* Dalrymple (iii. 76.) indignantly censures Burnet, “ a protestant bishop,” for endeavouring to fix a crime on king James, which his more generous rival never imputed to him.” It is strange that he should have forgotten, or not known the contrary fact. William did make the charge (see *Ralph*, ii. 730. ; *Somers' Tracts*, xi. 103.), and Mr. Hallam adduces this as evidence to convict James ; “ for William (he says) was incapable of saying what he did not believe ;” and, “ in the same memorial [*intended*] to be delivered to the congress of Ryswick], he shows too much magnanimity to assert that the birth of the prince of Wales was an imposture.” (*Const. Hist.* iii. 176.) Surely William could, and did often, solemnly, and notoriously say what he did not believe, where his policy and ambition required it ; and as to the birth of the prince of Wales, his magnanimity did not prevent him from calling it imposture when it suited his interests. There was little magnanimity in his silence, in a memorial where the assertion could be of no service to him, and would, moreover, be scouted by a congress of European ministers as a party-device and calumny.

recoiled with horror from every such proposal, and indignantly rebuked those who made them. Unfortu-

sent to him for the executing of it. Some of them indeed gave no credit to what he say'd; but others more credulous and zealous sent about to hire a vessel for the purpose. But Mr. Charnock doubting of the truth of what Crosbie pretended, writ over to know, and was assured the contrary; upon which the project was lay'd quite aside by that club. But upon sir George Berkley's being at London privately, to whom and others a power had been given to levy war and to head the rising as was mentioned before, they proposed their old project to him, which it seems he accepted of, and prepared to attack the prince of Orange with forty hors on the road as he went too or came from hunting at Richmond; whereas his commission imported no such thing." The reader cannot have failed to observe the unfairness — not to say infidelity — of M. Mazure's abstract, and two essential mis-translations. "Sir George Barclay," says M. Mazure, "se trouvoit pourtant en secret à Londres," &c.; intimating that Barclay was in London at the time. But the king's words are, "But upon sir George Barclay's being at London privately," &c.; that is, being there subsequently, which is the undisputed and clear fact. M. Mazure proceeds: "On lui proposa l'ancien projet." (The italics are his.) First, who made the proposal to Barclay? Crosby and his party, if Mazure only be consulted; whose interest in that supposition will presently appear: but referring to the extract from James's Memoirs, it will be, or rather it has been, observed, that the proposal was made by "the other club;" that is, the club of Porter, Charnock, Perkins, &c. "*L'ancien projet*," says M. Mazure in italics; James says, "*their old project*." The difference is essential, and the confusion might be suspected of design.

M. Mazure goes on abstracting from the "Life, &c.," in his own words: "Cette entreprise fut manquée: ceux qui la dirigeoient soupçonnerent depuis que Crosbie avoit averti le prince d'Orange, et que le courage avoit défailli à deux des 35 complices," &c. Instead of "ceux qui la dirigeoient," he should have said, the compiler of the "Life, &c.," his only organ and authority. "It seems," says the compiler, "one Prendergast and La Rue were of the number of those chosen men, but for want of courage, &c. Nor is it improbable that Crosbie had done it before himself." Crosbie is not even mentioned in the histories of the plot, the depositions of the informers, or the proceedings on the trial of the conspirators. The loose surmises and expressions of the compiler are utterly valueless; but Crosby's being in the plot was, it will presently appear, indispensable to the argument of M. Mazure.

Having given sir George Barclay's commission, he says, "Ce fut sur cet ordre que sir George Barkley partit le même jour de Saint Germaine, et s'occupa de l'insurrection qui devoit précéder l'embarquement du roi et des troupes françaises. Mais les chefs de l'entreprise jugèrent plus expéditif de s'adresser directement à la personne du prince d'Orange, et pensèrent que le succès les absoudroit facilement aux yeux du roi." Here M. Mazure has contradicted or forgotten his own main conclusion, and acquitted the king. He then proceeds: "*Quoi qu'il en soit* (a strangely loose supposition upon the very essence of the matter in dispute) l'expédition préparée par Louis XIV. pour soutenir l'insurrection promise, n'eut aucune suite; et voici comment Jacques II. s'explique à cette occasion. C'est là l'objet principal de cette note." He cites a long passage from the "Life of James," in which the famous pamphlet, "Killing no Murder," is referred to in equivocal terms, and the right to kill an usurper suspiciously slurred over. But this passage, which Mazure cites as "the principal object of his note," is the compiler's, not, as he gives and argues on it, the king's. There is really here a gross want of care or scruple.

M. Mazure, after this introduction, presents his grand discovery, the minute of a warrant "to seize and bring before us the person of the prince of Orange." It is in the words following: —

"1693. (*Écrit au crayon.*)

"Comme le prince d'Orange, contre toutes les lois de Dieu, les lois des na-

nately for his memory, he continued to trust and employ them in the very sphere of action most likely to throw

tions, et contre tous les devoirs et engagements de l'affection naturelle, sans aucune provocation précédente, sans aucune prétention ou couleur de droit pour couvrir son ambition et ses mauvais desseins, a injustement envahi nos royaumes ; et, en usurpant un pouvoir tyrannique et arbitraire sur les vies et les biens de nos sujets, les a exposés aux plus grandes misères et qui ne peuvent s'exprimer ; et qu'à moins que nous ne prenions soin d'en prévenir les suites, la ruine de nos royaumes est inévitable, nous voulons contribuer autant qu'il dépend de nous à leur soulagement, et prévenir une plus grande effusion de sang,—nous vous autorisons par ces présentes, nous vous requérons, et vous êtes par ces présentes autorisé et requis de vous saisir et assurer de la personne du prince d'Orange, et de l'amener devant nous, prenant, pour vous assister, tels autres de nos fidèles sujets en qui vous pourrez avoir le plus de confiance ; et nous commandons et ordonnons à tous nos sous-lieutenants, députés-lieutenants, maires, shérifs, et autres officiers civils et militaires, de vous assister en la due exécution du contenu de ceci ; et pour ce faire, la présente vous servira de garant." There is in the margin the following memorandum in *the same hand*, "Prendre l'ordre du roi pour écrire au gouverneur de Boulogne en faveur du sieur C." Now this memorandum proves that the minute was written by a minister of Louis, not of James ; and if it compromises either, it must be the former, not the latter. The original is no doubt French, or M. Mazure, if he gave a translation, would state that material fact. But who was "the sieur C.?" M. Mazure, answers "Crosby," on the authority of the following letter : —

*De Monseigneur à M. l'abbé Renaudot.*

"Monsieur, 2 Novembre, 1693.

"Je dois réponse à vos lettres de 28 et 31 Octobre, aussi bien qu'au mémoire que vous m'avez envoyé sur les affaires d'Angleterre, dont j'ai fait ce matin lecture au roi.

"My lord Middleton m'a voit donné part de l'envoi du sieur Crosby en Angleterre ; et comme il y a fort long temps que je n'ai vu le my lord Melfort, je ne suis pas surpris qu'il ne m'ait rien dit.

"S. M. n'approuve pas que je donne au sieur Crosby un mémoire signé de moi ; *mais s'il vous fait part de ses instructions*, et du mémoire anglois que vous vous me témoignez approuver, j'en rendrai compte à S. M. Je vous envoie cependant la lettre que vous m'avez demandée pour le commandant de Calais, afin qu'il ne donne aucun obstacle à son passage.

"S. M. ne juge pas à propos que je contribue à faire venir ici le chevalier de Montgommery ; et à vous dire le vrai, il y a si peu de apparence que son projet puisse réussir, qu'il vaut mieux laisser au roi d'Angleterre le soin d'entretenir cette intrigue ; si elle lui est utile, que de se rendre en quelque façon garant du succès . . . ."

The following is M. Mazure's final and triumphant conclusion : — "Que prouvent ces lettres ? La réponse paroît assez facile. Jacques II. se defend d'avoir donné les mains au complot tenté contre Guillaume III., au commencement de 1796, par Crosbie et Barkley ; mais comme ce complot remontoit à l'année 1693, il est évident que Crosbie se crut autorisé à faire en 1796, ce qu'il avoit été *requis* de faire en 1693."

"It is," says Mr. Hallam, "justly observed by M. Mazure, that Crosby might think no revival of his authority necessary in 1696, to do that which he was required to do in 1693." Now admitting that the "sieur C." of the memorandum was the "sieur Crosby" of the letter, what ground, what shadow of right, does that afford for the assertion, first, that the warrant was completed ; next, that it was given to Crosby. Why was it not found among his seized papers, for which he was tried as a traitor in 1695 ? Again, Crosby does not appear to have been concerned in the "assassination plot" of 1696 ; his name is not mentioned by the court historians of the plot, or by Burnet, or his annotators, or in the depositions of the informers, or in the evidence of the witnesses, or in the observations of the prisoners, or in the proclamation. He was tried for the Lancashire plot in the preceding

temptation and opportunity in their way ; and Barclay himself does not appear to have lost favour at St. Germain on his return. If historic evidence were governed by the rules of jurisprudence, James should be acquitted ; but judging all the circumstances with the latitude allowed in any inquiry pretending to be historic, it is difficult to resist the conclusion, that in this and in Grandval's plot, James shrouded his religious conscience and narrow mind in studied ignorance and the formality of reproof. Bigoted religionists, of whatever communion or sect, even when their bigotry is not hypocritical, — as it is so frequently, — are very self-complacent sophists in the morality of their particular acts and interests.

The duke of Berwick, it has been observed, came over to head a jacobite insurrection. He soon found insurrection hopeless, learned from sir George Barclay the design then pending against the life of William, left that atrocity to take its course\*, and went back to France. On the 8th of February, James left St. Germain for Calais ; had proceeded no further than St. Denis, when a courier sent forward by his son announced to him the failure of his mission in England ; saw all was lost ; and from false shame, or the absence of all rational counsel, proceeded to his destination.

The explosion of the plot reached him soon after he arrived. His distress, he says, or the compiler of the

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year, and acquitted, and was most likely a spy of the government. To say "he had been required to do it" (seize the person of William) in 1693, is a palpable begging of the question ; to say he acted upon that requisition in 1696, is an assertion utterly destitute of positive, and directly against negative, evidence. M. Mazure says, in his pleading against James, that he will not stop to examine "whether Crosby was gained over by the prince of Orange or not ;" — that is, he will not stop to examine the very essence of his conclusion so hastily adopted and patronised by Mr. Hallam — "il est évident que Crosbie se crut autorisé à faire en 1796, ce qu'il avait été requis de faire en 1793," — thus assuming positively that he was James's emissary assassin — not William's emissary spy.

\* It is obvious that the duke of Berwick came over in ignorance of any design against the life of William ; and this fact goes far to clear James. Barclay himself says, he came over to organise an armed rising, without any thought of assassination ; and there appears no reason to refuse him credit, for he very explicitly avows the part taken by him afterwards.

“Life” says for him, was extreme. He saw his hopes blasted, his friends ruined, and his name and cause unjustly associated with an odious enterprise.\* Henceforth, for the few remaining years of his life, he may be regarded as historically defunct. He returned to St. Germain with a strange mingling of blighted yet lingering hope and devout resignation. He lived chiefly in communion with the monks of La Trappe, the nuns of Chaillot, and sister Marguerite, an old Carmelite nun who had begun his conversion—“rendering him therein,” says a French writer, “a good service in the next world, but a very bad one in this.”† Not content with his afflictions from extrinsic causes, which he called visitations of Providence upon him for his sins, he macerated his decaying frame by fasting, mortified his flesh by the discipline of stripes, and wore “an iron chain with sharp points which pierced his skin.”‡ This is little calculated to obtain respect for his character, but it is much so to wake pity for his weakness. What chiefly troubled him was the recollection of his sins of gallantry.§ He seems never to have thought of the cruel oppressions, and reeking scaffolds of his reign. It was perhaps the fault of surrounding influences and his cast of mind. That powerful and most perilous social engine, an ambitious established priesthood, lent its spiritual authority to his self-illusions of regal pride and power: artful confessors of another creed bent and bound his ill-conditioned intellect so entirely to ritual observances and obsequious devotion, that beyond these he knew neither virtue nor humanity. The Anglican churchmen made him a despot, the Roman a bigot; and between them they formed the most improper of mankind to hold sway over his fellow-men.

The French invading armament, soon after James left it, was dismissed to the theatre of war and ports of France.||

\* Life, &c., ii. 545.

† Life, &c., ii. 585, 586.

‡ See last volume, 241.

§ Id. *ibid.*

|| It appears that there was another obstacle to any attempt at invasion, besides the discovery of the plot. James, misled by the sanguineness of his

In England, meanwhile, the design upon the king's life did not merely strengthen his government;—it secured his throne; it struck his enemies with shame and consternation, and rallied round him the parliament and the people. Both houses voted an address to him, declaring that they detested and would revenge so barbarous and villainous a design upon his enemies and their adherents, “in case his majesty should come to any violent death.” The commons voted the suspension of the Habeas Corpus Act, the banishment of papists from London and Westminster, and “ten miles from the same;” and a bond of “association,” to be signed by the members, declaring king William “the rightful and lawful king of these realms.” It is said that above 400 members instantly signed it; and an order was made, that the non-subscribers\* should either subscribe their names or declare their refusal before the 16th of March,—the object being to discover the principles or test the scruples of the tories and jacobites.

The tories in the house of lords still clinging to their distinction of *de facto* and *de jure*, vehemently deprecated the words “rightful and lawful,” as applied to a king whose title was only parliamentary. They proposed a compromise, which strips their scruples of all title to respect, in the words following: “that his present majesty king William hath a *right* by *law* to the crown of this realm, and that neither *king James* nor the pretended *prince of Wales*, nor *any other person*, hath any right whatsoever to the same.” This casuistical distinction in words, not in sense, was adopted by the house. The “association” was generally signed, not

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emissaries, or his hopes, told Louis XIV. his friends in England would rise in arms as soon as he should join the designed expedition on the French coast; and Louis required peremptorily that his troops should not embark until the English jacobites were already risen. The latter as peremptorily refused to take arms until the French should be landed, without which they were certain to be crushed. James could not bring himself to undeceive either his protector or his friends; and thus both parties would remain, each waiting for the other, in a state of somewhat ludicrous inaction. (See *Life, &c.*, ii. 541, 542.)

\* In the list of the house given in the *Parliamentary History* (v. 958.), the non-subscribers are distinguished by an asterisk.



only in parliament, but throughout the country; that of the commons by the whigs — that of the lords by the tories. The line of party distinction thus drawn only proved the measure passionate and short-sighted. It appears that ninety-two commoners and fifteen peers refused to sign either.\* The usual grant of 5,000,000*l.* was voted in supply; and the session was closed on the 27th of April by the king.

In the beginning of May William proceeded as usual to take the command of the allies in Flanders, the chief seat of war. The campaign, if it may be so called, produced no great military operation. It was signalised only by the inaction of both armies under marshal Villeroy and the king, the defection of the duke of Savoy from the confederates, and a second overture for peace made by the king of France.

Louis XIV. now saw his chief hope in dividing his enemies. He applied himself to Victor Amadeus, duke of Savoy, a prince described as never hesitating to sacrifice his engagements to his interests; and soon detached him from the grand alliance, by restoring the conquests made upon him, by giving him money in hand, and by the proposal of his daughter's marriage with the young duke of Burgundy, son of the dauphin. Both were still in the age of childhood. The treaty was concluded at Loretto, under colour of a pious pilgrimage, by marshal Catinat and Victor Amadeus — a masquerade which deceived no one, though under the auspices of pope Innocent XII. The pope, as a temporal prince, in this instance proved himself an Italian patriot, — like several popes during and since the flourishing periods of the Italian republics. It was the lot of Italy to be the arena in which the Spaniards, the Germans, and the French decided their quarrels. His object was to rescue Italy from the ravages, the exactions, and the presence of the French and Imperial armies, called in Italy the Tramontane barbarians. He made it a condition of the treaty, that Italy should be

\* Ralph, ii. 564.

neutral ground. The duke of Savoy and the French marshal readily consented ; the emperor refused, but subsequently acquiesced.

Next to the duke of Savoy, the States General were the party most likely to consult prudence and their interests. Louis accordingly made overtures to Dyckvelt ; and the latter communicated them, with the sanction of king William as stadtholder, to the department of foreign affairs. The overtures were made under the mediation of Charles XI. of Sweden, accepted by the States General, communicated to the other members of the confederacy, and rejected or evaded by the courts of Spain and Vienna.

Those courts, without commerce or navies, and having the lives of men in masses at their unrestrained disposal, were at liberty to indulge their passions or their policy. For the present there was no longer a hope or thought of peace ; and the king left Holland for England in the beginning of October, to obtain from parliament supplies for the next year's campaign.

On the 20th of October the king opened the session, and informed both houses that after eight years' war the enemy had made some overtures for a general peace ; " but," said he, " I am sure we shall agree in opinion, that the only way of treating with France is with our swords in our hands." Both houses, but particularly the house of commons, addressed him in a resolute and affectionate tone ; and the latter pledged itself to provide not only the necessary supplies to defray the expenses of the war by land and sea, but to discharge the accumulated public debt arising from deficiency of revenue.

This was considered by some a sanguine, by others a hopeless, engagement. The year's supply would exceed five millions ; the deficiency to be made was about the same amount ; and the public credit was reduced to a state almost desperate from deficient funds, the transition state of the silver currency, the scantiness of the

circulating medium, and the stoppage or derangement of trade.

The resolution of the house of commons to meet and surmount those difficulties could only have arisen from a passionate sympathy with the court, or singular confidence in the financial talents and resources of Mr. Charles Montague, the chancellor of the exchequer. The majority of the house could not have seen its way, but the minister saw his:— he provided for the current expenses of the ensuing year by a land-tax of three shillings in the pound, and a capitation or poll-tax; for the deficiency of funds, the depression of the public or state credit, and the want of circulating medium, by additional imposts, by continuing to 1706 existing taxes which would otherwise expire, by *borrowing money upon state counters bearing interest and secured upon prospective supplies*, by increasing the capital stock and extending the privileges of the infant bank of England; — in fine, to use the words of his biographer, “ he supported the state by a paper prop when its silver pillars were removed,” and organised that financial operation of funding which is now so familiar to every state, and has reached a height so stupendous in England. Charles Montague may assuredly be placed among great inventors; whether a beneficent one, it would be rash to affirm or deny. It depends perhaps on the use or abuse of the new power discovered by him. The simplicity of his invention, such as to be used since by minds of the most uninventive mediocrity, only proves his ability.

The session thus memorably distinguished, has left an act which stains the character of the parliament and of the king. Sir John Fenwick, a general officer, was engaged in the late plot, and named in the proclamation. He was seized at New Romney in the summer of this year, whilst preparing to sail for France, and sent to the Tower. The king was at the time in Holland, and his trial was delayed. A letter in pencilling, addressed to his wife, and containing an admission

of his guilt, was intercepted. The discovery of his letter, and the fear of death, made him place in the hands of the duke of Devonshire a written confession\*, as he alleged, of all he knew, under a promise from the duke to communicate it only to the king. In it he set forth the traitorous intrigues already mentioned between Marlborough, Godolphin, Shrewsbury, admiral Russell, with other persons of obscurer infamy, and king James. The king could set little value upon disclosures which were not new to him: they moreover, at this moment, thwarted his domestic policy; and he left sir J. Fenwick to the laws. The witnesses against him were Porter, and another informer in the late plot, named Goodman. Porter was offered a large bribe to leave the kingdom. The prudent miscreant† saw he consulted his interest better as an instrument of the court, and only affected to listen to the proposal in order to convict those who tampered with him. The tamperer, an agent of Lady Fenwick, named Clancy, was accordingly fined, imprisoned, and exposed in the pillory. Goodman was found more tractable; he withdrew to France. The one remaining witness was not sufficient to convict of treason, and sir John Fenwick thought his life saved.

His confession proved fatal to him. He accused persons whom it was the king's policy to employ as servants, not punish as traitors; they resolved to sacrifice the accuser to their guilt, fear, and vengeance; and the king lent himself to their passions. Admiral Russell, the basest person of an epoch when honour was the exception, and baseness the rule, laid on the table of the house of commons Fenwick's written disclosures, with, he said, the king's leave. His pretence was to vindicate himself; his purpose, to lay a foundation for taking away Fenwick's life by attainder. The papers having been read, Fenwick was ordered to answer at the bar of the house. Sensible too late of his indiscretion in confessing without

\* See his first and second confession, in Dal. App. book v., with the duke of Devonshire's letter to the king.

† He had a pension of 260*l.* a year on the civil list.

having made terms for his life, he refused to answer without an assurance for his safety from the house. This was refused, and a bill of attainder brought in. The proceedings occupied a large portion of the session.\*

The great question was, supplying the place of Goodman. In doing this the crown counsel and the supporters of the bill frankly released themselves from the fetters of the law of evidence and the law of treason. The majority decided upon receiving Goodman's examination before secretary Vernon; the evidence of Goodman before the grand jury, proved by two grand jurors, who were bound by their oaths to disclose nothing; the tampering of lady Mary Fenwick, sister of lord Carlisle, with Porter; the endeavours — called "artifices" — of Fenwick to obtain a postponement of his trial, proved by the secretary, who was a member of the house; the record of the proceedings in the trial of another person. It is observed by an eminent living writer †, that "this was undoubtedly as good secondary

\* They are well worth perusal, in the Parl. Hist., vol. v., and the State Trials, vol. xiii.

"Let us not," says Harley, "out of hatred or zeal against a guilty man, lose our own innocence." It has been, and continues to be affirmed, that in the course of the debates sir Edward Seymour took an opportunity to say, "I am of the same opinion with the Roman (Cæsar), who, in the case of Cataline, declared *he had rather ten guilty persons should escape than one innocent suffer*:" — and that lieutenant-general Mordaunt replied in these words: "The worthy member who spoke last seems to have forgot that the Roman who made that declaration was suspected of being a conspirator himself."

Ralph, however, ii. 694. *note*, renders it doubtful whether he said anything of the kind.

† Hallam's Const. Hist. iii. 178. "The jealous sense of liberty," says Mr. Hallam, "prevalent in William's reign produced a very strong opposition to this bill of attainder." This "jealous sense" was wholly on the side of the tories; for the whigs, as a body, urged on the bill furiously. "*It was shown*," says he, "that lady Mary Fenwick tampered with him (Goodman) to leave the kingdom." Forty-one peers have averred the contrary, in their protest, as follows: — "And it did not appear by any evidence that sir John Fenwick, or any other person employed by him, had any way persuaded Goodman to withdraw himself." But this admirable protest is so short and instructive, that it deserves to be cited in full, with the signatures to it: —

"We, whose names are underwritten, do dissent, for the reasons following:

"Because bills of attainder against persons in prison, and who are therefore liable to be tried by law, are of dangerous consequence to the lives of the subject; and, as we conceive, may tend to the subversion of the laws of this kingdom.

"Because, the evidence of grand-jurymen, of what was sworn before them against sir John Fenwick, as also the evidence of the petty-jurymen,

evidence as can well be imagined." There is here a serious misapprehension. So far from being "good secondary evidence," it was not legal evidence in the case at all. No one disputed the guilt of Fenwick, and it was substantially confessed by him on the scaffold; but his condemnation by an iniquitous process, without any motive of policy or public safety, is not the less criminal. At first, and for some time, the spirit of party boldly justified it; now it is merely palliated; it will perhaps come at last to be universally reprobated.

The debate was continued by the commons through several days with great animation and vigour. The eloquence, the argument, and the justice of the case were assuredly on the side of the tories. They were outnumbered, on a division, by a majority of 189 to 156. The lords debated it with at least equal spirit.

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of what was sworn at the trial of other men, were admitted here; both which are against the rules of law, besides that they disagreed in their testimony.

"Because, the information of Goodman in writing was received, which is not by law to be admitted; and the prisoner, for want of his appearing face to face, as is required by law, could not have the advantage of cross-examining him.

"And it did not appear by any evidence that sir John Fenwick, or any other person employ'd by him, had any way persuaded Goodman to withdraw himself; and it would be of very dangerous consequence that any person so accused should be condemned; for by this means a witness who should be found insufficient to convict a man, shall have more power to hurt him by his absence than he could have had if he were produced *viva voce* against him.

"And if Goodman had appeared against him, yet he was so infamous in the whole course of his life, and particularly for the most horrid blasphemy, which was proved against him, that no evidence from him could or ought to have any credit, especially in the case of blood.

"So that in this case there was but one witness, viz. Porter, and he, as we conceive, a very doubtful one.

"Lastly, because sir John Fenwick is so inconsiderable a man as to the endangering the peace of the government, that there needs no necessity of proceeding against him in this extraordinary manner.

Huntingdon.	Halifax.	Normanby.
Thanet.	Lindsey.	Weymouth.
N. Dunelm.	P. Winton.	Tho. Merrer.
R. Bath and Wells.	Arundell.	Dartmouth.
Craven.	Lempster.	Sussex.
Carlisle.	Hereford.	Northampton.
Nottingham.	Caernarvon.	Bath.
H. London.	Jonat Exon.	Tho. Roffen.
Gil. Hereford.	Jeffreys.	Bristol.
Willoughby.	Northumberland.	Leeds.
Kent.	Abingdon.	Rochester.
R. Ferres.	Hunsdon.	Leigh.
Granville.	Chandos.	Wiloughby de Broke
Fitzwalter.	Scarsdale.	

Unhappily there is no full or fair record of the speeches on either side. The bill passed there on a division of 68 to 61; and this majority of seven is ascribed to the zeal and influence of two court prelates, archbishop Tennison and bishop Burnet. The part taken by them against the culprit, in a case of blood, was odious to the public; but they thought only of the court. Burnet acquired some knowledge of attainders in his researches for his history of the Reformation. Any other person who had gone over a period so remarkable for iniquity and bloodshed, would recoil from that process; but bishop Burnet turned his erudition to another account. The view of the question for the attainder given by him in his history is doubtless in substance his own speech, which he had the grace to abstain from avowing. It is a shallow and barbarous piece of advocacy.

The bill having passed, Fenwick petitioned the lords to intercede with the king for a reprieve of two days. They readily complied, — “notwithstanding,” says lord Dartmouth, who was present, “a strange confused story the archbishop of Canterbury (Tennison) told of a paper found upon Kensington road, though he could neither tell where it was, nor what was in it\*,” — and ordered the bishops of London and Salisbury (Compton, now a tory, and Burnet,) to bear their address to the king. Burnet refused: “they might,” he said, “send him to the tower, but had no right to send him to Kensington.” “I never,” continues lord Dartmouth, “saw so universal an indignation as this raised in the house.” It is obvious that he well knew an address in favour of the culprit would be far from welcome to the king. The attainder and execution of sir John Fenwick has been ascribed to personal resentment on the part of king William.† Fenwick had reflected grossly on his conduct in an action fought in Flanders. It would be too much

\* Burnet, iv. 348, 349. Note by lord Dartmouth.

† Notes of lord Dartmouth on Burnet, iv. 327. 331. Lord Dartmouth is not, as Mr. Hallam supposes, the only authority. The king's vindictive resentment is mentioned in Macpherson's papers, the Life of James (both however may be called identical), and in Ralph, who could have known nothing of them.

to say, with partisan writers, that the character of king William repels the charge. He had enlarged, and thus far generous, intellectual views; but no generosity of sentiment or soul. It is not denied that Fenwick had given him personal offence; for that very reason he should have spared the life of the offender. Fenwick died with great resolution on the scaffold.\* Lady Mary Fenwick, according to Oldmixon, threw herself at the feet of king William, whose rising mercy was happily checked by a court lord with a whisper in his ear.

Russell was the person who brought in the bill of attainder in the house of commons. It was supported in the house of lords by lord Marlborough, and by his puppet prince George of Denmark; the only instance in which they appear against the tories. Lords Godolphin and Bath had the generosity to vote against it, and in favour of their accuser. The duke of Devonshire had less merit in voting against the bill. He but justified the confidence reposed in him by Fenwick. The duke of Shrewsbury absented himself. He protested his innocence in a letter to the king, and entreated to be relieved from his office, which he said the charge against him, however slanderous, rendered him unfit to hold.† William, unprovided with a successor, would not accept his resignation, and he continued a minister for some time in name. His imperfect treacheries appear to have resulted from a weak and wavering susceptibility of temperament. He was distracted between the jacobite influences of nature and his mother, on one side — his obligations of office and honour to king William on the other.

The earl of Monmouth appears to have intrigued in this business with the perfidy of the day and the eccentricity of his character. There are no sufficient means of sounding his conduct to the bottom. It would appear that he pressed Fenwick to accuse his brother whig Shrewsbury; that, upon finding that unfortunate person

\* State Trials, xiii. 757.

† See his letters, in Dal. App. book v. 238.



reluctant or undecided, he threw his weight into the adverse scale; that Fenwick and his friends accused him of attempted subornation; and that he was deprived of his office, and committed to the tower. But the chief testimony against him is that of bishop Burnet, always loose and questionable, and in this instance particularly open to suspicion.\* In point of fact, he was deprived and committed but upon a charge of having spoken disrespectfully of the king†; and was soon after not only released, but indemnified. A charge so dishonouring should not be credited against the earl of Peterborough without better authority than the word of bishop Burnet. It should not, at the same time, be too readily disbelieved. He had all the gallantry of the chivalrous character, but without its delicacy of honor and moral scruple.

The king closed the session on the 16th of April. He announced, as usual, his intention to proceed to Flanders, with an intimation, that, as the state of affairs might require his absence for some time, "he should take care to leave the administration of the government in the hands of such persons as he could depend on." Accordingly lord Sunderland now and for some time his intimate counsellor, was made lord chamberlain‡, and one of the council of regency. At the same time admiral Russell was created earl of Orford; and the lord keeper raised to the chancellorship and a peerage, by the title of lord Somers. It is observed in most histories of the period, that the latter promotions were made to reconcile the whigs to the elevation of Sunderland. This seems at least doubtful. The whigs had already profited by the court influence of lord Sunderland; and it will presently appear that lord Somers himself could descend to recover court favour and the seals, under his protection.

\* See Burnet, iv. 344, &c. The notes, *ibid.* Ralph's Remarks, ii. 909, &c.

† He was charged with saying to the duchess of Norfolk, a relative of lady Mary Fenwick, that king William was the worst of men.

‡ Lord Dorset was induced by a large sum of money to resign in his favour.

Meanwhile negotiations for peace and the campaign were proceeding concurrently in the Low Countries. King William arrived at the Hague in the beginning of May, and had soon the mortification to witness the surrender of the strong place of Aeth to the French marshal Catinat.

It would appear that both sides were now more intent upon peace than war. The emperor and the king of Spain had, after some delay, followed the example of king William and the States, in accepting the overtures of Louis XIV. If the statistical calculations of the time may be relied on, the nine years' war had now cost Europe the lives of 800,000 soldiers and sailors, and 480 millions sterling.\* Physical exhaustion, therefore, would sway counsels little accessible to humanity. The result was the peace of Ryswick.

The negotiations had proceeded slowly for some months. Lord Portland, with only pageant office and enormous income, was the king's chief minister, and attended him in Flanders. He brought the matter as between the kings of England and France to a settlement in two conferences with marshal Boufflers, at Halle, within view, it is said, of the confederate and French armies. It was some weeks before the emperor could be brought to terms with France. The treaty was finally signed on the 30th of October.

The unfortunate James made pitiable efforts in support of what he called his rights.† He appealed to the emperor‡ and the pope in vain. The one answered him with reasons of state policy, and a prayer for his restoration to his kingdoms § ; the other, by suggestions of devout humility and christian resignation. The con-

\* Dal. iii. 81, 82.

† A manifesto in reply, on behalf of king William and the revolution, "intended" to be presented to the congress of Ryswick, may be seen in Ralph, and in Somers's Tracts.

‡ It appears from the "Life of James" (ii. 564.), that Louis XIV. authorised James's agent to propose to the emperor a separate treaty, to which the latter did not listen.

§ The compiler of the "Life" remarks upon this, that it was like Charles V. offering public prayers for the deliverance of the pope, whom he himself kept prisoner in the castle of St. Angelo.

ference refused to admit his representative as a party in the negotiations. Nothing remained for him but to give the world a summary of his grievances, and publish a formal protest against all that was done to the prejudice of his rights.

Louis XIV., however, did not forget him. He obtained from William a settlement of 50,000*l.* a year on James's queen\*, and it was owing to the opposition of both parents that the succession to king William was not stipulated between him and Louis XIV. for the "pretended" prince of Wales. Louis made the proposition to James in the presence, it is said, of his queen. James instantly and peremptorily declined it; he would, he said, not be a party to the usurpation of his throne by his own son; and the queen said she would rather see her son a corpse than the usurper of his father's crown.†

James, it would appear, had shortly before received a letter from his daughter the princess of Denmark, asking his leave to ascend the throne, if king William, whose health was then delicate, should die; with assurances of filial duty, and a promise of restitution "when opportunity should serve." James refused his consent, knowing, as he says, or the compiler from his memoirs for him, "that of all restitutions none is harder to make than that of a crown.‡

The refusal of James to abdicate his claim in favour of his son has been ascribed to his "bigotry §;" he would not consent to his son's being educated a protestant.

\* It was not paid.

† Life of James, ii. 571. Mémoires du Mareschal duc de Berwick.

‡ Life, &c. ii. 560.

§ The very English historians who charge this as bigotry on James, treat as disgraceful the change of his religion by the elector of Saxony, to qualify him for the crown of Poland. A curious fact stated by James (Life, ii. 561.) may be mentioned here. Upon the death of John Sobieski, king of Poland, cardinal Polignac, the French ambassador at Warsaw, put James in nomination, and the French court pressed him to contest the election, which he declined. It was doubtless some intrigue of the French court, — perhaps to get rid of James as a stumbling-block in the way of the treaty of Ryswick. The prince of Conti was a candidate, and declared elected by his party, in opposition to Augustus of Saxony, also declared king by his friends. The prince of Conti, absent during the election, went to enforce his claim, but provided chiefly with graceful compliments and bills of exchange, which proved not negotiable. He returned as he went.

It is not likely that this point was settled or discussed, and it is morally certain that James would reject the condition. But James, in point of fact, refused his consent to the proposal of his daughter, as a politician, and he rejected the proffered succession of his son, not as a papist, but upon the faith of a dogma which he imbibed with his first nurture from his mother church of England. He would not, he declared to the world, be a party to the violation of the duty of non-resistance in subjects, and the indefeasible and hereditary right of kings.\*

The assent of king William to the succession of the prince of Wales has been denied, as inconsistent with his character. This is the weakest of all arguments against positive evidence. But there is in it nothing inconsistent with the character and position of this distinguished prince. He was worse than indifferent to the interests of the princess of Denmark, the next heir; his exclusive regard to the state of England and of Europe for his time, without extending his views to posterity, is one of the traits which derogate from the grandeur of his character; and he already began to contemplate the close of his life with sighs for repose. He tells lord Portland, in a confidential letter addressed to that favourite counsellor and friend, at Paris, in the following year, that he feels "a strong inclination to see no more war for *the little time* he has to live."† But he could not have entered into this engagement without undertaking for the consent of parliament. If this were refused, he doubtless would treat his obligations under this treaty as he did those of the treaty of Limerick.

The peace of Ryswick was, in effect, but a suspension of arms; the terms, therefore, may be stated very briefly. They consisted mainly in restitutions by the king of France. He restored to Spain the strong places taken by him on the side of Flanders and the Pyrenees,

\* See summary of his remonstrance to the confederate princes, in "Life," ii. 571.

† MS. correspondence. — "Je vous avoue," says he, "que j'ay un grand penchant à ne voir plus de guerre pour le peu de temps qui me reste à vivre." He mentions frequently in the course of the correspondence his loss of appetite and depression of mind.

including Luxembourg and Barcelona; Lorraine to the dispossessed prince of that country; Fribourg, Kehl, Brisac, and Philipsburgh to the emperor. The two maritime powers obtained only peace and the recognition of king William, — but no conquests had been made upon them. Louis XIV. felt his pride humbled in the eyes of France and Europe; his court threw the odium on his negotiators; and these could not appear in public for some time without being hooted by the mob.\*

The war of the emperor and his allies with the Turks alone remained. A splendid victory obtained by the imperialists, under prince Eugene of Savoy, over the Turks, commanded by the sultan in person, led to the peace of Carlovitz. Not only Europe, but the world, was at peace towards the close of the seventeenth century. It was unhappily but a pause from that barbarous scourge of war which civilisation hitherto has systematised, rather than repressed.

King William returned to England in November, and opened the session of parliament on the 3d of December. He was received by the people with acclamations, for having given peace to Europe; by the parliament with distrust of his future projects. An artful court pamphlet, called "The Balancing Letter †," insinuated, rather than argued, the necessity of a standing army in time of peace. It was ascribed to lord Somers.‡ Suspicion was soon awake to the designs of the king; a war of pamphlets soon raged; and the pamphleteers of the court have been justly described as exceeding the "*L'Estranges*" of the courts of Charles and James in servility.

In this state of public temper, the king announced to both houses, "that for the present England could not be safe without a land force." William thus launched a measure hitherto regarded and resisted in

\* Voltaire, *Siècle de Louis XIV.*

† It professed to weigh against each other the dangers and advantages of a standing army — with a disguised bias to the latter.

‡ *Ralph*, ii. 763.

England as inconsistent with public liberty—a standing army in time of peace. This, it will be remembered, was among the first measures of James which provoked resistance and his ruin; and it is among the curious phenomena in the revolving course of a court intriguer's life, that both James and William were advised in this obnoxious measure by the same person, — lord Sunderland.\* That remarkable man now shared the king's bosom counsels with lord Portland †, both holding pageant offices, as lord chamberlain and groom of the stole. It is, however, most unlikely that the project came originally from Sunderland. The idea may, indeed must, have been suggested to the king's mind by his own consideration of the military forces maintained by the continental powers, the instability the peace of Ryswick, and the unsettled question of the succession to the throne of Spain. Sunderland's share could only have been advising the king to execute it.

The commons, in their address, thanked the king for having made peace, promised supplies, and passed over the ominous intimation of a standing army in silence. They spoke in courtly, but evasive general terms. But a very explicit resolution was soon carried by a majority of 185 to 148 against the court. It set forth, that all the forces raised since 1680, should be disbanded. This would reduce the army to 8000 men. Something, however, was thus gained by the king. The project of trusting for the public defence exclusively to a militia, urged by those who regarded a standing army in time of peace as fatal to British freedom ‡, was discarded.

\* Sunderland was regarded in public, and attacked in parliament, as the king's adviser. (Burnet, iv. 377. Ralph, ii. 766.)

† MS. correspondence of king William and the earl of Portland, 1696, 1697. The king, writing from abroad, frequently directs lord Portland to consult with lord Sunderland respecting matters of administration and official appointments; among the latter, that of lord lieutenant of Ireland.

‡ Some writers of the time proposed raising a militia by lot, with the right of providing the price or person of a substitute — the French conscription system. Fletcher, of Saltoun, in a "Discourse on National Militias," proposed to convert the whole manhood of the nation, of military age and competency, into a vast militia in the various branches of service, to serve by turns, and be constantly exercised in camp, garrison, and other duties; a plan suggested to him by his congenial familiarity with the ancient classics; but without the ancient virtues an impracticable chimera.

The abhorrence of a standing army in England, was not the mere prejudice of freemen jealous of their liberty: it was the result of experience in the cases of Charles I. and Cromwell, and even Charles II. and James II. Yet the king's views were just, and his motives good. He saw foreign powers, particularly France, keeping up large armies; he knew the value of discipline in the field; and England appeared at the mercy of her enemies, unless she were on equal terms as to the means of attack and defence. It may be added, that the peace of Ryswick was one which could not last, for a reason so obvious that all parties must have seen it. The death of the king of Spain was daily expected, and the treaty of Ryswick left the Spanish succession as unsettled as before.

1698. The commons complied with one recommendation in the king's speech. They raised the civil list from 600,000*l.* to 700,000*l.* a-year, and settled it on the king for life; and the standing land force from 8000 to 10,000 men. This first parliament under the triennial act, one of the very best in the annals of English government, was prorogued on the 5th, and dissolved on the

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The following passage may be cited, to give an idea of the views, sentiments, antique spirit, and eloquent style of that great man: —

“ In such a camp, the youth would not only be taught the exercise of a musket, with a few evolutions, which is all that men in ordinary militias pretend to, and is the least part of the duty of a soldier, but besides a great many exercises to strengthen and dispose the body for fight. They would learn to fence; to ride and manage a horse for the war; to forage, and live in a camp; to fortify, attack, and defend any place; and what is no less necessary, to undergo the greatest toils, and to give obedience to the severest orders. Such a militia, by sending beyond seas certain proportions of it, and relieving them from time to time, would enable us to assist our allies more powerfully than by standing armies we could ever do. Such a camp would be as great a school of virtue as of military discipline, in which the youth would learn to stand in need of few things; to be contented with that small allowance which nature requires; to suffer as well as to act; to be modest as well as brave; to be as much ashamed of doing anything insolent or injurious, as of turning their back upon an enemy: they would learn to forgive injuries done to themselves, but to embrace with joy the occasions of dying to revenge those done to their country; and virtue imbibed in younger years, would cast a flavour to the utmost periods of life. In a word, they would learn greater and better things than the military art, and more necessary too, if anything can be more necessary than the defence of our country. Such a militia might not only defend a people living in an island, but even such as are placed in the midst of the most warlike nations of the world.” — *Dalrymple*, iii. 126.

1698.

PROROGATION.

85

7th of July. During its period of three years, the silver currency was recoined and re-adjusted, public credit was restored, stability was given to the revolution, and an end was put to the burdens and calamities of war.

It was not the fault of parliament that these evils so soon returned.



## CHAP. III.

1698.

MUTUAL DISCONTENT OF THE KING AND THE PARLIAMENT. — TREPIDATION AND RETREAT OF SUNDERLAND. — MISSION OF LORD PORTLAND. — HIS DISPUTES OF ETIQUETTE. — REQUIRES THE EXCLUSION OF JACOBITE CONSPIRATORS AND THE REMOVAL OF KING JAMES. — PARTITION TREATY. — THE KING GOES TO HOLLAND. — SEALED ORDERS LEFT BY HIM. — FAVOUR OF LORD MARLBOROUGH. — FIRST COMMUNICATION OF THE PARTITION TREATY BY THE KING TO HIS ENGLISH MINISTERS. — COMPROMISE OF LORD SOMERS. — HE PUTS THE SEAL TO BLANK POWERS. — NEW PARLIAMENT. — REDUCTION OF THE ARMY. — THE KING'S DUTCH GUARDS SENT AWAY. — DISSATISFACTION OF THE KING. — ACCUSATION OF LORD ORFORD. — IRISH FORFEITURES. — BILL OF RESUMPTION. — PENAL ACT AGAINST CATHOLICS. — REMOVAL OF LORD SOMERS. — DEATH AND LAST WILL OF THE KING OF SPAIN. — THE DUKE OF ANJOU, HIS HEIR. — DEATH OF THE YOUNG DUKE OF GLOUCESTER. — TORY MINISTRY. — IMPEACHMENT OF WHIG LORDS. — KENTISH PETITION. — ACT OF SETTLEMENT. — SECOND GRAND ALLIANCE. — DEATH OF KING JAMES. — PROCEEDINGS OF PARLIAMENT. — ILLNESS, DEATH, AND CHARACTER OF KING WILLIAM.

THERE was still between the king and the house of commons not a little of mutual disgust.\* William, in his letters to his Dutch confidants, lord Portland† and the pensioner Heinsius‡, complains of the changing humour of the English; and Trenchard, in one of the more remarkable tracts of the day, says, that if the result were foreseen, few men would have thought the revolution worth the hazard of their lives and fortunes. These

\* Trenchard's "Argument, shewing that a standing army is inconsistent with free government." — *Burnet*, iv. 377.

† MS. Corresp.

‡ Hardwicke Papers, ii.

results were, according to him, a large public debt, and a standing army, for the most part of foreigners.\*

Sunderland was attacked vehemently in parliament as the king's worst counsellor. Lord Norris, in the house of commons, described him as a man whose life was so scandalous that he could excuse one crime only by accusing himself of another.† The tories frankly and furiously assailed him; the whigs, envious of his favour with the king, would, he apprehended, defend him faintly or treacherously; and in an excess of conscious guilt or fear ‡, he ran off to resign his key as chamber-

\* Trenchard calculates the public debt, after eight years' war, from 1689 to 1697, at near 20 millions. What would he have thought of 800 millions? It appears, however, from the following statement in Ralph (ii. 769. note), to have been less by about half.

## ANNUAL SUPPLIES.

From 5 Nov. 1688, to 31 December	Years.	Intended.		Granted.		Deficiencies.		Overplus.	
		L.	s. d.	L.	s. d.	L.	s. d.	L.	s. d.
	1690	7,467,049	19 10	5,296,109	1 9	2,170,940	18 1		
	1691	4,086,255	1 6	4,163,636	4 10½	-	-	77,381	3 4½
	1692	3,511,677	16 3	3,281,622	13 8½	230,055	2 6½		
	1693	4,017,080	9 6	3,471,482	16 1	545,597	13 5		
	1694	5,030,581	8 11	4,853,050	11 3	177,530	17 8		
	1695	4,882,712	0 0	4,883,120	0 6	-	-	408	0 6
	1696	5,024,853	19 11	2,945,878	1 0½	2,078,975	18 10½		
	1697	4,880,078	19 11	4,137,309	16 2½	742,769	13 8½		
Annual Supplies Intended		38,900,289	15 10						
Granted		-	-	33,032,209	5 5½				
Deficient		-	-	5,945,869	14 3	5,945,869	14 3		
Overplus in Two Years		77,789	3 10½	-	-	400,514	0 0	77,789	3 10½
Lost by Guineas, &c. -		-	-	-	-	-	-	-	-
		38,978,078	19 8½	38,978,078	19 8½				
						6,346,383	14 3		
1695. The Parliament gave towards Seamen's Wages		-	-	-	-	-	-	500,000	0 0
And an Overplus to the Navy in general		-	-	-	-	-	-	52,777	0 0
This Grant and the Overplus deducted		-	-	-	-	630,566	3 10½	630,566	3 10½
1697. The Grants were less than the Supplies intended		-	-	-	-	5,715,817	10 4½		
Besides the Deficiency in the produce of the Funds, 8, 9 W. cap. 20.		-	-	-	-	5,160,459	14 9½		
						10,876,277	5 1½		

† Burnet iv. 377. note D. The allusion was to his having vindicated himself to king William, by saying that he had promoted the revolution as the minister of James.

‡ The following is a very curious note of speaker Onslow on Burnet's account of Sunderland's retirement:—

“Some of his friends told him they had computed how the numbers would run in the house of commons, upon any address that should be moved for there against him, and that they did not think that there could be more than 160 for it. ‘160 (said he) for it! that is more than any man can stand against long. I am sure I won't;’ and so resigned his staff and key the next day; but the king continued to advise with him in private upon all his affairs. To confirm this anecdote, and to show the haste he was in to put himself out of this danger, my lord chancellor Hardwicke told me, that in a conversation he had with the old duke of Somerset about this earl of Sunderland, the duke said that upon the apprehension of this attack in the house of commons, the earl desired the duke and lord chief

lain. The king was indignant at his pusillanimity. Sunderland himself appears to have repented\* ; the office remained vacant for near two years, and he is said to have received the salary. It is certain that he continued, as before, the intimate counsellor of the king.

Meanwhile lord Portland was managing a most important transaction, under cover of his ceremonial and splendid mission consequent on the peace of Ryswick to the court of France. It is strange that a prince of William's character and genius, should be reproachable with that distinctive weakness of weak princes — favouritism. The embassy of lord Portland was a sort of honourable exile, provoked by his discontent at the growing credit of a rival in his master's favour, the young lord Albemarle, described as a graceful and accomplished courtier. †

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justice Holt, both of them his most particular friends, to give him a meeting to consult with them what he should do upon the occasion, either retire or to stand it. The appointment was for the evening before the day, as he was told (after the appointment), the attempt was to be made, and the address to be moved for, and they came accordingly, but found the earl was gone to the king at Kensington. He left word, however, that he begged them to stay, for he would be back very soon, and was so. When they met, the earl fell into other discourse with them ; and whilst he was talking, Holt observed he had not the key upon his coat ; and interrupting him said, ' My lord, where is your key ? ' ' At Kensington,' said the earl. ' Why so quick, my lord ? (replied the chief justice) you might have stayed till to-morrow.' ' To-morrow, my lord, (said the earl,) to-morrow would have ruined me ; to-night has saved me : ' and so told them what he had heard was the design, and that he knew the king must have submitted to it." — *Burnet*, iv. 378.

" Surely," says lord Hardwicke, in a note on the same passage, " there must have been the timidity of a bad conscience in this."

\* " Les whigs," writes king William to lord Portland, " ne souhaitent nullement le retour de mylord Sunderland. Ils ne se'n cachent point. Plus on considère la folie qu'il a fait, plus on s'en enrage." — *MS. correspondence*.

† He was the son of Pelling, lord of Keppel in Guelderland. The discontent of lord Portland has been denied by some writers, and his embassy treated as a new honour, which only proved his undiminished favour with the king. It certainly proved that the king's confidence and esteem were as high as ever ; but the MS. correspondence already cited leaves no doubt that lord Portland not only felt but expressed the discontent of a jealous favourite. A letter from the king to him, on the eve of his departure, contains the following passage : —

" Assurancement je suis touché de vostre départ plus que vous ne sauriez croire, et si vous avez eu autant de peine à me quitter que j'en ay eu à vous voir parler, je serois très content ; et pourrai-je espérer que vous ne doutez plus du serment solennel que je vous ay fait ; c'est assurancement la plus grande verité que j'ay dit de ma vie ; et il n'y a que la mort qui pourra me faire changer de sentiment." — *MS. Corresp.*

The magnificence of lord Portland's embassy is recorded in a tone of fulsome eulogy and vulgar pride by many historians of this reign. King William, it is said, departed from the usual simplicity of his habits to make a politic and imposing display of the wealth and grandeur of the English court and monarchy at Versailles; and the French courtiers acknowledged its unrivalled splendour. Others, however, professing to have been eye-witnesses, say that it was more remarkable for ostentation and profusion than elegance or taste, and that it was a subject of derision and pleasantry in the magnificent and polite court of Louis XIV.\* Lord Portland himself writes to the king that there were persons ridiculous enough to express surprise, real or affected, at his unembarrassed manner when presented to the French monarch in the midst of his courtiers.†

The representative of king William, on his grand presentation, was received with distinction by Louis XIV., but he had with others some vexatious disputes of etiquette. He refused precedence to the carriage of the duchess de Verneuil, a princess of the blood, but illegitimate. He stood at the top of the stairs to receive the first gentleman of the duchess of Burgundy, come to compliment him in her name. The first gentleman insisted upon the ambassador's coming down half way, and stood still; neither would move, and, thus parted, they

\* Mem. and Obs. on Occurrences in Europe, &c., cited in Ralph, ii. 783.

† Wit and poetry were in estimation at the French court, and lord Portland was attended by Prior as his secretary. Prior's answer to a French courtier is well known. Whilst passing before Lebrun's pictures of the victories of Louis XIV. at Versailles, he was asked whether those of king William were painted at Whitehall. "No, sir, my master's actions are to be seen every where but in his own house." It was not the only difference between William and Louis. King William fought many battles well, but gained few victories; Louis XIV. could boast of many victories, but gained by others in his name: he never gained or fought a battle in person in his life. Two curiously satirical rebukes of his insatiable love of flattery — one by prince Eugene, the other by king William, are told by M. Lemontey — (*Monarchie de Louis XIV.*, 408, 409.). Prince Eugene having taken a French town, ordered an opera composed wholly of Quinault's Prologues in praise of Louis. King William, on his return to London, after one of his campaigns, went to the play, and was received with the singing of an ode in honour of him. "Stop their mouths," said he, turning round to his attendants, "do they take me for the king of France?" The French writer suggests that it was an *impromptu fait à loisir*; and, it may be added, for William, not by him.

disputed the point for some time: at last the matter ended in their equally dividing the disputed ground. Another court-bearer of royal compliments, from the duchess of Orleans, declared that he would not leave his carriage until he was assured of being received by the ambassador on stepping out of it, to which lord Portland replied, that "he might stay where he was."

The ceremonial court officers gave it against lord Portland, in a tone which provoked him to tell them they were impertinent; and writing to king William, he says, with the phlegmatic simplicity of a Hollander, "not understanding etiquette, I made up for it in obstinacy, which (he adds) is somewhat necessary here."\*

The ambassador's disputes with the French court were soon on matters more serious. He complained of the appearance of the duke of Berwick and "other assassins" at Versailles, when he appeared there, as an outrage to his master. The reply was, that "for the duke of Berwick, he was engaged only in the matter of invasion; for others, if they were proved to be assassins, the most christian king would withdraw from them his protection."†

Lord Portland further demanded from marshal Boufflers, the two secretaries of state, Pomponne and Torcy, and the king himself, the removal of James to Rome or Avignon, as a pledge of the French king's sincere desire to maintain peace. The ambassador and the marshal were the chief negotiators of the treaty of Ryswick; the one asserted, the other denied, that the removal of James was verbally agreed between them; and Louis peremptorily declared that near kindred, compassion, and the point of honour, rendered it impossible for him to comply. "Have I not," said he, "given sufficient proof

\* "N'entendant pas le céremonial," says he, "je ne puis payer quasi que d'opiniâtreté laquelle est un peu necessaire icy." King William writes in reply,—"J'ai toujours loué votre fermeté ce que je continuerai à faire en toutes occasions — *pourvu que vous ne la mettez pas en pratique contre moy.*" This is the only playful or familiar touch in a correspondence between them of twenty-three years.

† Sir George Barclay having been named the French minister, said "he was deprived of his company." This, however, was a mere show of censure at St. Germain's.

of my desire of peace in giving up for it twenty of the strongest places in Europe ?”

William now instructed his ambassador not to press his demands respecting the fugitive English conspirators or the removal of James. “It is not,” he writes, “my interest or inclination at present to take offence \*;” his only object being the secret and grand affair which lord Portland was already negotiating with the French court — the partition of the Spanish monarchy upon the death, hourly expected, of the king of Spain. “Continue,” says the king, “to write me two despatches, one to be shown, the other for my private information.” . . . . “Here (he adds) I shall confide the secret to no one;” and this after having instructed lord Portland to communicate freely with the Dutch pensionary Heinsius. † Count Tallard came over as ambassador from France, and the first partition treaty, so called, was negotiated for several weeks between king William, lord Portland, Louis XIV., count Tallard, and the pensionary of Holland, Heinsius, on behalf of England, France, and Holland, without the knowledge of a single English cabinet minister, or even of any English favourite, such as lord Sunderland, or in short of any native subject of the king.

His chief English ministers were lord Orford (admiral Russell), Montague, chancellor of the exchequer, and Somers, chancellor. Shrewsbury held the seals of office as secretary of state; but he was a minister in name only, and too unsteady to be trusted. Sir William Trumbull had retired in disgust, from finding that he

\* “Faire le fâché.”—*MS. correspondence*. He at the same time instructs his representative to endeavour to be presented to madame Maintenon, who would not see him, doubtless out of regard for king James. Lord Portland also failed in his endeavours to get an invitation to Marl. It is strange that lord Portland, instead of writing the frank truth, in a confidential letter to king William, tells him the lady had declined seeing him from “modesty,” and that his being asked to Marl was only put off because the season for seeing it to advantage was not yet come.

† “Vouz ferez tres bien de continuer comme vous avez commence à m’écrire deux lettres séparées; l’une que je puis montrer, l’autre pour mon information particulière. . . . . Icy je ne pretends pas le (the secret) communiquer à personne.”—*Ibid.* See also his letters to the pensionary Heinsius, in the Hardwicke Papers, ii. 333., et seq.

was used more as a messenger than as a minister.\* He was succeeded by Vernon, a man of business, who had been private secretary to lord Shrewsbury. Lord Orford was undeserving of trust, but Montague's character was unimpeached; he had proved administrative talent of the first order in the last parliament, as chancellor of the exchequer; and the lord chancellor at the time was "the great lord Somers."

How is it to be accounted for, that a king of England should negotiate and conclude a treaty in which England was interested so deeply as that of the Spanish succession, without the knowledge of any one of his English ministers, through the medium of lord Portland, a naturalised and enriched Dutch favorite, and Heinsius, the chief magistrate of the Dutch republic? Some inferences, less injurious to the character of king William than humiliating to the English nation, suggest themselves. King William governed England as stadtholder of Holland †; he trampled under foot the constitutional responsibility of English ministers for all measures of the sovereign; and both the nation and the ministers, including the boasted organ and ornament of whiggism and the revolution, lord Somers, were so backward in constitutional doctrine, or public virtue and courage, that a measure ethically more despotic and dangerous than James's declaration of indulgence, escaped with impunity.

The king left England for Holland, as usual, soon after the rising of parliament, having vested the administration in a council of regency. He left with this council sealed orders for keeping up a land force of 16,000 men, in defiance of the vote of parliament, and those ministers had the criminal rashness or weakness to comply.

\* Note of lord Hardwicke, in Burnet, iv. 374.

† King William, in his letters to lord Portland and the pensionary of Holland, generally calls the English "those (or these) people," (*ces gens*) an expression of repellent, if not contemptuous alienation: and lord Portland, in a letter to king William (MS. correspondence) tells him he is more generally esteemed and honoured in the French court than in his own kingdoms (*vos propres pays*). Either lord Portland sought to alienate the king from the English nation (or rather increase his alienation), or he swallowed the perfidious compliments of the French courtiers.

Lord Marlborough, now installed as a court favourite, was appointed a member of the council, and governor of the duke of Gloucester, only son of the princess of Denmark, who had attained his tenth year. It is said that king William, when placing the child in the hands of lord Marlborough, said, "My lord, teach him to be what you are yourself, and I am satisfied." Lord Marlborough had not yet proved himself a great captain; the king knew him only as a good officer, and one of the basest of men;—but of all matters of history, none are to be received with more vigilant suspicion than phrases recorded as having fallen from royal lips.

Lord Portland left Paris to join the king at Loo; and about the middle of August the English ministry was trusted, for the first time, by the diplomatist and the king, with the secret of the partition treaty. The communication was made in a letter of lord Portland to secretary Vernon, enclosing one from the king to the chancellor Somers. Lord Portland's letter is a curious proof of the contemptuous ignorance in which king William kept his English ministers respecting his more secret counsels. "Whilst," says he, "I was in England, I often heard that count Tallard should say that an accommodation might be found out, in relation to the succession of Spain, in case of that king's death. 'Tis true (he continues) I heard the same thing *talked* of while I was in France." Here, it is to be observed, that lord Portland had been deeply and keenly negotiating this matter between England, France, and Holland, from the beginning of February to the date of his letter, and that he was writing to the king's secretary of state, for the information of the king's chancellor. "The king," he says, "to avoid a war, by previous accommodation, has sounded France upon what terms an agreement might be made, to which they do not seem averse; and, as his majesty would not enter *too deeply* into this matter, without knowing something of their opinions in England, he has commanded me to impart it to you; and you may speak to my lord chan-



cellor about it." At this moment the treaty was already concluded by the king and lord Portland with count Tallard at Loo. He next states the terms, in substance as follows:—The electoral prince of Bavaria (an infant of five years) to have Spain and her dependencies, European and Indian, with the exception of Naples, Sicily, Sardinia, the province Guipuscoa, Fontarabia, St. Sebastiaa, Final, the possessions of Spain in Tuscany,—all of which should pass over to France, on the condition of her renouncing her pretensions to the Spanish succession; the archduke, second son of the emperor, to have Milan for his share.

It is to be recollected that there were three claimants to the Spanish succession;—the dauphin of France, in right of his mother, eldest sister of the king of Spain, but who had renounced it on her marriage; the eldest son of the elector of Bavaria, grandson of that king's youngest sister; the emperor Leopold, son of the younger sister of Philip IV. and Anne of Austria, mother of Louis XIV., who, like his queen, had renounced the Spanish succession on her marriage.

The strictest secrecy was enjoined; but the chancellor was at liberty to communicate the great secret to such persons—of course ministers—as he in his discretion should think it safe to trust.

Lord Somers had just gone to take the Tonbridge waters for his health when the letters arrived. Vernon immediately forwarded to the chancellor the king's letter with lord Portland's. The chancellor wrote to Vernon, in reply, "such thoughts," he says, "as occurred to a head filled with waters, and aching exceedingly."\* His letter is short, merely suggesting doubts of the treaty, and authorising the secretary to confide it to lord Orford, the chancellor of the exchequer, and the duke of Shrewsbury. But the most interesting part of it is the reference to the letter of the king. "The king's letter," he writes to Vernon, "does merely refer to that of my lord Portland to you,

\* MS. correspondence.

as to the terms, which makes me not send it you by the messenger." It will be seen presently that the crafty lawyer had another motive for not parting with it. He proceeds to give its substance as follows\* :—“ The king says, if this negotiation is to proceed there is no time to be lost ; and that a commission is to be immediately despatched under the great seal, with a blank for the names of the commissioners ; which he would have done so secretly as to pass no other hands but yours and mine ; that is, both *the warrant* and the commission to be wrote by you.” He concludes, “ I desire you would let me know whether I am to come to town, and in what manner I am to know the persons to whom this affair is to be communicated, being ready to do in every thing as they and you would have me.”

It is to be observed that a commission only was mentioned in the king's letter, and that “ the warrant ” was artfully thrown in by lord Somers, as an indirect suggestion to the secretary that it was necessary to obtain one. “ I believe,” Vernon writes, “ it is necessary the *warrant* for affixing the seal should be signed and despatched, or otherwise my lord chancellor will not think himself authorised to do it.” Lord Somers, however, did affix the seal, merely in compliance with the king's letter, which was not even an express command, to a blank commission with full powers ; and this accounts for the chancellor's not trusting the king's letter out of his hands.† But, even if he had a formal warrant, his affixing the great seal to a *carte blanche* for unnamed commissioners was unconstitutional, if not a high crime.‡ The pretension of Charles I., that the king's commands justified every act of his ministers, had its share in bringing that unfortunate prince to the block. It is strange that such a pretension should have been acted upon by lord Somers ; but by no means strange that he should be justified by Burnet and other whigs.

\* See the king's letter at full length in Ralph, ii. 796., and St. Trials, v. 14.

† Articles of impeachment against John lord Somers, and his answer. State Trials, xiv. 250, &c.

‡ See speaker Onslow's note in Burnet, iv. 480., strongly coudemning lord Somers.

His faintly adverse suggestions to the king\* only rendered his obedience more culpable.

The sealed powers having arrived, the treaty was signed on the 11th of October, at the Hague, by lord Portland, sir Joseph Williamson, the count de Tallard, and the pensionary Heinsius. Lord Somers put the great seal to the ratification, leaving blanks for the Dutch commissioners' names and the secret articles, of which copies only were sent to him by lord Portland. †

This famous and evanescent compact was called, by the parties to it, a treaty for the preservation of the peace of Europe; by others, a treaty for the partition of the monarchy of Spain. Its policy was questionable, its iniquity flagrant. King William was bound, by the league of Augsburg and the grand alliance‡, to support the emperor's claim to the Spanish succession against France. He yet disposed of the emperor's rights, and of the inheritance of the king of Spain, both his allies, without their knowledge, and in concert with the common enemy. His object assuredly was, what he professed — the peace of Europe, “for the little time he had to live.” § But he grievously misjudged. The partition, or spoliation, of the Spanish monarchy, without the consent or knowledge of the monarch or the nation, threw both into the arms of France, and subjected Europe once more to the scourge of a war — memorable indeed, and glorious to England. He appears to have been misled by that chimera of able and cant of technical politicians, from the conference of Elizabeth and Sully to the treaties of Paris and Vienna, — the preservation of the balance of European power. ||

\* See his answer, before cited, in *State Trials*; xiv. ; and his letter, in *Ralph*, ii. 796.

† MS. corresp.

‡ There is in one of his letters to the pensionary Heinsius (*Hard. St. Pap.* ii. 34.) an unworthy suggestion, “that the grand alliance no longer subsisted.”

§ MS. correspond. (see *antè*, note, p. 81.), and letters respecting the partition treaty to the pensionary Heinsius, *Hardwicke State Papers*, vol. ii. *passim*.

|| King William's partition treaties are noticed by lord Bolingbroke, as follows, with his characteristic grasp of mind: —

“But instead of taking this step (a common guarantee of the peace of

King William having thus concluded the partition treaty, appeared in no haste to return to England. He continued in Holland, for the most part at Loo, till the end of November. It would appear that he was disgusted with all around him in England — the parliament, the people, and his ministers.\* All three, it may be added, were, on their side, disgusted with him. The inefficiency of the last is asserted by the chancellor himself. "At present," says he, "the king is without any thing that has the appearance of a ministry."† The king only waited the result of the elections to decide between bringing in the tories and continuing the whigs.

He arrived at Kensington on the 4th, and opened the new parliament on the 6th, of December. The choice of sir Thomas Lyttleton as speaker seemed to augur well for the court whigs ; but Harley, who was to have opposed him, withdrew from the contest, and the choice of Lyttleton proved a fallacious test. "To preserve," said the king in his speech, "to England her present weight and influence in the councils and affairs abroad, it will be requisite Europe should see you will not be wanting to yourselves :"— that is, England should maintain an imposing military force. The commons, touched by this intimation in the point where they and the nation were most sensitive, — resenting, moreover, his having maintained 16,000 soldiers in defiance of the vote of the last parliament, and omitting the usual compliment

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Ryswick), we took another, which proved fatal in its consequences. The death of Charles the Second, king of Spain, without children, was then in prospect. The pretensions of France were known, and its power had been lately felt. Whenever the case should happen, a war seemed to be unavoidable. But this war must have been made by France alone, for the conquest of the Spanish monarchy ; which, as powerful as we then thought her, and as insolent as she really was, we should not have engaged in lightly. Neither could she have supported it if she had ; since, even with Spain on her side, she could not have supported the last, if the mines of Peru had not been left unaccountably open to her.

"On the apprehension, however, of such a war, under the specious pretence of preserving a balance of power in Europe, the partition treaties were made ; that is, without the knowledge of the king of Spain, we disposed of his inheritance ; without the consent of the emperor, and in concert with his adverse party, we settled the rights contested between the house of Austria and Bourbon ; and we engaged to make this partition good by arms." — *Bolingbroke*, i. 211.

\* MS. corr. ; and the king's letters to Heinsius, in *Hard. Pap. ii.*

† Lord Somers to the duke of Shrewsbury. *Hard. Pap. ii.* 435.

of an address\*,—passed a resolution that the land forces in English pay should be reduced to 7000 men—*his majesty's natural born subjects*.† A bill founded on it was carried through its stages with so little resistance or observation, that the ministerial and court members would appear to have been paralysed. This memorable bill consisted of ten enacting clauses, without the usual form of a preamble.‡

1699. The king's disappointment and disgust were now extreme. He was thwarted in his views of the safety of the kingdom by the reduction of the army, and deeply hurt in his private feelings by the limitation of native subjects, which would oblige him to send away his Huguenot regiments and Dutch guards. For the third time he resolved or threatened to retire to Holland, leaving the administration, during his absence, vested in such persons as the parliament should name to him; he even prepared with his own hand the speech in which he should announce his purpose.

Upon the mooted point of his sincerity it would be vain to enter.§ All that appears certain is, that he

\* The ministry, it is most probable, abstained from moving an address which would provoke a trial of strength at the outset, in which being left in a minority, would cut short its existence at once.

† Twelve thousand men were voted to be kept up in Ireland, in Irish pay, with the same restriction of being native subjects.

‡ See the clauses in Raplh, ii. 806.

§ The long-questioned authenticity of the king's intended speech, and his declared resolution, are proved not only by the Hardwicke Papers and Shrewsbury Correspondence, but by the reprint of the speech in French, and in the king's own hand, from the MSS. in the British Museum, by sir Henry Ellis, in his "Original Letters," &c. It was, however, supposed at the time that he had no such serious intention. "It was considered," says Burnet, "only as a threatening so that little regard was had to it." Even lord Somers writes as follows to the duke of Shrewsbury about it:—"I have not acquainted you with his (the king's) resolution sooner, because I thought it could not be taken up in good earnest. But I have had this morning such a sort of confirmation of it, that I cannot think it possible to have it carried on so far, if it be meant but as an appearance only, and to provoke us to exert ourselves." Dalrymple relates (iii. 131.) a curious but somewhat doubtful anecdote on the subject. Lord Sunderland, upon being told of the king's resolution to throw up the government, said, "Does he so? Then there is Tom Pembroke, as good a block of wood as a king could be cut out of." It is to be observed that the same story is told of the duke of Devonshire, in reference to another occasion. "It appears," says the editor of the recent edition of Burnet, "from Carbe's papers in the Bodleian library, that the duke of Devonshire, in consequence of his dislike to settling the crown on the house of Hanover, said, it would be better to place it on long Tom's head, as they commonly called the earl of Pembroke." Lord Hardwicke says, the king's mind was changed by lord

made the declaration and prepared the speech, but neither acted upon the one nor delivered the other. It was, perhaps, one of those distempered resolutions of the strongest minds, in moments of bad health, when passion, faculty, and fibre are alike relaxed. The king had for some time referred frequently to his bodily ailments and low spirits, in his confidential letters to lord Portland.\*

Upon the passing of the bill by both houses, William affected to give his assent with a good grace. He summoned the commons to attend him in the house of lords; told both houses he should assent to the bill, but told them, at the same time, that the public safety was exposed by disbanding the army, and that he was unkindly used in the removal of his Dutch guards. The commons now voted him an address of thanks, with expressions of boundless attachment to his sacred person and government. Deceived by this seeming return of good feeling, he made a last and humiliating effort to retain the Dutch guards. He sent a message to the commons by lord Ranelagh, paymaster of the forces, stating that the Dutch guards were about to be shipped off, but that he would take it very kindly if they would allow them to remain.

The commons adhered to their vote and to the bill. They reminded the king of the constitution, and of his promise in his declaration that his foreign troops should

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Somers. William, in a letter to the pensionary Heinsius says, "I am so chagrined at what passes in the lower house with regard to the troops, that I can scarce turn my thoughts to any other matter. I foresee that I shall be obliged to come to resolutions of extremity, and that I shall see you in Holland sooner than I thought. It is impossible for me to enter into particulars at present; and affairs are so changeable here, that one can rely certainly upon nothing till it is done." Upon this lord Hardwicke has made the following note:—"This alludes to the resolution he had taken to vest the government here in commissioners, and depart for Holland. Lord Somers told the king, upon it, that before his majesty made that declaration to parliament, he should humbly desire to resign the great seal; he had received it from him as his sovereign, and begged to return it to him while he continued so. This manly speech checked the king's project, which would have been construed as a sort of abdication." The facility with which the king's resolution thus appears to have been changed, would nearly prove that it was not seriously taken up. King William was not a man to change where he had once resolved.

\* MS. corresp.



be sent back. Whig historians reproach them with ingratitude and faction. As to ingratitude, the nation, surely, had more than repaid its obligations to king William.† It is true he had no secret purpose of overawing the nation into slavery by armed mercenaries, like the Stuarts. He had the best public motives for wishing to maintain a larger force. His view of the state of Europe was comprehensive and just. The parliament is to blame for not maintaining the required force of his native subjects. But it is to the imperishable honour of the house of commons of the day, that it sent away his Dutch janisaries. Their presence was a badge of national indignity, and it was so felt by the parliament and the people.\*

It is further to be observed, that at this period there intervened only a woman of middle age, and a child of precarious life, between the nation and a German successor, and that the parliament most likely contemplated in its vote the prevention of a new visitation of foreign satellites. Their vote would have been a benefit to king William himself, were he longer-lived. It would operate as a check upon the prodigal and partial hand with which he lavished riches, honours, and employments upon foreign adventurers and his Dutch favourites. At all events, the house of commons, in this vote, gave the highest proof of being worthy of its mission, by the

\* Parliament habitually addressed him in such fulsome terms, that he seemed at last to believe the nation could not have continued even to exist without him. His speeches from the throne are so full of his personal dangers and great services, that they detract from the real greatness of his character, and disgust the reader. In a letter to the earl of Galway (see next note), he says, "I am afraid God will punish the ingratitude of this nation!!"

† The king himself bears testimony to this feeling. Writing to Rouvigny, a Huguenot adventurer, whom he had made earl of Galway, proprietor of Irish forfeitures, and a lord justice of Ireland, he says, "It is not to be conceived how people here are set against the foreigners. You will easily judge on whom this reflects." Speaker Onslow (Burnet, iv. 401. note) vindicates the commons, and censures the king. Mr. Hallam, on the other hand, calls it "an act of unkindness and ingratitude," to send away the Dutch guards. "They were," he says, "the men who had terrified James from Whitehall, and brought about a deliverance which, *to speak plainly*, "we had neither sense nor courage to atchieve for ourselves." It is strange that the historian of the English constitution should not "speak plainly" of the revolution of 1688, until he was provoked to do so by a transaction ten years later.

manifestation of confidence and sympathy between it and the people.

The king is said to have lost his temper in private, and to have exclaimed, or muttered, whilst pacing his cabinet, "By God, those guards should not quit me if I had a son." \* He, however, kept his temper in his reply to the address of the commons. It was specious and complimentary, expressing his confidence in the attachment of his people, with "his knowledge, as an eye-witness, of the zeal and valour of his subjects who served in the late war."

It has been observed that the whig ministry was declared inefficient by the chief member of it in character and station. The parliament judged it both inefficient and corrupt. Lord Orford was at the head both of the admiralty and navy; that is, as it was then expressed, "he had the direction above and the distribution below." It was suspected and charged upon him, that the auditors refused to pass his accounts, and that he kept large sums in his hands for his private use, to the prejudice of the seamen and the public service. The accounts were called for and produced; the charges were proved *primâ facie*; the commons presented an address to the king, setting forth the abuses; and lord Orford, from conscious guilt, or moral cowardice, resigned his place, and abandoned the defence of his character. He appears to have been one of the most unprincipled and rapacious public men of the time, but yet obtained a certain reputation for public virtue and patriotism, by the effrontery of his whiggism, with the credulous people.

\* This is told by Dalrymple (iii. 129.) as "a well-vouched tradition;" and it is certainly not inconsistent with the king's character. He had, according to bishop Burnet, great command over his passions, yet sometimes allowed them to discover themselves in momentary and indecent bursts. The bishop says this upon sixteen years' familiar knowledge of him. Mr. Hallam, on the contrary, pronounces Dalrymple's "well-vouched tradition," "not in his character," a vulgar story "told by a retailer of all gossip;" and concludes, "it would be vain to ask how this son could have enabled him to keep them (the Dutch guards) against the bent of the parliament and the people." It would be not merely vain but irrelevant. Dalrymple neither said or meant this absurdity. His obvious meaning was, that king William, having no son to inherit his Dutch partialities and his power, did not think it worth while, for his own life, to dispute with the commons.



The house of commons next voted a supply—short of a million and a half—for the military and naval service of the year. It will be remembered that the supply during the latter years of the war usually exceeded five millions. The naval force voted was 15,000 men, strictly limited to seamen, from a suspicion that soldiers might be maintained under the name of marines by the king.

The question of applying the Irish forfeitures for the public service had lain dormant for some sessions; and the king, forgetting his promise to make no disposition of them until the matter should be settled by parliament—or construing this abeyance into an absolute abandonment—bestowed them upon his favourites. The bill formerly passed by the commons was lost in the lords. It was feared that a similar proceeding now would have the same issue; and to guard against this, a clause, appointing commissioners of inquiry into Irish forfeitures, “in order to their being applied in ease of the subjects of England\*,” was inserted by the commons in their land-tax bill for the year. The lords could not alter a money bill; they passed it with the obnoxious clause, and a protest by nine peers, against the artifice of the commons. The king, who could not dispense with the supply, gave it his assent, and the session was closed on the 4th of May.

The votes of parliament disorganised the ministry. Russell’s offices were divided between lords Bridgewater and Haversham, both wholly strangers to the naval service, and called by the seamen land admirals.† The duke of Shrewsbury resigned his nominal secretaryship to lord Jersey, late ambassador in France; and the duke

\* The application might have been made with more propriety and justice “in ease of the subjects of *Ireland*,” who had to support a military force almost double that of England at their exclusive cost. But Ireland, at this time, had neither public virtue, public spirit, nor a parliament worthy of the name. The catholics were debased, the protestants degenerate, with the exception of one man.—Molyneux, the friend of Lock, who published his “*Case of Ireland*,” to be burned by order of the English parliament, and the hands of the common hangman.

† The term, according to some writers, was the more frank and sailor-like one of “land-lubbers.”

of Leeds, who had survived both his reputation and capacity, was succeeded by lord Pembroke. The privy seal, vacated by lord Pembroke, was given to lord Lonsdale. These appointments proved the ascendancy of toryism. Lord Pembroke affected independence of party, was held in personal respect, and was chiefly remarkable for a certain eccentricity of character, and a curious taste in the fine arts. Lord Jersey's successive appointments indicated not merely the growing influence of the tories, but the ascendant of the Albemarle over the Portland influence. Lord Lonsdale, as sir John Lowther, had risen under the auspices of toryism and lord Danby.

The king, soon after the rising of parliament, made his periodical migration to Holland. He had not the pretext of war, and his motive, as stated by himself, was to "breathe a little."\* He proceeded, as usual, to his favourite retreat at Loo. The intrigues of the cabinet soon engaged him there as deeply, if not as actively, as the operations of the field.

A treaty signed by several ministers, and ratified by three powers, could not remain a secret to the court, chiefly interested — that of Madrid. Charles II., king of Spain, was on his death-bed, in the thirty-eighth year of his age. Such was his constitutional debility, that he may be said to have been dying from his birth. His mind and character partook of his organic weakness; but he had enough of pride and feeling to be indignant at the partition of his inheritance in his life-time without his knowledge. He was, of course, acted upon by the passions and interests of those around him — his queen, his court, and foreign ministers. The result of these influences and intrigues was, that he made a will, bequeathing the whole monarchy of Spain, in both hemispheres, to the infant prince of Bavaria, already named. That infant died in the beginning of the year, and it became necessary to make a new treaty of partition.

Few readers, who are also thinkers, will fail to pause

\* Letter to lord Galway, in Tindal.

for a moment upon the fact of the peace of Europe, the interests of nations, the lot and lives and men, the vast range and volume of humanity, being thus hung upon the single and slender thread of the life of a child of five years old. It is a law of creation and of God, to take care of the race, not of the individual. Political government would appear to follow the converse of this law, by taking care of the individual, not of the race.

The second partition treaty, negotiated at Loo by the king, lord Portland, and the count de Tallard, in communication rather than concert with the court of Vienna, proceeded as slowly as the first. Meanwhile, the court of Madrid remonstrated, by a memorial to the English ambassador there, expressing the catholic king's resentment at the scandalous negotiations then proceeding at Loo; and the Spanish ambassador in London presented to the council of regency a memorial still more violent and offensive. It appealed to the English nation, and threatened a formal remonstrance to both houses when parliament should meet. The Spaniard intimated, among other offensive things, that king William's title was a novelty in Europe, and had proved a costly one to England. William pronounced it "impertinent," "insolent," and "seditious\*," ordered the Spanish ambassador to leave the kingdom within a fortnight, recalled his own minister from Madrid, and arrived at Kensington on the 18th of October.†

The ministry was not in a condition to meet the parliament. Montague, chancellor of the exchequer, resigned, from a sense of the weakness of the ministry, and the fear of being attacked in parliament for combining the auditorship with the chancellorship of the exchequer.‡ Lord Tankerville, who figured in the two

\* MS. corresp. "On ne peut s'empêcher de rire en le lisant," says the king at the close of his letter inclosing it to lord Portland. Hope, or Hop, the Dutch minister at Vienna, having censured the impropriety of the memorial in appealing to subjects against their sovereign, the Spanish ambassador replied, that subjects who decapitated one sovereign, de-throned a second, and elected a third, were not to be treated like the subjects of other kings.

† His periodical returns from Holland were satirically called his "periodical visits to England."

‡ Letter of lord Manchester to lord Somers, cited in Ralph, ii. 828.

last reigns with signal discredit as lord Grey of Werk, was placed at the head of the treasury, and Smith, a commissioner, made chancellor of the exchequer. Of the whigs lord Somers alone remained. He seems to have clung to office with the tenacity of a lawyer.\*

On the 16th of November, the king opened the session with a long and sullen speech. "Let us," said he, "act with confidence in each other." This was understood as a reproach by implication. The commons, in reply, requested him to mark his high displeasure against such persons as had or should misrepresent their proceedings to him; and he rejoined that no person had dared to do so.

The first object of attack was lord Somers. The 1700. somewhat whimsical charge of being the accomplice of a pirate was brought against the famous chancellor. He had, with other distinguished persons, assisted in fitting out a ship of war to act with the king's commission against pirates, who infested the American seas. The command was given to captain Kidd, an American, who himself turned pirate and became the terror of the seas and coasts of America. The chancellor, as might be expected, was proved innocent, and the pirate hanged. He was charged with partiality in giving and withdrawing the commission of the peace; but in this, too, his conduct proved warrantable and discreet. He had removed those only who were disqualified by party spirit or disaffection.

But the great business of the session was the inquiry into the grants of the Irish forfeitures. Of the seven commissioners four were against three for the court. The former were Trenchard, Annesley, Hamilton, and Langford; the latter were lord Drogheda, sir Francis Brewster, and sir Richard Leving. The majority presented a report, the minority a protest, under the name of a memorial.

The report began with setting forth the difficulty with

\* The duke of Shrewsbury was induced to accept the office of lord chamberlain, vacant since the resignation of Sunderland.

which the commissioners obtained information in Ireland from the prevailing fear of offending the grantees — that is, the king's favourites. They then state that the number of attainted Irish was 3921; the number of acres forfeited 1,060,792, worth 211,623*l.* a-year; that of those forfeitures some had been restored under the articles of Galway and Limerick; others by "gratifications to persons who had abused his majesty's royal bounty and compassion;" that, besides those who had corruptly obtained restitutions, they discovered seventy-six grants or custodiams under the great seal of Ireland. Among the grantees named are lord Romney\*, who had 49,517; lord Albemarle†, 108,633; William Bentinck, lord Woodstock‡, 135,820; lord Athlone§, 26,480; lord Galway||, 36,148 acres.

But the grant of which the report was most obnoxious, and upon which the commissioners not only differed, but quarrelled, was that of the forfeited Irish estates of king James, worth 25,000*l.* a-year, to Elizabeth Villiers, countess of Orkney. The question arose, whether king James did, and, as king, could, forfeit. It was resolved in the affirmative by the majority of the commissioners, who reported the grant accordingly. It would thus appear that king James forfeited his lands, though he could only abdicate his crown.

The disputes or squabbles of the commissioners were brought before the house by Montague, late chancellor of the exchequer, in a manner sadly disreputable to one who united eloquence and statesmanship with the graces of literature. He complained of a letter addressed by Mr. Arthur Moore, a member of the house, to one of the commissioners, urging them to report lady Orkney's grant, "because it would be a reflection upon

\* Henry Sidney, who signed the invitation to the prince of Orange, and told lord Halifax he often cursed the hour he did so. (Hal. MSS.)

† The favourite, who had now supplanted lord Portland.

‡ Son of lord Portland.

§ General Ginckel.

|| Rouvigny, a Huguenot officer. It is stated by lord Dartmouth (note in Burnet, iv. 436, 437.), that lord Portland had a grant of lord Clancarty's "great estate," and lord Rochford, another Dutchman, of "the whole estate" of lord Powis.

*somebody*,"—that is, upon the king. The house called upon him for his authority ; he pleaded the confidence of private conversation ; the house insisted ; he named Methuen, chancellor of Ireland. Methuen denied it ; a vote was proposed, on the instant, that the charge was false and scandalous, and that the four commissioners who signed the report had acquitted themselves "with understanding and integrity." It was urged that the commissioners who had not signed should be heard in their defence against an implied censure ; and they were examined at the bar of the house.

The first who appeared was sir Richard Leving. He gave a long narrative of their discussions and disputes ; the main points were these :— that Langford said, in reference to king James's having forfeited, "the 30th of January was a good day and a good deed ;" that upon lord Drogheda's saying the report of lady Orkney's grant would be flying in the king's face, it was replied, by Hamilton, that the same might be said of the commission itself ; that Trenchard and Annesley said they had letters to the effect before stated from Mr. Arthur Moore and Mr. Harcourt. Sir Francis Brewster corroborated the statement, with this addition, that Trenchard said it was "a villanous grant," and gave him "ill language, for which he afterwards begged pardon at the board." "There he stands," said Brewster ; "let him deny it if he can."

Langford, Annesley, and Trenchard then severally and positively denied all but the letters, which were produced at the request of the writers, but, if read, have not been recorded. Trenchard admitted that Brewster had provoked him to say, "I fear you in no capacity but as an evidence ;" but soothed his anger by an apology, on the suggestion of others, that he was "a simple old fellow." "I think, Mr. Speaker," continued Trenchard, "he won't now resent so highly my anticipation of him as a witness."

It appeared that much of the business of the commissioners had been discussed in Trenchard's apartments,

to which he was confined by illness. The speaker asked him, "What words did you hear said in your chamber?" After stating, in answer, that several "people of the best fashion in that country," among them his brother commissioners, "often obliged him with their company, and that many subjects were discoursed of," he concluded in these words: — "But I never treasure up what is said in private conversation; and, if I did, I scorn to tell it." The issue was, the passing of the resolution before stated, with the addition of "courage," to "understanding" and "integrity," and the committal of Leving, as a scandalous defamer, to the tower.

The bill of resumption, so called, — that is, a bill for revoking all grants of Irish forfeitures since the revolution, and applying them "to the use of the public," was now brought in. An attempt was made by the courtiers to reserve a certain portion for the disposal of the king. It was not only defeated, but followed by a resolution, that those who advised the grants "reflected on the king's honour," and failed in their trust.

Nothing now remained for the court but to retaliate. A large portion of the majority was tory, and in order to make the grantee favourites of James disgorge like those of William, the period of resumption was extended from 1689 to 1684. With only this alteration it passed the house of commons.

In the house of lords the court had a majority. To tie up the hands of the lords, the device of incorporating it with the land-tax was repeated. The lords, indignant at this offensive stratagem, made alterations, and sent the bill back to the commons. These rejected the alterations, and, in a conference, gave their reasons in writing. A second conference took place, and the lords presented their counter-reasons, upon which the managing commons declined a rejoinder, and left the bill in their lordships' hands. The lords took fire at the systematic indignities thus offered them by the commons; but they passed the bill, and their resentment evaporated in a protest.

It is said that the lords would have thrown out the bill, if the king had not directly solicited them, by a private message, to pass it\*; and the fact of his giving the royal assent to it favours the supposition. He was doubtless influenced by the fear of coming to extremities with the house of commons. Moreover, it was now the middle of April, and without the land-tax supply bill the government could not go on. Yet the passing of the resumption bill was an agony to him; and it appears from two private notes written by him to lord Portland, that he had resolved to withhold the royal assent. "If," says he, on Friday morning, April 5th, "the bill be not stopped in your house, I count all lost;" and in the afternoon of the same day he writes, "I am resolved not to pass the bill; and the only question is, whether I should prorogue the parliament to-morrow or Monday."† He yielded, notwithstanding; and the historic phenomenon of a prince uniting a despotic temper and the firmest soul, yet bowing before the supremacy of the English commons, is one which may be contemplated with pride, and meditated with advantage. In estimating the proceedings of this and the preceding parliament, it should be remembered that both were triennial. The

\* Parl. Hist. v. 1213.

† MS. corresp. These notes are so short and general, that, without the letters of lord Portland, to which they are answers, the full sense cannot be understood. It would appear from one of them that a meeting of lords was held at lord Albemarle's. The best light is, perhaps, given in the following note of lord Dartmouth.

"Whilst the bill was in suspense, the whole city of London was in an uproar. Westminster was so thronged, that it was with great difficulty anybody got into either house. The lords had insisted and adhered, so there could be no more conferences; and all seemed under the greatest distraction. I heard the king was come to the Cockpit, and had sent for the crown, with a resolution to dissolve us immediately, which I communicated to the earl of Shaftesbury, who ran full speed with it to the house of commons; upon which they adjourned in great haste. Next morning the earls of Jersey and Albemarle told me the king was convinced of the danger in rejecting the bill; but their present difficulty was, that they could not prevail with their people either to join with us or keep away; and they understood the duke of Leeds (which was true) was trying to make use of the false step the king had made to force him to a dissolution; which, in the ferment the nation was in, must throw us into the utmost confusion; therefore desired I would persuade our side to stay till they could make us a majority, which they brought about at last, though they could prevail with nobody to come over to us besides themselves. But the archbishop beckoning out his brethren, and the other lords dropping off by degrees, was full as comical a scene, as that the night before had been tragical."—*Burnet*, iv. 439.



spirit of opposition and independence may have verged upon faction, but the support of the court was servile compliance. King William's profusion to his favourites was as scandalous as that of Charles. He seemed to give away the spoils of a conquered nation with a reckless hand.\* He needed a strong check and lesson, and he received them from this parliament. The hollow cant and popular delusion of "deliverance" had by this time given way, and the sense and spirit of the nation re-asserted themselves.

It is to be regretted that the proceedings of this session are sullied by a gross and grievous act of persecution. The clergy of Lancashire petitioned in the last session for further protection against the growth of popery around them. In the present, a bill was brought in to banish popish priests and schoolmasters; to render all papists born after the 25th of March, 1700, incapable of purchase or inheritance; to compel all papists having estates to take the oath of supremacy and the tests, or forfeit their estates to the next of kin, being protestant. Neither the opposition nor the court desired that it should pass. It was brought in by How, a Jacobite, with a view to throw the odium of popery and its rejection on the court whigs. These aggravated its severity, to prove the zeal and purity of their protestantism; and the king, who sacrificed his Dutch favourites to his policy, could not be expected to incur opposition and odium for the sake of papists. "I was for this bill," says bishop Burnet, "notwithstanding my principles for toleration, and against all persecution for conscience sake." Such, exactly, was the toleration of this whig churchman and the laity of his school. It was merely on their lips.† The unfortunate James, though he

\* "The king," says lord Dartmouth (note in Burnet, iv. 437.) "seemed not to know or care how lavishly they were bestowed; though he was tenacious, even to a meanness, about anything he looked upon to be his own."

† Bishop Burnet's reasoning is worthy of his principles. "I had always thought," says he, "that if a government found any sect in religion incompatible with its quiet and safety, it might, and sometimes ought, to send away *all* of that sect with as little hardship as possible. It is certain.

consorted with jesuits, understood the practice of what he professed in a different manner. On the 11th of May the king put an end to the session without a speech.

The prorogation was immediately followed by the dismissal of lord Somers. A motion for his removal in the house of commons had been negatived; but yet, under the circumstances, there is no ground of reproach against the king. The chancellor's health was so bad that he was absent from the house of lords during the affair of the forfeitures, and suggestions were thrown out, not only that his illness was feigned, but that he secretly instigated the opposition. It is recorded that, some time before the close of the session, the king intimated to him the convenience of his resigning, and that he refused. This rests on the credit of an unscrupulous compiler and coarse partizan\*, who puts into the chancellor's mouth a piece of fustian†, which renders it still less worthy of credit. There is better authority for his having refused to prepare or meddle with a speech from the throne to close the session.‡ But, taking all the circumstances into account, the idea of the king's carrying on the government with a whig chancellor at the head of a tory administration is inconceivable and absurd. The only thing probable, though not proved, is that lord Somers gave up the seals with great reluctance.

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that, as all papists must *at all times* be ill subjects to a protestant prince," &c. Yet this man, in the self-complacent pride of whig-protestant toleration, called Louis XIV. persecutor for his "sending away" the Huguenots.

\* Oldmixon.

† It may be right to cite it for the reader's judgment: — "That he knew very well what his enemies aimed at, by their abusing and persecuting him, as they had of late done; that the seal was his greatest crime, and if he quitted it he should be forgiven. But knowing what ill use would be made of it if it were put into their hands, he was resolved, with his majesty's permission, to keep it in defiance of their malice, and to stand all the trials they should put upon him, with the support of his innocence and the hopes of being serviceable to his majesty. That he feared them not; and did not doubt but if he would be as firm to his friends as they would be to him, they should be able to carry whatever points he had in view for the public welfare in a new parliament." The king shook his head a little as a sign of his diffidence, and only said, "It must be so."

‡ The following is a note of lord Hardwicke in Burnet, iv. 442. — "The king made no speech when he prorogued the parliament. Lord Jersey (says secretary Vernon, in a letter to the duke of Shrewsbury) had been with lord Somers about preparing one, but he would not meddle in it." — *Burnet*, iv. 442.

They were, it is said, offered to Treby and Holt, and rejected by them. It must have been that they thought the tenure precarious. The one was an apostate, and both were lawyers.\* Sir Nathan Wright, an obscure or ill-reputed serjeant at law, became the successor of lord Somers, with the title of lord keeper.

Such was the king's disposition to govern by parties, — or such was his contempt of them, — that he tried to retain a hold upon whiggism, even after the removal of lord Somers. He proposed the government of Ireland to the duke of Shrewsbury †, who not only declined it, but resigned his office of lord chamberlain, and retired to Rome. He even invited lord Sunderland to appear once more upon the stage; but that famous intriguer, with his experience, foresight, and weak nerves, would not commit himself with the king's measures.‡

The king, having appointed lord Jersey chamberlain, in the room of the duke of Shrewsbury, and lord Romney groom of the stole §, left England for Holland, to conclude the second partition treaty.

Compacts which proceeded no farther than the imaginations which conceived and the parchments which recorded them, may be briefly despatched. The principal change was the substitution of the archduke Charles, second son of the emperor Leopold, for the deceased

\* Holt, it has been said, refused the seals out of reverence for the superiority of lord Somers. It is well known to those who know anything of the matter, that he treated the decision and argument of lord Somers in the bankers' case with contempt.

† Letter of the king to lord Galway (Rouvigny) in Tindal and Ralph, and reprinted in French from the original by sir H. Ellis, who erroneously supposes it addressed to Ginckel, lord Athlone.

‡ Ralph, ii. 856.

§ Lord Portland had resigned. He preferred money to rank and power, and was enormously enriched by the king. He was anxious to withdraw even from the negotiation of the partition treaty (MS. corresp.); but the king dissuaded him, by urging that there was no other person whom he could employ. He owed this exclusive confidence not only to the king's friendship, but to the mediocrity of his talents, and his being a Dutchman. Holland was the king's great object in that treaty. He would not trust an Englishman with it, and he had a jealousy of minds of a high order. His two favourites are well sketched by lord Sunderland.

“The earl of Sunderland had a very mean opinion of the earl of Portland; and said, upon Keppel's being sent to him by the king upon some business, ‘This young man brings and carries a message well; but Portland is so dull an animal, that he can neither fetch nor carry.’” — Note in *Burnet*, iv. 412.

prince of Bavaria ; but the emperor, flattering himself with the entire succession, would not be a party to it.

The king of Spain, upon this new outrage to his crown and kingdom, made a second will in favour of the imperial archduke, under the influence of his queen, who was an Austrian princess ; and somewhat damped the ardour of the partitioning powers by apparent convalescence. Notice of this will was conveyed to the emperor, with a request that he would send the young archduke with 10,000 men to Madrid. The emperor could not send 10,000 men to Madrid without an instant quarrel with England, France, and Holland, and would not send his son without the escort proposed. The communications between the courts of Madrid and Vienna were soon marked by mutual dissatisfaction. It was reported by the Spanish ambassador at Vienna, to his court, that the young archduke, their king elect, was in the habit of applying a term of contumely to the Spanish nation. He avenged his country and himself at the same time, by a sally of Spanish wit and satire on the council of Vienna. "The ministers of the emperor," says he, "have minds resembling the horns of our Spanish goats — short, hard, and crooked." Count Harrach, the imperial ambassador, made vain efforts to restore a good understanding between the two courts.

Meanwhile the marquis d'Harcourt, ambassador of France, took advantage of this state of things with dexterity and success. He bore with patience, on his arrival, national prejudice and personal slights ; conciliated the Spanish court by his engaging manners ; and made some impression in favour of France on the dying king. Still that prince's weak and wavering mind inclined to the house of Austria ; and he wrote a letter to the emperor, expressing his purpose of leaving the inheritance of his dominions to the archduke. The French ambassador, upon this, left the court of Madrid to take the command of an army which had been collected on the frontier. A crisis was arrived, or at hand ; and the Spanish courtiers most distinguished for rank, influence, and, it may be

added, patriotism, with cardinal Porto-Carrero at their head, seeking to avert the dismemberment of the kingdom, and the hostility of France, urged the king to make the young duke of Anjou, grandson of Louis XIV., his heir.\*

The devout and dying monarch consulted the divines of his court ; and they gave their responses in accordance with the advice of the council. This did not satisfy his scruples. He consulted the pope by a letter with his own dying hand. "Whilst the king of Spain," says Voltaire, "thus treated an affair of state as a case of conscience, the pope treated the case of conscience as an affair of state, and solved it in favour of the house of Bourbon." The holy father professed to consult the interests of catholic Christendom. He thought only as a politician, an Italian, and a patriot, who saw the independence of Italy in the weakness of the house of Austria.

In all this, the party having the first interest and the first right — the Spanish nation — was wholly overlooked.

The pope's letter was dated July 16. ; and the king of Spain, by a third and final will and testament, constituted the duke of Anjou, second son of the dauphin, the heir of his vast dominions. † His life, however, continued to flicker till the 1st of November. ‡

The last will of the king of Spain was kept a profound secret. Count Harrach, the imperial ambassador, watched at the door of the cabinet, whilst the council was sitting

\* The patriotism of this advice was illustrated in the house of lords by a comparison with the natural feelings of the mother in the judgment of Solomon, giving up her child to "the harlot," rather than see it dismembered.

† For these negotiations, or rather intrigues, see the Memoirs of Torcy and Villars ; Voltaire, "Age of Louis XIV.;" and above all, Ralph, *sub annis* 1699, 1700.

‡ Voltaire relates a curious fact respecting this feeble prince, a few months before he died : —

"Peut-être n'est-il pas inutile, pour faire connaître l'esprit humain, de dire que, quelques mois avant sa mort ce monarque fit ouvrir à l'Escurial les tombeaux de son père, de sa mère, et de sa première femme, Marie-Louise d'Orléans, dont il était soupçonné d'avoir souffert l'empoisonnement. Il baisa ce qui restait de ces cadavres, soit qu'en cela il suivit l'exemple de quelques anciens rois d'Espagne, soit qu'il voulut s'accoutumer aux horreurs de la mort, soit qu'une secrète superstition lui fit croire que l'ouverture de ces tombes retarderait l'heure où il devait être porté dans la sienne." — *Voltaire*, ii. 115.

upon the king's death. The council broke up after a long sitting, and the duke of Abrantes went up to him with open arms and smiling looks. The honest German thought all was decided in favour of the archduke. "I come to take leave of the house of Austria\*," said the Spaniard, undeceiving him.

Historians, English and foreign, have dilated upon the profound sagacity with which the court of France made the peace of Ryswick, to acquire the succession to the monarchy of Spain, and upon the deep and constant play of intrigue and bribery at the courts of Rome and Madrid, by which the king of Spain was brought to leave the duke of Anjou his inheritance. It is strange that this should continue after the memoirs of Torcy, which are decisive against all agencies but those of accident and the diplomacy of the marquis d'Harcourt.

Now came the question upon which depended the peace of Europe, — whether Louis XIV. would accept the whole inheritance, under the will; or a part only, under the second treaty of partition. As might be expected, he made his option for the former. Two of his ministers — Portchartrain and Beauvilliers — gave their opinions in council for the latter; but the advice of the princes, and the king's pride, prevailed. Many phrases and details, transplanted from memoirs into histories, are, to say the least, doubtful, and would be here out of place. It may, however, be stated, or rather repeated, that the French monarch, having decided for the will, said to his grandson, in the presence of the Spanish ambassador who brought the news, "Sir, the king of Spain has made you king — the nobles demand you — the people desire you: I give my consent; — render yourself worthy of the throne you are going to ascend:" and that, on the departure of his grandson, he exclaimed, "There are no longer Pyrenees."

King William had returned to England in October. The option made by the king of France appears not only to have vexed, but surprised him. "We must confess,"

\* Vengo à despedirme de la casa de Austria.

said he, in a letter to the pensionary Heinsius, "we are dupes; but, if one's word and faith are not to be kept, it is easy to cheat any man."\* It is likely that king William never contemplated a will in favour of the Bourbons. The probabilities were decidedly on the side of the house of Austria. But once anticipating the contingency which occurred, how could William, with his knowledge and sagacity, expect any thing else? But the breach of treaty,— here, again, neither king William nor the Dutch had a right to reproach the French king with perfidy. The simple fact was, that of three confederate spoilers of what they had no title to touch, one broke faith with his accomplices. If it were a question between private persons in England, the courts of Westminster would repudiate all cognisance of it.† The law of Europe and of nations repudiates it, as a question of international right.

Viewing the partition treaties, even under the aspect of British policy, the defence fails. They were so far from advantageous, that the prevailing opinion in England was in favour of the last will of the king of Spain. For this there is the authority of king William himself. "Most people here" (in England), says he in a letter to lord Portland, "think the decision of the king of France for the will, and not for the treaty, to be the interest of England. This I cannot comprehend."‡

The king's difference of opinion, and want of comprehension, are easily accounted for. He viewed the matter as first magistrate of Holland, not of England. "My chief anxiety," he writes to the pensioner Heinsius, "is to prevent the Spanish Netherlands from falling into the hands of France." This, doubtless, was his chief anxiety; but, as stadtholder of Holland, not as king of England. It was the vital question in that war with France which had nearly proved fatal to the Dutch commonwealth. Strengthening the barrier of

\* Hard. Pap. ii. 392.

† "I cannot," said an English judge, "adjudicate between robbers dividing their spoil on Hounslow Heath."

‡ MS. corresp.

the states, was one of the great objects pressed by king William and lord Portland in the negotiation of the first partition treaty\*, but ultimately abandoned by them.

It was assuredly a matter of deep interest to Holland; but was it such to England? Were the interests of England and Holland identical? Cromwell, a soldier, a statesman, and an Englishman, viewed the interests of England and Holland as not merely not identical, but conflicting.

The marquis de Torcy, the French secretary of state, conveyed to the English ambassador, lord Manchester, his master's acceptance of the will; and gave him a reason in support of it, which the event proved conclusive. "To establish the treaty and annul the will, you must conquer two kingdoms;—that of Spain, which will not submit to be partitioned; and that of France, which will not abandon its right." King William said he should take time to consult with his allies.

Count Tallard arrived once more in London. He was received by the king with marked coldness. The emperor, at the same time, disappointed in his hopes, made advances to king William, and sent over count Wrattislaw as extraordinary ambassador. The dislodgement of Dutch, to make room for French, troops in the barrier fortresses from Luxembourg to Ostend, by an unexpected, if not perfidious, movement, decided the mind of the king, or rather of the stadtholder, for war.

A new parliament was now on the eve of assembling. The king, on his return from Holland, completed the ascendant of the tories in his government. He placed lord Godolphin once more at the head of the treasury; made lord Tankerville privy seal, in the room of lord Lonsdale, deceased; sir Charles Hedges, secretary of state; and lord Rochester, the organ of the high church, lord lieutenant of Ireland, with leave of absence, which enabled him to touch the salary and use his party influence in England. Montague, late chancellor of the exchequer, was at the same time created

\* MS. corresp.



lord Halifax — to remove him, it is said, from the house of commons, where his eloquence might be exerted against the court. But why did he accept the peerage? Lords spiritual only are said to be made against their will. He took his title, according to some, from a spirit of rivalry—according to others, out of respect to the memory of the late marquis, who had brought him into public life. The tories, now in possession of the court and government, fairly enough appealed to the people by a dissolution; and a new parliament was summoned to meet on the 6th of February.

The death of the king of Spain was not the only one which formed a prominent topic in the king's speech. The duke of Gloucester, only surviving child of the princess of Denmark, died at the close of his eleventh year, on the 30th of July, 1700, leaving the protestant succession, as settled at the revolution, dependent upon two precarious lives. It now lay between the prince of Wales and the electress Sophia of Hanover, granddaughter of James I. She had on her side the advantage of protestantism; but she was of advanced age, and some even of the whigs recoiled from the succession of a German petty sovereign, in the person of her son.\* The English Jacobites were strenuous in their intrigues to settle the crown upon the prince of Wales, on the death of the princess Anne; and sent over a brother of lord Preston as their envoy to St. Germain. If a foreign writer † may be relied on, the princess herself wrote a letter clandestinely to her father, on the death of her only surviving child. But the English Jacobites would impose certain conditions,—one of which was that the successor should be brought up in England. His father and mother thought this equivalent to his being brought up a protestant, and refused their consent. ‡

The electress of Hanover and her daughter, the electress of Brandenburg, proceeded at the same time, and on the same errand, to confer with king William, then

\* See note, 98. *antè*.

† Lamberti.

‡ Two letters of lord Manchester, English ambassador at Paris, to secretary Vernon, cited from Cole's State Letters, in Ralph, ii. 886.

at Loo. There is extant in print a very extraordinary private letter, written by her on her way. In this letter she counts upon dying in the course of nature before the succession could reach her ; discourages the settlement of the crown upon her son, who was too much used to act the petty sovereign for the purposes of the English nation ; and recommends the " poor prince of Wales," who was so young that he might be moulded at discretion. There is, however, a passing remark, as she proceeds, which throws some light on her compassion and disinterestedness. " It seems to me," says she, " that in England there are so many factions, that one cannot be secure of any thing." \* Her views appear to have been changed by her interview with the king. The two electresses, mother and daughter, are said to have had in view two important objects, — the elevation of the elector of Brandenburg to the rank of king of Prussia, to which he had long aspired, and the settlement of the crown of England upon the house of Hanover. It does not appear that they greatly advanced either. They were ill received by the king, who departed for England the day after they arrived at the Hague. † King William disliked or contemned ‡ both electors ; but upon the option made by the court of France for the will of the king of Spain, he contemplated a new grand alliance, and, to conciliate them, reluctantly promoted the elevation of both.

In this critical state of public affairs at home and abroad, the king, on the 10th of February, opened a new parliament, elected under the auspices of a new and tory ministry. The choice of speaker is a good index to the temper of the house of commons. Lyttleton, late speaker, withdrew at the private request of the king, and Mr. Robert Harley was preferred to sir Richard Onslow by a majority of 249 to 125.

\* The letter is published in the Hardwicke Papers (ii. 442.) from a copy in the handwriting of lord Somers. It is addressed to Stepney, known as one of the minor English poets, and in reply to one from him.

† Cole's State Letters, cited in Ralph, ii. 887.

‡ Frederic I. of Prussia is sketched as follows by his famous grandson : — " Il étoit grand dans les petites choses, et petit dans les grandes."

The whigs, however, were taken by surprise, and their candidate brought forward at disadvantage.

Harley had been some time the chief leader of the tory opposition. His family was presbyterian ; but at the revolution he considered himself neglected, and joined the tories, — without losing the confidence of the dissenters. The ties of party, to an individual, are not so mutable and frail as they are proverbially considered.\* To break them, the apostacy of the individual must be flagrant.

The king, in his speech, began by stating that the death of the duke of Gloucester rendered it necessary to provide for the protestant succession, and that of the king of Spain to provide for the protestant religion and the peace of Europe. He next recommended particular attention to “that great bulwark of the English nation,” the navy, and the improvement of trade. This speech was not merely tory, but Jacobite in principle ; — maritime power and commerce were the rallying words of James and his party. The present ministry should not be charged with perfidy or prejudice to the interests of king William ; but the ministry was keenly attentive — the king indifferent—to what might happen when he should be no more.

According to bishop Burnet, and the many who have echoed the loose oracles of that historian-bishop, the voice of parliament was at this time but a response to French gold. The proof adduced, is the abundance of French and Spanish coin in the gold currency. Of the fact there can be no doubt ; for a royal proclamation, dated February 5., directs that certain gold pieces of French and Spanish coin, called Louis d’or and pistoles, received at seventeen shillings and sixpence, being nearly sixpence more than their real value, should henceforth be circulated only at seventeen shillings. Burnet here must have been a bad economist, and a worse historian. In the one capacity, he should have known that gold at this time, as often since, and even once subsequently in his

\* The English and French republicans, — Milton and Carnot, — found it impossible to overcome their sympathy with Cromwell and Napoleon.

own time\*, found its way into England as an article of trade, when the market value was sixpence in the pound more than the current; and in the other, that the French "gratifications" to Charles, James, and the patriot whigs, were remitted by bills of exchange — not in gold.† This proclamation, it would appear, checked the influx of foreign gold, — in other words, destroyed the freedom of trade in that article, and was advised by sir Isaac Newton.‡

The house of commons, thus maligned by the right reverend court historian, answered the king's speech with a resolution to stand by him in defence of the public safety, the protestant religion, and the peace of Europe. Some tories, however, scanned the expression "peace of Europe" with point and truth. They called it an oracular ambiguity, which might be interpreted to mean war.

The Dutch acknowledged the new king of Spain, but with the reservation of stipulating such conditions as should secure the peace of Europe in concert with their allies. A Dutch memorial to this effect, with, moreover, a requisition of support from England under existing treaties, was laid before parliament by the king. This requisition was contingent upon their being attacked by France. The succour provided under the chief treaty — that of 1677 — was 20 ships of war, and 10,000 men.

The king contemplated, if he did not desire, a war, but was studiously reserved. His object was, that the initiative and its responsibility should be taken by parliament. He communicated to the house of commons an intercepted letter of lord Melfort to his brother the earl

\* Soon after the accession of George I.

† See Dal. App., Mazure, James I. and II., and Vols. VII. and VIII. of this Continuation.

‡ Ralph, ii. 910. The following are his words: —

"Now, sir Isaac Newton was the person who moved for the proclamation, as appears by his own memorial to the treasury. The Mint books show that the silver coinage of this year rose in proportion to the gold; for if the gold coined was 26,742 lb. weight, the silver was 37,477 lb. weight. Besides, in the reign of George I., the like overflow of foreign gold produced the like regulation, at the instance of the same great man. The money coined out of it was £1,400,000. The whigs were then lords of the ascendant; and if the bishop's reasoning is good, what is the consequence?" — *Ralph*, ii. 910.

of Perth, at St. Germain, describing the emergency as favourable to king James, and urging an invasion of England. It was a foolish epistle, upon which the king suggested, and the commons took, no proceedings.

The commons pledged themselves to support the king in his measures and alliances for maintaining the peace of Europe; the lords, for maintaining peace and the balance of power; and both recommended negotiations in concert with the king's allies. In point of fact, negotiations took place between England and Holland on the one side, and France on the other, during the month of March,—as appears from the king's communications to both houses. The joint proposition of the two maritime powers was laid before the commons on the 18th of March.

It was a main, if not the essential, object of the partition treaty, to exclude France from the possession of the Spanish Netherlands, which would give her the double facility of invading both Holland and England.\* The accession of the Flemish coast to the French line, from the Straits of Dover to the Bay of Biscay, would add, doubtless, but not materially, to the facilities of a French invasion of England; but that of the barrier Flemish towns would lay open Holland to the French. Accordingly king William and the states general proposed that ten fortified places named,—among which were Luxembourg, Namur, Charleroi, and Mons,—should be occupied by Dutch, Ostend and Nieuport by English garrisons, as cautionary † towns; that is, as securities against France. D'Avaux, the French ambassador in

\* King William threw out, evidently without any hope of success, the restoration of Dunkirk to England. Count Tallard told him in person, that he supposed the proposal was made in jest (*une raillerie*); and the French secretaries, Torcy and Pomponne, stopped lord Portland's mouth, by saying they could not hear of it.—(*MS. correspondence of King William and Lord Portland.*) One of the most inconsiderate eulogics of Voltaire on Louis XIV. relates to his acquisition of Dunkirk, "so glorious to Louis, so disgraceful to Charles." The baseness of the sale is unquestionable; but where was the glory of a mere money bargain? The contrast of baseness and of glory respecting Dunkirk lies between Charles, who sold, and Cromwell, who had acquired it by English power and valour at the sword's point and the cannon's mouth.

† It is to be observed, that the French word *caution*, in municipal and international law, is equivalent to the English word security.

Holland, treated the proposal as an extravagance, and his master offered, by way of counter-project, a confirmation of the treaty of Ryswick.

The Dutch showed once more the republican virtue and resolution of 1672. They declined a separate negotiation with France, resolved to make common cause with England, again cut their embankments, inundated their country between them and the menaces of France, and sent a memorial to England, stating all this in simple and touching detail. "We have now," said they, "no safety but in the protection of England and of the sea." King William loved his native country. He laid the memorial before the house of commons; and that house, moved by the courage and faith of the Dutch, as well as by the influence of the king, voted 10,000 soldiers, and 30,000 seamen, in pursuance of their previous resolution to support the king and his allies in maintaining the liberty — it was no longer the peace — of Europe.\*

This was the object for which the king laboured assiduously, but covertly, through the session. He appears to have been indifferent to the storm which long threatened, and at last assailed, his late whig ministers. It would even appear that he retired to the country†, leaving them to their fate when the attack began. Their first assailant was Sheffield marquis of Normanby, afterwards duke of Buckingham. In the lords, they had a majority of court Tories and whig friends. The partition treaty, however, was censured by both houses. In the house of commons it was stigmatised with the utmost licence of rhetoric and vituperation; and the king's whig ministers were already marked out for vengeance. Howe, a whig at the revolution, but

\* The comparative inaction of the emperor is not easily accounted for; and it is no less strange that king William had no minister at the imperial court till the end of April, when he sent Stepney, the minor diplomatist, as well as poet, already named — (Stepney's letter to lord Manchester, cited from Cole, in Ralph, ii. 937.) The king's having no representative at Vienna during the negotiation of the partition treaties, is more easily understood. He would not trust an English minister with that secret; and he left the interests of England in the care of Hope, the envoy of the states. (See his letters to the pensionary Heinsius, already cited.)

† Burnet, iv. 478.

now not only a tory, but a Jacobite\*, called it "a felonious treaty." It is said the king was so indignant as to declare, that were he a private person, he would challenge the offender. †

These sallies of declamation were followed by an address in the same spirit, and finally by the impeachment of lords Portland, Orford, Somers, and Halifax. ‡ Lord Somers, upon hearing that the commons were debating the question of impeaching him, took the course which had been taken before him by the duke of Leeds. He requested to be heard on the instant by the house of commons. His request was complied with, and a chair was placed for him within the bar. He made, according to the general voice of historians, — perhaps the mere echoes of Burnet, — a defence so triumphant, that, were the question put forthwith, the majority would be in his favour. But a witness of high authority, who was

\* His apostacy or conversion was ascribed by some to his having been deprived of the place of vice-chamberlain to the queen, in consequence of his presuming to make advances of gallantry to her; by others, to his having been tricked by the king out of a grant of land, to bestow it upon lord Portland. The land in question is the present classic site of "The Seven Dials."

† The same expression, it will be remembered, was ascribed to him in reference to the unfortunate sir John Fenwick.

‡ The tories are reproached by bishop Burnet with having screened lord Jersey, as one of their party; and these reproaches are echoed by most subsequent historians, including Mr. Hallam, who has called it "scandalous." "The party" (that is, the tories), says the bishop, "said he had been easily drawn into it, but that he was not in the secret, and had no share in the councils that projected it.—(iv. 487.) The truth of this is fully borne out by the MS. correspondence of king William and lord Portland. The first communication of the partition treaty was made by lord Portland to secretary Vernon, for the information of the lord chancellor and his colleagues in office, from Loo, under the date of August 14–24. The first notice of it by the same lord, from the same place, to lord Jersey, who succeeded him, and was then at the court of France, is dated September 5–15.; and lord Portland tells him plainly he is let into the secret, for fear his ignorance of what had been going on for nearly a year should expose him in that court. He is, moreover, desired to say nothing, unless spoken to about it. It is thus clear that, as the tories, by the bishop's account, said for him, "he had no share in the councils that projected it." Neither, it is true, had the impeached lords, but they were "cabinet" ministers, so described by king William himself (MS. corresp.); and they—especially lord Somers—acquiesced in a treaty negotiated without their knowledge, upon which they were forbidden by lord Portland, in the king's name, to deliberate (*Hardwicke Papers*, ii. 400.), and of which they disapproved. Nothing seems more clear than that it was their duty to resign, and a crime not to have done so. As to lord Portland, he acted throughout in contempt not only of the constitution but of the nation, and the impeachment of him was voted without a division. The divisions against the other peers were — Orford, 193 to 148; Somers, 198 to 188; Halifax, 186 to 163.

present during the scene, asserts that it produced the contrary effect. In the absence of any record of the speech itself, it may be proper to cite the express authority of lord Dartmouth: —

“ I was in the house of commons during the whole debate: what the bishop says of lord Somers making an impression in his favour, is so far from true, that I never saw that house in so great a flame as they were upon his withdrawing. He justified his putting the great seal to a blank so poorly, and insisted that the king’s letter (which he produced) was a good warrant, which every body knew to be none; nor did the contents sufficiently justify him, if it had been any; and his endeavouring to throw every thing upon the king provoked them to such a degree, that he left them in a much worse disposition to himself than he found them; and I heard many of his best friends say they heartily wished he had never come thither.”\*

The chancellor’s affixing the great seal to blanks, both in the powers to treat, and in the ratification, has been already stated.† It is strange that the impeachment of a ministerial act, the admission of which as constitutional would strike at the root of the inviolability of the sovereign and the responsibility of the ministers, should be called frivolous and factious by so many authorities. The late lord Hardwicke so characterises it in his state papers‡, and yet, in another place, records his father’s censure of it.§

The want of a more full record of lord Somers’s speech may be regretted in the case of one described as “ a master orator || ; but the best defence he could make is to be found in his answers to the impeachment. He alleges in his vindication ¶, that he, “ at the same time,” objected to many particulars of the treaty in a letter to the king.” Is not this an aggravation of his offence? “ As he was a privy councillor,” he said, “ he had offered

\* Burnet, iv. 491. note.

† See p. 95. *antè*.

‡ Vol. ii. p. 400.

§ Note in Burnet, iv. 487.

|| Walpole’s Royal and Noble Authors, art. “ John Lord Somers.”

¶ See Parl. Hist. v. 1245., and State Trials, xiv. 263.



the king his best advice ; and, as he was a chancellor, he had executed his office according to his duty." \* Would not this separation of the privy counsellor from the keeper of the great seal in the same person, protect a chancellor who had affixed the great seal to edicts as tyrannic and flagrant as those of Charles I. ? The historic character of lord Somers is surrounded with a party halo of ideal moral beauty †, which fascinates the ordinary, and disarms the more severe observer. What chancellor since lord Somers would have used the great seal with such daring complaisance — with the exception, perhaps, of that doubting judge and daring minister who held the seals at a recent period during a quarter of a century ?

The impeachment, however, came to nothing. The house of commons having voted it, addressed the king for the removal of lords Somers, Halifax, Orford, and Portland from his presence and councils for ever. This was met by the lords with an address, praying the king to pass no censure upon those lords until the impeachment against them should have been duly proceeded with and judgment given. The king replied to the commons, that he would employ none but those most likely to improve mutual trust and confidence. This was ambiguous and evasive. Upon receiving the address of the lords, he did not open his lips. He could not have spoken his thoughts to them without provoking the commons.

\* Parl. Hist. as above.

† Horace Walpole, in his "Catalogue of Royal and Noble Authors," begins his notice of Lord Somers in the following strain : — "One of those divine men, who, like a chapel in a palace, remain unprophaned, while all the rest is tyranny, corruption, and folly." Swift, indeed, has left a sketch of him with a pen of iron, in his "Four last Years of Queen Anne." It is true that Swift's portrait is severe — satirical even ; but his touches are essentially faithful. As truly might it be said that Hogarth has "slandered" nature, character, and the manners of his time, as it has been said that Swift slandered lord Somers. But Swift is further reproached with inconsistency, because he painted him with a flattering hand in the dedication to "The Tale of a Tub." But who expects severe truth in a dedication, any more than in the birthday ode of a poet laureate ? Again, it is said that Swift pourtrayed him, under the name of Aristides, in his "Dissensions of Athens and Rome," written on the occasion of the squabbles at this period between the lords and commons. But, if it be argued that he identified Aristides with lord Somers, he must also have identified Phocion with lord Portland, — an absurdity too glaring to be more than placed before any commonly informed reader. The simple fact is, that Swift, in his "Discourse," traced a likeness between the dissensions of the ancients at particular periods, and those of England at the period in question, — not between the personages respectively.

A few weeks elapsed without any further steps, and the lords called upon the commons to proceed. The latter did proceed, but slowly, against lords Orford and Somers, and were again quickened by the lords, who at last fixed the 9th and 17th of June for the trials of Orford and Somers. Some altercations, under the name of conferences, between the two houses had taken place meanwhile. Lord Haversham, an obscure peer of recent creation, charged the commons with gross partiality and masked designs. The commons broke up the conference with indignation, real or affected, and made three demands. These were — reparation for falsehood and scandal uttered by lord Haversham; the appointment of a committee of both houses to arrange preliminaries; the sequestration of the impeached lords from sitting in judgment upon each other. These demands were refused, or not conceded in a manner deemed satisfactory to the commons: they voted that justice was denied by the lords; and they made an order that no member of their house presume to appear at the “pretended trial” of lord Somers — the first on the list.

No prosecutor appearing, the impeached lords were declared not guilty. At the same time a similar judgment was given upon the long dormant impeachment of the duke of Leeds.

Whether the commons abandoned the impeachments from the want of grounds, or from the conviction of the court majority against them in the house of lords, it would be rash to decide; and those who have resolved the question on either side in the most decisive tone, are the least entitled to credit. For one thing, the house of commons of that day deserves the gratitude of posterity. It made the power of the commons of England felt by the ministry and the monarch.

At this period was presented the Kentish petition, famous for its hour. It was the petition of a meeting of magistrates, grand jurors, and freeholders, held at Maidstone, calling upon the house of commons, in the language of rebuke and menace, to drop their dis-

putes about impeachments and partition treaties, vote supplies, and comply with the desires of the king. The most suspicious and unnatural of all popular movements, is one in favour of the court against the house of commons. There is a presumption, at first sight, of its being got up by court and party arts.

The Kentish petition was presented by one of the members for the county; and several gentlemen who acknowledged their signatures to it, and their acting as a deputation, were committed by order of the house. This produced the "Legion Memorial,"—a reckless but energetic and elaborate diatribe against the house of commons, conveyed with a short letter to the speaker.\*

The house thought it of sufficient importance to vote an address to the king, calling upon him to protect the public peace against the arts employed to raise tumults and seditions. It was considered a manœuvre of the whigs to regain their popularity, and at the same time recommend themselves to the court.

The most important act of this session passed under curious, or rather whimsical, circumstances, — if credit may be given to the history of bishop Burnet. It was the Act of Settlement, vesting the succession to the crown in the house of Brunswick, being protestant. Sir John Bowles, reputed a madman in the house, was chosen by the tories, to launch the name of the electress

\* It was ascribed to Defoe, and is not unworthy of him. No admissible extract would give an idea of a composition so methodical and compact in matter and style. Its spirit may be judged by the letter to the speaker which accompanied it : —

"MR. SPEAKER, — The inclosed memorial you are charged with in the behalf of many thousands of the good people of England. There is neither popish, Jacobite, seditious, court, or party interest concerned in it; but honesty and truth. You are commanded by two hundred thousand Englishmen to deliver it to the house of commons, and to inform them that it is no banter, but serious truth; and a serious regard to it is expected; nothing but justice and their duty is required; and it is required by them who have both a right to require and power to compel, viz. the people of England. We could have come to the house strong enough to oblige them to hear us, but we have avoided any tumults, not desiring to embroil, but to save, our native country. If you refuse to communicate it to them, you will find cause in a short time to repent it.

"To Robert Harley, Esq.

"Speaker to the House of Commons."

The memorial, so called, was signed —

"Our name is Legion,  
and we are many."

Sophia of Hanover, in order to bring ridicule on the Hanoverian succession; the mover was, as a matter of courtesy or course, chairman of the committee; and the house no sooner resolved itself into a committee, than the members ran out with such indecent haste, that the contrivers blushed for their management. "There were," he says, "seldom fifty or sixty present." \* If such was the fact, the whigs must have been as indifferent about the succession of the house of Brunswick as the tories. They mustered, it will be remembered, 129 at the opening of the session, though taken by surprise. But the whigs, who were disgusted with king William, could hardly contemplate with pleasure the succession of a petty German prince, disqualified, by his foreign habits and matured incapacity, for governing on a great scale a free nation like the English. The jesting proposal of the duke of Devonshire, "to place the crown on the head of long Tom" (lord Pembroke), proves that at least one leading whig, and perhaps the most eminent and estimable of the party, accepted the Act of Settlement with distaste.

But admitting the whig claim to the merit of the Hanoverian succession, that of the other great constitutional securities of the Act of Settlement belongs to the tories. It has been observed that the whigs, at the revolution, dropped the new and necessary securities, reported by the committee as part of the proposed declaration of rights—in their haste to place the crown on the head of king William—and that the tories had their full share in that imperfect document as it stands. † On this second settlement of the crown, the whigs again would be content with the securities

\* Burnet, iv. 500, &c.

Ralph observes upon these statements of bishop Burnet, as follows:— "All which defamatory matter is plainly taken from an abusive tract, published by the whigs, and perhaps written by himself, towards the latter end of this year, called "A Plain Proof that all the Tories are Jacobites." — *Ralph*, ii. 921.

† See Vol. VIII. page 304. Toland, in a tract published by him while the Act of Settlement was pending, argues that the new securities thrown aside at the revolution should now be inserted in the Act of Settlement. "They" (the limitations), says he, "ought to be such as were at first put into the claim (declaration) of rights, but afterwards, by neglect or *treachery*, omitted.

of family and religion. It was proposed by Harley, that "certain conditions of government should precede the naming of the person." He observed, that the settlement of the revolution was made in haste; and that securities, then overlooked, should now be provided. "This," says bishop Burnet, "had so fair an appearance that none could oppose it; and the result was, the new restrictions upon the power of the crown in the Act of Settlement, which, it will be observed, were for the most part censures by implication of the reign and government of king William.\* It is intimated by bishop Burnet, that the secret object of Harley and his party was to defeat the settlement and

\* The provisions are in substance as follows:—

"That whosoever shall hereafter come to the possession of this crown, shall join in communion with the church of England as by law established.

"That in case the crown and imperial dignity of the realm shall hereafter come to any person not being a native of this kingdom of England, this nation be not obliged to engage in any war for the defence of any dominions or territories which do not belong to the crown of England, without the consent of parliament.

"That no person who shall hereafter come to the possession of the crown, shall go out of the dominions of England, Scotland, or Ireland, without consent of parliament.

"That from and after the time that the further limitation by this act shall take effect, all matters and things relating to the well-governing of this kingdom, which are properly cognisable in the privy council, by the laws and customs of this realm, shall be transacted there; and all resolutions taken thereupon shall be signed by such of the privy council as shall advise and consent to the same.

"That after the said limitation shall take effect as aforesaid, no person born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereunto belonging (although he be naturalised or made a denizen—except such as are born of English parents), shall be capable to be of the privy council, or a member of either house of parliament, or to enjoy any office or place of trust, either civil or military, or to have any grant of lands, tenements, or hereditaments from the crown, to himself, or to any other or others in trust for him.

"That no person who has an office or place of profit under the king, or receives a pension from the crown, shall be capable of serving as a member of the house of commons.

"That after the said limitation shall take effect as aforesaid, judges' commissions be made *quamdiu bene se gesserint*, and their salaries ascertained and established; but, upon the address of both houses of parliament, it may be lawful to remove them.

"That no pardon under the great seal of England be pleadable to an impeachment by the commons in parliament."

These provisions were subsequently, it will be found, retrenched or relaxed, and the concession abused by the sovereign. There was one disastrous omission,—that of obliging the successor to renounce his German sovereignty on coming to the throne of England. It would appear that this condition was proposed to the elector, and rejected by him, on the ground that the certainty of Hanover was not to be exchanged for the precarious tenure of the crown of England.—(See note by speaker Onslow, in Burnet, iv. 502.)

the bill, by making it offensive to the king ; and this is only one of the many proofs which he has left of his unscrupulous party-spirit.\*

It will be observed by the reader of the preceding pages, as characteristic of this reign, that measures, not merely popular, but giving further security and extent to the rights and privileges of the people, were carried by the tories in opposition to the whigs. This is undeniable, without the sacrifice of fact and candour ; which, however, in such matters, is far from rare.† But to infer from it that the tories, as such, are or have been more favourable to popular privilege than their adversaries or rivals, would be a grievous error. The true and useful inference is, that popular measures were supported or opposed by either party, not according to their professed principles, but according to their position and interests.

\* See his account of the passing of this act, and the Notes (Oxford edition), iv. 497. *et seq.* It would appear that the bill passed both houses, as people take medicine, with nausea and acquiescence. The following story is told by Coke, in his "Detection," &c.

"Dr. Newton, one of the masters in chancery, being sent with it down to the commons, where there were not many members then sitting — after his admission, he was asked What had he brought them ? to which he answered, The Succession Bill : then being further interrogated concerning what amendments the lords had made to it, and he replying, *None at all*, several of the members said aloud, *The Devil take you and your bill*. This the late lord Somers told to several gentlemen, and particularly to a certain friend of his and mine, from whom I had it ; and if I had not known him to be a person of great integrity, I should not have ventured to insert it." — *Coke's Detection*, iii. 98.

† Mr. Hallam claims for the whigs an equal share with the tories in the Triennial Bill, and gives credit for the Trials for Treasons Act (7th of William) to "the reign of king William" in very loose terms, considering his habitual precision and candour. Now, as to the latter, it is obvious on the face of the proceedings in the parliamentary or any other history, whig or tory, that the 7th of William was extorted from the deliverer and the whigs by the tories ; and a noted whig pamphlet of the day assumes as a matter notorious and indisputable, that the Treasons Bill (called the Trial Act), the Place Bill, and the Triennial Bill, were tory measures. This pamphlet, already mentioned, entitled "A plain Proof that all Tories are Jacobites," either written by Burnet, or very unsparingly plagiarised by him in his History, recapitulates the leading tory measures of the time, in substance, as follows : —

"Thus *their* Trial Act was only to secure impunity to themselves ; *their* place bills were only to throw their adversaries out of the house of commons ; *their* Triennial Bill (which it is moreover said they would *repcal* the next day, if the power was in their hands) was only to get rid of a parliament which was not for their turn, and which they could get rid of no other way."

A party pamphleteer is certainly a bad witness in general ; but the exception to the rule is the precise case in question, where the partisan unconsciously bears testimony against his party or himself.

The king gave his assent to a bill which invaded the prerogative and reflected on his reign. This has been called prudence and magnanimity. It should be remembered, that the restrictions were not to come into play until after his death, and that he regarded the interests of his successor with indifference.

Upon the passing of the act, the duchess of Savoy, grand-daughter of Charles I., protested very idly against it, as an invasion of her hereditary right, through the minister of the duke her husband. The garter and the act were carried by lord Macclesfield to the elector of Hanover; and, on the 24th of June, the session was closed by the king.

William proceeded almost immediately to Holland, addressed the states in a tone of ominous yet resolute sadness, and was received by them with patriot sympathy. He bade them look only to their courage and their swords in defence of their liberties against France; and, in fine, organised the second grand alliance. King William must have long known the military talents of Marlborough, yet now for the first time gave him a command in chief, — that of the English troops which were to serve in the Low Countries. His suspicion of the faith, and jealousy of the talents, of that famous captain, gave way to the paramount concentration of all his thoughts and feelings upon the success of his designs. It would seem that he penetrated Marlborough's yet unproved capacity as a diplomatist; for he appointed him at the same time commander of the English troops, and minister plenipotentiary to the states.

It is unnecessary to set down the specific articles of the grand alliance. That famous compact contributed nothing to the public law of Europe, and differed from the imaginary partition treaties only in producing a war. The three leading parties to it were the king of England, the states general, and the emperor. So low was the state of the imperial treasury, that the emperor offered his quicksilver mines as security for 500,000

crowns, and could not negotiate this loan until the states guaranteed it.\* The premier living monarch, and proud successor of the Cæsars, was forced to stoop to a small commonwealth of traders;—such virtue is there in republican simplicity, industry, frugality, and faith. The minor members,—the kings of Denmark and Sweden, the elector palatine, and the duke of Holstein,—were brought into the confederacy by rapacious money bargains, to be made good to them by England and Holland.†

The contest was not in this stage for the throne of Spain. The young king Philip was acknowledged at the threshold by the states general‡, and soon after by king William.§ It was put forth as the professed object to obtain security—in particular for the emperor in Italy, for the Dutch in Flanders, and for the confederacy in general—by re-adjusting the balance of Europe. The policy and interests of England alone enter properly into a historic sketch, strictly English, and not European. In the grand alliance, then, the only object of England was to secure Holland on the frontier of Flanders. It is true that in a renewed treaty, offensive and defensive, between England and Holland, the design of the French king to establish an universal monarchy figures in the preamble; but the essence of the question is, whether the safety of England was so far identified with that of Holland, as to render it her true policy to embark as a principal in an European war. An informed and honest student of English history might ask himself whether Cromwell—a soldier, a statesman, and an Englishman—would, under the circumstances, have taken that course? But a nation which

\* Ralph, ii. 988.

† Lamberti, cited in Ralph, ii. 993.

‡ See page 121. *antè*.

§ Bishop Burnet intimates that the acknowledgment was obtained from the king “with much difficulty by his tory ministers:” but Ralph shows that lord Manchester forwarded the letter from Paris with a full knowledge of its writer and purport; that king William had even solicited a formal notification of the accession of the duke of Anjou, to which the recognition was a reply; and that the bishop’s observations on the matter are but “party impertinence,” which the bishop would pass for history. (See Ralph, ii. 939.)



chooses its sovereign from abroad, must pay the penalty. It may be well to state here, by a short anticipation, the contingents to be furnished by the three leading confederates. The emperor engaged for 66,000 foot and 24,000 horse; the Dutch commonwealth, 32,000 foot and 20,000 horse; the king of England, 33,000 foot and 7000 horse. To the Dutch and English quotas should be added the mercenary troops of minor princes, including the new-raised king of Prussia, in their pay. Perhaps the most striking circumstance in this distribution is the comparative power of the Dutch.

Pending these proceedings, and whilst king William was still at Loo, James II. died at St. Germain, in the 67th year of his age. This event, if it merit the name in history, took place on the 16th of September. He was virtually dead since the peace of Ryswick.\* Louis XIV., overcome by the tears of his widow and the influence of madame de Maintenon, acknowledged the prince of Wales, then in his 13th year, as king: upon which lord Manchester and M. Hemerskerk, the ministers of England and Holland, were recalled from Paris; and the French ministers, Poussin and D'Avaux, from London and the Hague. The discussions which preceded the recall of those diplomatists have ceased to be interesting. It will suffice to state that the French court disclaimed any intention to assist in restoring the son of James, and professed to acknowledge in him only a sort of titular kingship. The imperial minister had left Paris some time before, upon the signing of the grand alliance.

\* See p. 68. *antè*. It may be added here, that the pope pronounced him dead in the odour of sanctity (Life, &c. ii. 616.; Som. Tracts, xi. 343.); that "his precious reliques" operated "manifold and well attested" supernatural cures, according to his biographer; and that a curious and even interesting piece, entitled his "Advice to his Son," may be found with his will at the end of the 2d volume of his "Life," &c., from his MS. memoirs. There is in the "Advice" a very edifying chapter upon the perfidy of court mistresses, from his own experience. "I speak knowingly," says he; "I never knew or heard of but one of those fair ladies who did not deceive her gallant." The exception appears, from the description, to have been Madame la Vallière. He then calls them "dangerous women," "false and flattering creatures," "vipers," &c. The "Advice" it should be observed, is dated 1692, and James was born in 1633. The will bears date 1688.

King William continued in Holland till the beginning of November. It became known that his health was seriously impaired. Don Bernardo de Quiros, Spanish minister at the Hague, having held a consultation of physicians on his case, doubtless obtained surreptitiously, transmitted as their report to his court that king William could not live a month. The Spanish secretary of state let this document lie on his table for the perusal of all who transacted business with him.\* He did honour to king William, and disgraced himself.

The king was now no less disgusted with his tory ministers than he had been with their whig predecessors, and opened a negotiation from Loo in September, through the medium of lord Sunderland, with the whigs.† Sunderland negotiated between the king and lord Somers; and the letters of the great chancellor detract from his reputation. The whig patriot and the court intriguer corresponded, under a diplomatic veil of cipher and mystery, as “the two friends;” and lord Somers urges lord Sunderland, in terms of obsequious deference, to place himself at the head of the projected whig government. He declares that, for himself, “he will never be concerned more or less in any thing relating to the public, but in concurrence with and under the direction of the person who sent the packet,” —that is, lord Sunderland,—“under whom he had listed himself.” Somers declined the post of head of the government,—Sunderland had not nerve to appear in any responsible post whatever. He reconciled his ambition with his timidity, by acting as a mere intriguer. William, soon after his arrival in England, resolved to get rid not only of the ministry, but of the existing parliament. He found the house of commons, according to the court whigs, factious and intractable; according

\* Lamberti.

† Hardwicke State Papers, ii. 443. Lord Sunderland's letters, particularly his answer to the first letter of the king, are written with a superiority of thought and style, which renders it difficult to suppose that these letters, and his vindication in 1689, entitled “A Letter to a Friend,” could be the production of the same person.

to others, including discontented whigs so called, and the great body of the tories, fearless and independent. It is for the reader to judge.

Lord Somers appears to have been the chief adviser of a dissolution.\* His "Heads of an Argument for a Dissolution," addressed to the king, are extant.† Instead of submitting the views of a statesman, he plays upon the king's prepossessions with artful and unscrupulous advocacy. His main argument is first, "their (the existing parliament's) inclination has appeared against a war to demonstration; and though they say now it is unavoidable, their opinion is against it:" next, "great numbers engaged for the prince of Wales — their discourses." It was natural that lord Somers should make perfidious suggestions against a house of commons which impeached him; but the excuse of human infirmity would bring in question the truth of two epithets associated with his name — the virtuous and the great. Eventually the parliament was dissolved.

It would appear that king William, on this occasion, did not scruple to avail himself of the practice called "closeting," which figured in his declaration as one of the sins of king James. "Some," says Burnet, "of the leading men of the former parliament had been secretly asked how they thought they would proceed if they should meet again. Of these, while some answered doubtfully, others said positively they would begin where they left off, and would insist on their impeachments."‡ Lord Somers then had personal as well as public reasons for advising a dissolution.

The new parliament — the sixth and last of William III. — met on the 30th of December, and re-elected Harley, by a majority of only four over sir Thomas Lit-

\* If the bare word of Roger Coke may be relied on, it was objected by lord Somers to the king, that he might relapse into toryism: upon which the king, "leaning with his elbow on the table," said, "Never, never, never." This coyness or caution of lord Somers is not quite consistent with the eagerness for office which he manifests in his negotiation with lord Sunderland.

† See Hardwicke State Papers, ii. 453.

‡ It is strange that this passage of Burnet should have escaped his annotators.

leton, who is said to have had the recommendation of the king. It is perhaps a fact worth mentioning, that the nomination of Harley was seconded by Henry St. John, afterwards lord Bolingbroke. This accomplished and famous person had recently entered upon his public career, as member for Wootton Bassett. Like Harley, he was connected by family ties with the dissenting and whig interest; and, like him, started with the Tories. On the 31st, king William opened the first session of the sixth and last parliament of his reign. He appealed with simple but elaborate and stirring eloquence to the parliament and the nation, against the arrogance and ambition of the French king, in acknowledging the pretended prince of Wales as king of England, and placing his grandson on the throne of Spain. His speech was echoed abroad through every European language.\*

The addresses of the lords and commons, voted respectively on the 1st and 5th of January, responded to

\* It may be proper to cite some passages of this speech, not only from its intrinsic interest, but as the last spoken from the throne by this famous prince:—

“By the French king’s placing his grandson on the throne of Spain, he is in a condition to oppress the rest of Europe, unless speedy and effectual measures be taken. Under this pretence he is become the real master of the whole Spanish monarchy; he has made it to be entirely depending on France, and disposes of it as of his own dominions; and by that means he has surrounded his neighbours in such a manner, that, though the name of peace may be said to continue, yet they are put to the expense and inconveniences of war. This must affect England in the nearest and most sensible manner;—in respect to our trade, which will soon become precarious in all the variable branches of it; in respect to our peace and safety at home, which we cannot hope should long continue; and in respect to that part which England ought to take in the preservation of the liberty of Europe. . . . It is fit I should tell you the eyes of all Europe are upon this parliament; all matters are at a stand till your resolutions are known; and therefore no time ought to be lost. You have yet an opportunity, by God’s blessing, to secure to you and your posterity the quiet enjoyment of your religion and liberties, if you are not wanting to yourselves, but will exert the ancient vigour of the English nation; but I tell you plainly, my opinion is, if you do not lay hold on this occasion, you have no reason to hope for another. . . . Gentlemen of the House of Commons,—I do recommend these matters to you with that concern and earnestness which their importance requires. At the same time I cannot but press you to take care of the public credit, which cannot be preserved but by keeping sacred that maxim that they shall never be losers who trust to a parliamentary security.”—*Parl. Hist.* v. 1330.

It is stated by lord Hardwicke, that this speech was “drawn by lord Somers.” “I have,” says he, “seen the original in his own hand; a strong proof (he adds) of the king’s intention to restore the whigs.”—(Note in *Barnet*, iv. 546.) The “sacred maxim” above cited, does honour to lord Somers and to the king, and well merits citation at the present day.

the king's speech with the most earnest assurances to support him in showing his just resentment of the indignity offered to him and to the nation in the French king's recognition of the pretended prince of Wales, and to make good his engagements to his allies in defence of the liberty of Europe. \* Secretary Vernon, on the 6th, by command of the king, laid before both houses copies of the several treaties constituting the grand alliance. † It would appear that the tories and whigs vied with each other in meeting the wishes of the king, — the former doubtless striving to retain, and the latter to wrest from them, the king's favour and the ministry. The king's contingent of 80,000 men — one half landmen, the other seamen — was voted without opposition. The ways and means to provide for these and other votes for land and sea service at home and abroad, were — a land and *income* tax of 4*s.* in the pound, embracing all annuitants, stipendiaries, professors of law, physic, surgery, brokers, factors, &c. ; a tax of 2½ per cent. on stock in trade and money at interest ; a tax of 6*d.* a bushel on malt ; — in fine, a capitation tax of 4*s.* a year. If the public safety or the national honour were at stake, as it was argued at the time,

\* A partial change took place in the ministry immediately after the opening of parliament, and not before, as stated by bishop Burnet.—(See Ralph, ii. 1005.) Lord Godolphin was succeeded at the head of the treasury by lord Carlisle ; sir Charles Hedges, as secretary of state, by lord Manchester ; lord Pembroke was made lord high admiral, and the duke of Somerset lord president of the council.

It would appear from a note of lord Dartmouth on Burnet (iv. 545.), that lord Godolphin had resigned upon the king's deciding for a dissolution. Burnet's words are, "The new (then existing) ministry struggled hard against a dissolution ; and when they saw the king resolved on it, *some* of them left his service." Upon which lord Dartmouth makes the following remark : —

"There was nobody left his service but lord Godolphin, whom the bishop durst not name, because he was to be his favourite upon other occasions ; therefore makes use of the word *some* to avoid it ; which sort of fallacy would be called lying in a Jesuit. I am ignorant what term the godly make use of for such misrepresentations, but I know they are frequently to be met with in this book."—Burnet, iv. 545.

† They were as follows : —

"Viz. 1. The treaty between himself, the king of Denmark, and the states general, June 15. 1701. 2. The secret articles of that treaty. 3. The treaty between the emperor, his majesty, and the states general, Sept. 7. 1701. 4. A convention between his majesty, the king of Sweden, and the states general, Sept. 26. 1701. 5. The treaty between his majesty and the states general, Nov. 11. 1701." — *Parl. Hist.* v. 1333.

these imposts, however severe, were not merely warranted, but imperative: if the real object was to give the Dutch a barrier security, and punish Louis XIV. for the indignity of pluming the son of king James with a vain title of no more effect than if he had called him king of Jerusalem, the whigs, the tories, and the parliament sacrificed English interests to party purposes and passions.

An act of attainder was next passed against "the pretended prince of Wales." The house of lords, in the fulness and fervour of their zeal, attainted his mother also, by an amendment to the bill. That house is generally in the extreme of reckless intractability or indiscriminate compliance. The reason may possibly be found in the absence of all extrinsic action of public control or sympathy. To the honour of the commons, they threw out the clause of the lords, on the ground that an attainder by mere amendment would be a dangerous precedent. The lords persisted in attainting the desolate widow by a separate bill; and the commons again had the manliness "to let it sleep on," or rather under, "the table of their house." \* A second act was passed for abjuring the "pretended" prince of Wales, and acknowledging William by the title of "rightful and lawful king." The only question upon this was whether the oath should be compulsory or voluntary; and the former was enacted by a majority of only 1. The numbers were 188 to 187.† This compulsory oath reduced the number of non-jurors, but strengthened the ranks of Jacobitism. Men who found a tyrannic oath enforced upon their consciences, thought the hardship an excuse for equivocation or perjury. In truth, these forced oaths, instead of testing or binding conscience, demoralise man. It is to be observed, that this bill for

\* Dalrymple's version is, that the commons would attain the queen, "but the more generous lords would give no countenance to it" (iii. 167.); but in his last volume he evidently trusts too much to vague impression, and his party prepossessions. It is strange that he should have forgotten, or not known, what is distinctly stated in Burnet and the other contemporary and succeeding histories up to the date of Dalrymple's Memoirs.

† See Ralph's examination, or rather exposure (ii. 1017.), of Burnet's account of this bill.

abjuring the pretender was prepared and brought in by the late tory secretary Hedges and Henry St. John.

Meanwhile a curious interlude was exhibited before the house of commons. Fuller, the informer, whose impostures had been exposed and punished in 1691, re-appeared on the scene. He undertook to prove that 180,000*l.* had been distributed, as bribes from the king of France, among the opposition members of the late parliament — that is, to prove the party calumny which bishop Burnet records with a perfidious laxity of phrase. Upon being pressed for his proofs, he undertook to produce, in ten days, two gentlemen, whom he described as “ Thomas Jones, esq., and John Englefield, gentleman.” The time was allowed him; his witnesses did not appear: there were, in fact, no such persons: and the house of commons directed a prosecution against him as “ a cheat, false accuser, and incorrigible rogue.” It is said that even “ doctor Oates ” pronounced him “ a lying rascal.”\* This incident is worth mention only as an indication of religious temper and national manners, and shows how much they were mitigated. Fuller happily came behind his time; had he been cotemporary with Oates, he would, like him, have shed popish blood, and earned a protestant pension.

An accident to the king's person now startled both the parliament and the nation. His health, in spite of every artifice to conceal it, was known to be delicate and precarious for some time. To encourage the contrary opinion, he rode out to hunt at Hampton Court on Saturday, the 21st of February. His horse, as he galloped on level ground, having stumbled against an anthill or molehill, came down, and the king fractured his right collar bone in the fall. The fracture was set by his surgeon, Roujat, and he was conveyed to Kensington in the evening. A dispute arose between Roujat, his French surgeon, and Bidloe, his Dutch physician, and the fracture was re-examined and reset. Notwithstanding this inauspicious collision between his professional

\* Ralph, ii. 1014.

attendants, he appeared to improve, and on the 28th he was pronounced convalescent in the Gazette.

On the same day he sent a message to both houses, recommending earnestly an incorporate union between England and Scotland, for the safety of both. He reminded parliament that the same recommendation had been earnestly made by him in the first year of his reign, and expressed his regret that an unhappy accident prevented his urging it in person upon both houses from the throne. Next day he was worse; and the royal assent was given by commission, among other bills, to the attainder of the pretended prince of Wales. On the 3d of March he slept for a few minutes on a couch, and awoke with ague and fever. His case was so desperate on the 7th, that it was thought advisable to give the royal assent immediately to several urgent bills. He was no longer able to use his hand, and the royal sign-manual was affixed to the commission by means of a stamp.

Lord Albemarle arrived from Holland on that day. His mission, according to Burnet, was to make arrangements for the opening campaign; according to another historian of the time\*, to secure certain secret papers in the hands of the pensionary of Holland, whose life was considered still more precarious than the king's. Whatever his mission, the king received his report of it without seeming emotion or consciousness. All he said was, "I am drawing to my end."† What remains to be told, only attests the infirmity of human nature, and frailty of human greatness. The particulars are somewhat confused and inconsistent, even as recorded by bishop Burnet, the only narrator who was a present witness. "The archbishop," says he, "prayed on Saturday some time with him; but he was then so weak that he could scarce speak, but *gave him his hand as a sign* that he firmly believed the truth of the Christian religion, and *said* he intended to receive the sacrament: his reason and all his senses were entire to

\* Lamberti.

† "Je tire vers ma fin." — Burnet.



the last minute : about five in the morning he desired the sacrament, and went through the office with great appearance of seriousness, but *could not express himself.*"

The fact that "he could scarce speak," and "that he could not express himself," thus averred twice over, is not easily reconciled with the integrity "of his reason and all his senses," and appears to have been forgotten by the bishop himself in the very next page." "Those," says he, "who knew it was his rule all his life long to hide the impressions that religion made on him as much as possible, did not wonder at *his silence* in his last minutes ; but *they lamented it much* : they knew what a handle it would give to censure and obloquy."\* The bishop's want of consistency and precision may, in this and in other instances, be referred, not so much to his loose style, as to his disingenuousness. The former is with him very frequently, if not habitually, a cover for the latter.

Several English writers, including king William's chief biographer, and two general historians of the time †, expatiate on his heroic fortitude and pious resignation at the approach of death ; the ease and cheerfulness with which he spoke to the lords of the council, and many other lords and gentlemen who were called in from the adjoining apartments, and who wept at his bed-side. There is reason to suspect that they wrote from imagination — either that of others or their own. It appears from bishop Burnet's narrative, as a personal witness, that the duke of Ormond was the only Englishman of whom he took leave ; that he thanked Auverquerque for his long and faithful services ; charged lord Albemarle with the care of his private papers ‡ ; called for lord Portland, upon whose coming he could only move his lips ; and placed the hand of

\* This inconsistency is noted by speaker Onslow. "How," he asks, "is this consistent with what the author has said just before, where his silence at this time is otherwise accounted for?" — Note in *Burnet*, iv. 561.

† Boyer's *Life of King William* ; Kennet, *Gen. Hist.* ; Tindall, *Contin. of Rapin*.

‡ The king gave him, according to Kennet, "the keys of his closet and scrutoire, telling him he knew what to do with 'em."

that attached and faithful favourite upon his heart. A foreign writer \*, whose information on this subject should be received doubtfully, asserts that the princess of Denmark and her husband were more than once refused admission to his presence by him in his last illness; and that the English were offended by his exclusive preference of his countrymen on his death-bed. A fact stated by the duchess of Marlborough is a complete excuse for his alleged refusal to see the princess, her husband, and even the English lords of his court. "My lord and lady Jersey's writing and sending," says she, "perpetually to give an account †, as his breath grew shorter and shorter, filled me with horror." ‡ The expression is somewhat violent for one already so familiar with human nature as it exists at court.

The courtiers in waiting were soon relieved from their suspense, the impatient successor from her longing, the king from all his pains. On Sunday, March the 8th, at eight in the morning, William III., the greatest prince of his time, and the greatest but one who has yet held sway in England, expired at Kensington, in the fifty-second year of his age. His body was ill constituted, and his health infirm from his birth,—resembling in this the cotemporary king Charles II. of Spain. But, as if to prove the independence of the intellectual and moral upon the physical in man, the life of William was active and illustrious as that of Charles was indolent and obscure. The immediate cause of his death was found in the wasted and diseased state of his lungs. § The brain and heart—those two organs with which it is common to associate thought and courage—were unimpaired.

Most princes, if born in the lowest condition of society, would not emerge from it — if stripped of the

\* Lamberti.

† To the princess, her mistress.

‡ Conduct of the Duchess of Marlborough, p. 129. The duchess's saying nothing of the request or refusal to see the king in his last moments, leaves the statement open to still more doubt.

§ It appears from his twenty-three years' correspondence with lord Portland, that he was troubled more or less during all that time with cough and headache; the latter, perhaps, produced by the former.

force and fascination which surround a throne, would sink to it. King William, born a simple citizen of the Dutch commonwealth, would have attained its highest honours in war or peace. Among English sovereigns, queen Elizabeth would be pronounced his equal by those only who forget that masculine genius in a woman is always magnified. Compared with Cromwell, he comes far behind the illustrious usurper in both the arts of war and government. Those upon whom gorgeous pomp passes for true grandeur, ostentatious patronage for kindred love of literature, science, and the arts, would call Louis XIV. the greater monarch, but all the world would acknowledge William III. the greater man. Louis owed the successes of his arms and his administration to the capacity of his generals and ministers; he had the merit of choosing, and the vanity to think he had that of forming them.\* William fought his battles in person, and displayed the courage of a soldier with the resources of a captain even in defeat.

No fair estimate can be formed of the domestic administration of one so thwarted by party, and so absorbed in foreign war; but whatever the merit, it was personally his.

It is a peculiarity, perhaps, unique in this prince, that the measure of his achievements exceeded that of his faculties. He appears to have possessed no higher quality or range of mind than judgment, foresight, circumspection, reserve—in short, profound good sense. He was a stranger to those electric impulses and inspirations which constitute or characterise genius in the popular acceptation of the term. His great superiority consisted in his impassive firmness of purpose and force of soul. By it he was enabled to pursue that grand mission which he proposed to himself at the threshold of manhood—to save Holland and dispute Europe with Louis XIV.

\* “J’ai formé votre père, et je vous formerais de même,” was his vain-glorious assurance to Barbesieux, the son of Louvois, on appointing him to succeed his father as minister.

His acquisition of the crown of England was but a passing enterprise in his career — a mere episode in his life.

The distinctive traits of king William's character are few and marked; and the transition from the brighter to the darker hues — from his strength to his weakness — is abrupt and unmitigated. No softening graces of imagination or sentiment, of endowment or accomplishment, intervene. His designs were vast and fearless as those of Richelieu; and his policy, like the cardinal's, knew not pity or remorse: like Richelieu, he overlooked in execution all minor considerations, — including that of humanity. There is even a remarkable coincidence of conduct between them on two similar occasions. Richelieu, whilst yet the young bishop of Luçon, received a letter apprising him of the plot to assassinate marshal D'Ancre, his friend; placed it under his pillow; consulted his ambition; and abandoned the marshal to his fate. William prince of Orange, in the twenty-first year of his age, refused the magistrates of the Hague the aid of a troop of horse from his camp; feasted with his favourites; and left the De Witts to be massacred by the populace and the preachers, who had just made him stadtholder.\*

King William further, without precedent or parallel, even in the administration of Richelieu, to pacify the Highlands, signed a warrant for the massacre of a Highland community.†

In examining the conduct of any personage of the first order, some distinctive vein will be found to run through his life and character. King William distrusted human virtue, contemned human nature, and knew not human sympathy. This made him at least negatively cruel.‡ It also made him indifferent to the virtue and

\* See Vol. VII. p. 109—111., and Basnage, as there referred to.

† The states or parliament of Scotland exculpated the king by a vote, which is regarded only as an outrage to truth, and a measure of their servility.

‡ "I was told in Holland," says lord Dartmouth, "of some instances in relation to the De Witts, and a sentinel that he suffered to be shot at the Hague, that showed a cruelty in his nature hardly to be paralleled."—Note in *Burnet*, iv. 561.

the principles of his ministers. He sought availably pliant instruments, not wise and honest counsellors; and doubtless expecting most pliancy where he knew least virtue, he preferred a Sunderland to a Somers. Religious toleration is an ennobling trait of his character. With his superior reason and enlarged views, he despised the bigotry which persecutes; yet he compounded with it for his ends so far, that religious intolerance in these countries to this day inscribes his name upon its banner. A prince of more generous philosophy would have pitied bigotry and abhorred persecution. He delivered England, it will be said, from the yoke of popery; and for this his memory is associated with glory and immortality. The extent or value of that deliverance is not a question here; but whatever its merit, the motive to it was ambition, and the ambition of king William was as selfish as it was vast. He loved power and disliked parliaments, like Charles or James; with this difference,—that he would exercise the former for high purposes, and that his superior prudence and his position made him capitulate with the latter.\* Whatever extensions or guarantees of public liberty passed in his reign were extorted from him. It has been observed with what reluctance he accepted the imperfect and vague articles of the declaration of rights. He never regarded England as his home. Holland never ceased to be his home and country. For Holland he made war and peace. He consulted the interests of England subordinately as those of a conquest or an appendage. His English counsellors were for

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The following note of lord Dartmouth on Burnet's character of king William affords some further illustrations:—

“He had a very ungraceful manner of laughing, which he seldom did unless he thought he had outwitted somebody, which pleased him beyond measure; therefore, when there was a direct way to what he aimed at, and another that was less so, he constantly chose the latter. He did not love to have any of a superior genius about him; which was remarkable in the low capacities of those that were most in his favour.”—*Burnet, Ibid.*

\* His MS. correspondence with lord Portland is full of expressions of his dislike of parliament, parties, and the nation itself. He complains of selfishness, faction, and caprice in every quarter, and doubtless indulged in still stronger expressions “de bouche” (his own phrase) to his countrymen and confidants.

the most part such only in name — mere executive ministers of his commands. He reserved all his secret and important counsels for his Dutch favourites and followers. His love of power and fame was so jealous and devouring, that he could not endure superior abilities about him. It was not till he found his health unequal to the approaching campaign — which he did not live to see — that he gave Marlborough a command worthy of him. His favourites were persons of moderate, if not mean, capacity. It is strange that he should have favourites,— one of the most common marks of a weak prince. But they did not govern him ; and if he squandered wealth and titles on them, his prodigality was at an expense not his own. He rewarded his devoted creatures with the domains of the crown, which he had no child to inherit — with Irish forfeitures and English peerages, which cost him nothing but parchment and his signature. His habitual reserve has been ascribed to profound policy and the habits or necessities of his early position ; but his silence was so morose, that it must have proceeded rather from constitutional sullenness of temper, coupled with a sort of electric repulsion between him and the nation, which had made him its king. His manners and demeanour in ordinary life were unengaging, if not rude ; and the same selfishness which characterised his ambition, is said to have been more undisguised in minor self-indulgences. He had not the politeness of good nature or of social convention.\* He spoke or wrote all the languages of Europe, but without

\* The following characteristic trait is recorded of him by the duchess of Marlborough : —

“ The king was indeed so ill-natured, and so little polished by education, that neither in great things nor in small had he the manners of a gentleman. I shall give you an instance of his worse than vulgar behaviour at his own table, when the princess dined with him : —

“ It was in the beginning of his reign, and when she was with child of the duke of Gloucester. There happened to be a plate of peas, the first that had been seen that year. The king, without offering the princess the least share of them, ate them every one up himself. Whether he offered any to the queen I cannot say ; but he might do that safely enough, for he knew she durst not touch them. The princess confessed, when she came home, she had so much mind to the peas that she was afraid to look at them, and yet could hardly keep her eyes off them.” — *Conduct of the Duchess of Marlborough*, 123.

grace or even correctness. His French letters to lord Portland are so grossly mis-spelt\*, as to prove him utterly illiterate. There is something vulgar in the cast of his thoughts as well as of his language; and writing in the confidence of friendship, he never, or but once, indulges the familiar tone and spontaneous effusion of a friend.† All is dryness and reserve. Even his disgusts with the English commons and the whigs do not make him unbosom himself in writing; he alludes to them with guarded vagueness, and reserves particulars to be communicated by word of mouth when they should meet. It is said that the current of his ideas and his blood rushed with force and freedom only in the heat of battle. He had no taste in wit, literature, science, or the arts. "I believe you were a major-general in France," was his compliment to St. Evremont, when that celebrated person was presented to him.‡ His chief personal tastes were hunting, gardening, and, lower still, upholstery. He instructs lord Portland in the same letter about the treaty of partition, damask furniture, and his preference of gold fringe to silver. It is a surprise, almost painful, to find a great prince discoursing frippery with his ambassador charged with the negotiation of a great treaty.

The foregoing view of the character of king William may appear unjust to those who know it only as blazoned with ideal perfection by the spirit of party. That spirit, above all, when it is essentially religious, would make an Antonine or a Trajan of a Tiberius or a Caligula; it succeeded through many centuries in making Julian a monster and Constantine a saint.

\* The writer of these pages has not seen the originals, but he has no reason to suspect the fidelity of the transcripts which he has seen.

† There is in every letter an express assurance of his friendship and affection for lord Portland; but so isolated and formal, that it might pass for mere words of course.

‡ Walpole's Anecdotes of Painters, &c.

## CHAP. IV.

1702.—1707.

ACCESSION OF QUEEN ANNE. — ASCENDANT OF MARLBOROUGH AND GODOLPHIN. — RETIREMENT OF ROCHESTER. — WAR OF SUCCESSION. — FIRST CAMPAIGN OF MARLBOROUGH. — CAPTURE OF VIGO. — NEW TORY PARLIAMENT. — OCCASIONAL CONFORMITY BILL. — DISPUTES OF THE TWO HOUSES. — SUCCESSES OF MARLBOROUGH. — FRAZER'S PLOT. — RESIGNATION OF NOTTINGHAM. — BATTLE OF BLENHEIM. — CAPTURE OF GIBRALTAR. — THIRD REJECTION OF THE OCCASIONAL CONFORMITY BILL. — HONOURS CONFERRED ON MARLBOROUGH. — THE AYLESBURY CASE. — CAMPAIGN IN FLANDERS — AND IN THE PENINSULA. — LORD PETERBOROUGH. — CAPTURE OF BARCELONA. — INCREASING INFLUENCE OF THE WHIGS. — THE "CHURCH CRY." — BATTLE OF RAMILIES. — CONSTERNATION OF THE FRENCH COURT. — PENINSULAR OPERATIONS. — FRENCH OVERTURES FOR PEACE. — THE UNION WITH SCOTLAND.

QUEEN ANNE came to the throne \* in the thirty-eighth year of her age. Her title to it was revolutionary; — but she was the favourite daughter of king James; she had secretly asked and obtained his forgiveness; her high church zeal knew no bounds; childless herself, it was expected that natural affection would induce her to favour the succession of her brother; — and the English jacobites remained quiet during her reign. †

That brief period of twelve years is radiant with the lustre of arms and statesmanship, and adorned with every

\* Bishop Burnet ran from Kensington to St. James's, and prostrated himself before her with the first news of king William's death. The base bishop had his deserts. He was deprived of his court apartments and chaplaincy by the queen, and laughed at by the public. — *Burnet*, v. 1. note.

† They even took the oaths of abjuration and recognition as enacted in the late reign; reconciling their consciences, according to bishop Burnet, to the words "rightful and lawful sovereign," in the sense only of a mere right by statute, which left the divine and indefeasible right of inheritance untouched, — a shallow pretence, but one of the many instances of the readiness with which scruples of conscience accommodate themselves to inclination and interest.



grace of fancy, wit, style, and taste in literature. European opinion has ranked the age of Anne with those of Augustus, of Leo X. and of Louis XIV.\* There is something strange in so much glory associated with a princess who was herself weak, bigoted, illiterate, and vulgar. Her very incapacities had a share in producing it. William, with his personal ability, jealous temper, and exclusive ambition, kept down the national genius in war, politics, and letters. The nullity of Anne left free scope to the superiority of Marlborough in the field and Godolphin in the cabinet; and if she wanted knowledge and taste in literature, the deficiency was supplied in her ministers. Somers was "the model of Addison, and the touchstone of Swift." † Harley loved and Bolingbroke cultivated letters with Swift and Pope. But this belongs to the literary history of that shining age. The age of Anne, however, is to be distinguished from her reign. The latter, partaking more of the weaknesses and vices of her ill-conditioned mind and character, exhibits genius and ambition debased by association with unseemly agencies and intrigues; — and these last, however grovelling, are among the materials of civil history which cannot be refused place.

The death of king William gave joy to France, and spread doubt and fear through the rest of Europe. It was apprehended that Anne, with her hatred of William and the whigs, would abandon the grand alliance. Three days after her accession, she assured both houses, from the throne, of her resolution to adopt the policy and alliances of the late king in defence of Europe against the exorbitant power of France. This is easily accounted for, and might have been anticipated. She had been for several years under the tutelage of lord and lady Marlborough, and her chief advisers now were lords Marlborough and Godolphin. They were reputed Tories, and affected this reputation with the queen; but

\* To suggest a parallel between the ages of Anne and Elizabeth, would be to touch the dispute of the day between the classic and romantic schools so called.

† Walpole's Catalogue, &c. art. "Somers."

they were men of too much capacity to be trammelled by the prejudices, too little scruple to be fettered by the other ties, of party. Marlborough, conscious of his genius, aspired to fame and fortune in the conduct of the war; Godolphin had for the first time a field for his ability and experience as a minister; they were united by a marriage of their children; and they consulted their ambition, if not their patriotism, in directing the queen.

Godolphin was advanced from the post of first commissioner to that of lord treasurer. Marlborough was appointed generalissimo of the English army at home and abroad, and minister plenipotentiary to the states general. The allies of the late king, particularly the Dutch, passed suddenly from consternation to joy and confidence. The states general rebuked a French *chargé d'affaires* who had presumed to compliment them on the return of their freedom by the death of king William, vindicated their late stadtholder with spirit and feeling, and gave the command of their forces to lord Marlborough. That lord had gone over for a few days to concert measures at the Hague.

Several tories were reinstated or brought into the administration. Lord Nottingham and sir Charles Hedges were again joint secretaries; lord Normanby was made lord privy seal; lord Rochester, the queen's uncle, was continued lord lieutenant of Ireland, with leave of absence so as to attend the council in England. Prince George of Denmark was named lord high admiral. Unambitious and incapable, he contented himself with the salary, and left the power and patronage of his office to be exercised by admiral Churchill, brother of lord Marlborough. That lord, commanding the army in person, having at his disposal the navy and the treasury through his brother and lord Godolphin, constantly observing and directing the queen by means of his wife, was master of the resources of the nation and the powers of the crown far more than the late king,—with the further advantage of a superior genius in war. To extend the basis of the

ministry or conciliate the whigs, the dukes of Devonshire and Somerset were appointed, the one lord steward, the other president of the council.

The tories, if Marlborough and Godolphin be counted such, had a decisive ascendant. But the two chiefs were tories only in name, without which queen Anne would have shrunk from them \*, and they gave the government a whig direction. Hence a schism soon appeared in the cabinet. Lord Rochester and his friends would embark England in the war only as an auxiliary: lord Marlborough urged that the national honour was pledged to the engagements of the late king, and that England must be a principal, to make head effectually against France. He was supported strenuously by the dukes of Devonshire and Somerset; a majority of the council declared for him; and, on the 4th of May†, war was declared against France.

Lord Rochester retired from the council to his country house in disgust; received orders after some months to proceed to Ireland; declared that he would not go “if the queen gave him the countrey‡;” resigned his offices; and was succeeded as lord lieutenant by the duke of Ormond. He had made compliances to Charles’s tyranny and mistresses; to James’s tyranny, popery, mistresses, and hireling dependence on France; to William and Mary, after they were once firmly seated on the throne; but he never faltered in making profession of high church orthodoxy, and he now retired with the reputation of a virtuous and venerable patriot.

The queen, in her answer to the address of the bishops and clergy, assured them of her reverential attachment to the church; and in her reply to that of the dissenters, assured them of her protection. In her first speech to both houses, she told them “that her heart was entirely English,” and “they should always find her a strict and religious observer of her word.” These expressions

\* Conduct of the Duchess of Marlborough, 135.

† 15th, new style.

‡ Conduct of the Duchess of Marlborough, 153.

gave offence, as indirect reflections on king William. That prince's heart was not entirely, or at all, English, but in good faith he was at least equal to queen Anne. When he violated his faith, it was for some high purpose of ambition or statesmanship; whilst she broke hers (above pledged to the dissenters) in the schism and occasional conformity bills, out of narrow bigotry. The friends of the deceased king bore the insult to him with exemplary forbearance; the commons voted the queen for life her predecessor's civil list of 700,000*l.* a year, of which she assigned 100,000*l.*, with politic generosity, to the public service; a rumour, that king William designed to "set her aside," upon her refusal to produce a letter which she had received from her father, was voted false and scandalous; several pamphlets no longer worth notice, and a 30th of January sermon\*, were voted scandalous or consigned to the flames; and on the 25th of May, parliament was prorogued, in the most auspicious temper, by the queen in person, to the 7th of July.

The allies took the field early, and obtained their first advantages south of the Alps. Prince Eugene had entered Italy, and passed the Trent with 30,000 men, unopposed by the French marshal Catinat; and, after a partial affair at Carpi, forced that marshal to retire upon the Oglio. Louis XIV. sent marshal Villeroi to take the command from Catinat, and repair the honour of the French arms. That marshal, a better courtier than captain, attacked prince Eugene in his position at Chiari,

\* The preacher was doctor Binkes, a well-endowed dignitary of the church, who recommended himself to the new queen for a mitre, by a parallel between the death and character of Christ and of Charles I.—to the advantage of the latter. The following is a specimen of this revolting piece of indecent rhetoric and audacious hypocrisy:—

"If, with respect to the dignity of the person, to have been born king of the Jews was what ought to have screened our Saviour from violence, here is also one, not only born to a crown, but actually possessed of it. He was not only called king by some, and at the same time derided by others for being so called, but he was acknowledged by all to be a king: he was not just dressed up for an hour or two in 'purple robes,' and saluted with a 'hail king,' but the usual ornaments of majesty were his customary apparel; his subjects owned him to be their king; and yet they brought him before a tribunal, they judged him, they condemned him; and, that they might not be wanting in anything to set him at naught, they spat upon him, and treated him with the utmost contempt."—*Parl. Hist.* vi. 23.

on the Oglio, and was repulsed with disgrace as well as loss. His disgrace was completed in the gallant and memorable, though momentary, capture of Cremona, by prince Eugene, in the following February. A monk introduced 400 Austrians, by a secret passage through his house, into the city at midnight, whilst Villeroy and the Spanish governor lay securely in their beds. The party thus introduced opened the gates to the prince and about 4000 men. Villeroy, roused from his sleep by the discharge of musketry, of which he knew not the cause, had no sooner mounted his horse than he was seized and carried off by a party of imperialists, still ignorant and confounded by the event. The brave resistance of two Irish regiments\*, which gave the whole garrison time to rally, the accident of an early parade of a French corps of marines, and the no less accidental failure of a reinforcement which the prince expected from his main army across the Po, saved the town. Prince Eugene, overpowered by numbers, retired from Cremona, after several hours' fighting, with marshal Villeroy his prisoner.† The duke of Vendôme was now more worthily opposed to prince Eugene, and disputed with him the palm of valour, skill, and victory, in the battle of Luzzara, — the last important operation of the campaign in Italy.

The campaign opened late in the Low Countries, owing, doubtless, to the death of king William. The elector of Bavaria, and his brother the elector of Cologne, took part with France. About the middle of April, the prince of Nassau-Saarbruck invested Keyserwerth, a place belonging to the latter elector, on the Rhine; whilst lord Athlone, with the Dutch army, covered the siege, in pursuance of the advice of lord Marlborough to

\* Voltaire, *ut infra*.

† Voltaire, *Siècle de Louis XIV.* chapitre xviii. The following stanza on the mishap of Villeroy, sung at Paris, and even at Versailles, is a curious instance of that liberty of ballad-singing (*vaudevilles*) which was said to limit or temper the monarchy of France: —

“ Français, rendez grace à Bellone ;  
 Votre bonheur est sans égal ;  
 Vous avez conservé Crémone,  
 Et perdu votre général.”

the states.\* The place was strong ; the French marshal Boufflers made efforts to relieve it ; after a vigorous defence, it was carried by assault, with dreadful carnage, about the middle of June. Boufflers, unable to relieve Keyserwerth, made a rapid march to throw himself between Athlone and Nimeguen, with the view to carry that place by surprise ; was defeated by a forced and still more rapid march of the Dutch, under Athlone, to cover it ; and moved upon Cleves, laying the country waste with wanton barbarity along his line of march.

Marlborough now arrived to take the command in chief. † It was disputed with him by Athlone †, who owed his military rank and the honours of the peerage to the favour of king William. Certain representatives of the states, who attended the army under the name of field deputies, thwarted him by their caution and incompetency ; the Prussian and Hanoverian contingents refused to move without the orders of their respective sovereigns. Lord Marlborough, with admirable temper and adroitness, and, doubtless, with the ascendant of his genius, surmounted all these obstacles. The Dutch general cheerfully served under him ‡ ; the confederates were reconciled to his orders ; he crossed the Meuse in pursuit of the French ; came within a few leagues of Bouffler's lines ; and, addressing the Dutch field deputies who accompanied him, said, in a tone of easy confidence, " I will now rid you of these troublesome neighbours." Boufflers accordingly retreated, — abandoning Spanish Guelderland, and exposing Venloo, Ruremonde, and even Liège, which he had made a demonstration to cover.§

The young duke of Burgundy, grandson of Louis XIV., and elder brother of the king of Spain, had com-

\* Mém. de Feuquières.

† The Dutch general Ginckel, who commanded in Ireland after king William.

‡ It is stated in Tindal's Continuation, which is entitled to much credit, from the fact long known of its being chiefly written by Dr. Birch, that Athlone, at the end of the campaign, had the candour to acknowledge his opposition to Marlborough's designs, all of which had proved successful.

§ Mém. de M. de Feuquières. Siècle de Louis XIV. Cox's Marlborough.

manded the French army in name. He now returned to Versailles; and Boufflers could only look on, whilst Marlborough successively captured Venloo, Ruremonde, and Liège. The navigation of the Meuse and communication with Maestricht was now wholly free; the Dutch frontier was secure; and the campaign terminated with the close of October.

Marlborough never lost his superiority for a moment; he never appears to have made a false step. The peremptory refusal of the field deputies alone prevented his attacking, and probably crushing, Boufflers on a particular occasion \*; — but a detail of military operations, however admirable †, would here be out of place, and it will suffice to state that his first campaign made his name and genius feared in France and famed through Europe.

In the beginning of November he ordered the army into winter quarters, and narrowly escaped capture whilst passing at night down the Meuse in an open boat, on his way to England. His escort of dragoons along the bank lost its way in the dark; a band of freebooters, from a neighbouring French garrison, espying the boat, drew it ashore by the towing rope; overpowered the few guards and watermen; seized all on board; and demanded their passes. Lord Marlborough alone was unprovided, but either recollected that he had an old passport of his brother general Churchill, or received it from a prompt and faithful servant. He presented it to the captors; and they, too careless in examining it, or intent only on plunder, robbed him of his money, and allowed him to proceed.‡ After passing two days at the Hague, he returned to England, where he was received with honours and enthusiasm by the queen, the parliament, and the nation.

An expedition to the coast of Spain, ill projected,

\* Mém. de M. de Feuquières. Mém. de Mar. Duc de Berwick, *sub an.* 1702.

† “Il fit voir,” says Voltaire (*Siècle de Louis XIV.*), “qu’il avoit appris l’art de la guerre sous Turenne.”

‡ Burnet, v. 31, &c. Cox’s Marlborough.

and worse executed \*, was redeemed by one signal success. Sir George Rooke and the duke of Ormond left St. Helen's with a fleet of fifty sail, having on board 13,000 troops, and anchored before Cadiz on the 12th of August. The duke of Ormond summoned the Spanish governor to surrender to the allies of the house of Austria †, received a brief refusal, urged an immediate attack upon the Isla, and was over-ruled by Rooke and the majority of a council of war. Several days were lost; and the Spaniards meanwhile removed their property, and strengthened their defences. A body of troops landed at the point called Port St. Mary's, thought more of pillage than of victory, gave loose to insubordination and excess, and was re-imbarked in disgrace.

The fleet, on its way to England, received notice that the Spanish American fleet, with a strong convoy and vast treasure, had put into Vigo. It was resolved to encounter every difficulty for this great prize. The duke of Ormond landed about 2000 men, carried by assault a battery of 40 guns at the entrance of the port, and hoisted the British flag from the top of the castle. Admiral Hopson forced the boom across the bay, and was followed by the rest of the fleet, under a tremendous fire from the enemies' ships and remaining batteries. A furious conflict ensued both on the sea and land sides. The enemy at last, having secured the greater part of the treasure on board, sank or set fire to several of their ships in despair, and left the remainder a prize to the conquerors. These took ten ships of war and several galleons, and brought away the value of seven millions of pieces of eight in specie and merchandise; whilst eight ships of war and six galleons, with fourteen millions worth of plate and merchandise, were either sunk or burned. Sir Cloudesley Shovel, who had been with his squadron looking out for the plate fleet, joined sir George Rooke, and remained behind to dis-

\* Burnet, v. 44.

† The archduke Charles was not declared king of Spain until November in the following year.



mantle the fortress and bring home the prizes, whilst the latter proceeded in triumph to England.

At the same period the British navy was dishonoured, and the brave admiral Benbow, whose name is popular in the lyrics as well as the annals of British seamen, sacrificed by the treachery of his captains in the West Indies. Disgusted, it is said, with his rude and boisterous demeanour, they conspired to desert him on the first occasion; and for the most part abandoned him in an engagement with a French squadron commanded by admiral Du Casse\*, off the South American coast of Santa Martha. His leg was shattered, and he was wounded in the arm and face, but survived long enough to bring his captains to court-martial at Jamaica. Two of them were shot on their return to England; and the admiral died of vexation, fever, and his wounds.

The parliament, which stood prorogued to the 7th, was dissolved on the 2d of July, and a new parliament assembled on the 20th of October. The whigs were reproached with selfishness and faction; they had lost their popularity; the queen's bias to the tories was well known; and the constituencies, between their discontent with the whigs and servility to the crown †, returned a house of commons decidedly tory. Harley was again chosen speaker. The queen addressed both houses in a tory and high church strain. The commons, in their address, not only thanked her for the prospect of seeing the church restored to its privileges, and its enemies disabled; but congratulated her on the fact that "her majesty's arms, under the conduct of the earl of Marlborough, had signally *retrieved* the ancient honour and glory of the English nation." The whigs and dissenters were alarmed at the allusions to the church without any mention of toleration, but there was not

\* The French admiral, after the battle, which was renewed through three days, addressed the following note to Benbow:—

"SIR, — I had little hope on Monday last, but to have supped in your cabin; but it pleased God to order it otherwise. I am thankful for it. As for those cowardly captains who deserted you, hang them up; for by God they deserve it. Yours, DU CASSE."

† Burnet, v. 45.

a murmur of opposition in the house ; the term “retrieved,” which was a second and less warranted reflection on king William\*, produced a debate. The word “maintained,” which it was proposed to substitute, was rejected by a large majority. The commons manifested their tory bias still more shamefully in cases of controverted elections — especially in that of How, declared duly elected for Gloucestershire without a shadow of right.†

The occasional conformity bill was next introduced. It professed to be a bill to prevent hypocrisy in religion, and consequent danger to the church ; it was in reality an attempt to nullify the Toleration Act, and give the church of England a more stringent monopoly.‡ This bill passed the house of commons by a sweeping majority, but was ill received and materially altered by the lords. Both houses could not agree, and it was dropped. The queen’s heart appeared set upon it. Her ministers, her favourite courtiers, and her husband, — an occasional conformist§, but treated by her as her first domestic, — voted for it || ; Tenison, Burnet, and other prelates, to their honour, opposed it.

\* Walsh, a member of this parliament, has in allusion to it the following distich in his burlesque eclogue, “The Golden Age :” —

“ Commanders shall be praised at William’s cost,  
And honour be retrieved before ’t is lost.”

† The speaker Onslow has recorded his opinion in the following note on Burnet, v. 48. : —

“ By a great and shameful majority. The petition complained of the sheriff’s granting a scrutiny (which I think he might do, however hazardous to himself, perhaps ought to do, when properly demanded, and the matter feasible) ; but it complained also of the election and return ; and without entering at all into the merits of the election, and the counsel being withdrawn upon the point of the scrutiny only, How was voted duly elected. It was at the motion of sir Simon (afterwards lord) Harcourt, [who] was often reproached with it to his face : but he was a man without shame, although very able.

‡ Cond. of Duchess of Marlborough, 151.

§ “ He received the sacrament,” says Burnet, “ as lord high admiral, yet kept his chapel in the Lutheran way ; so that he was an occasional communicant.”

|| It is said that this “ impertinent bill,” so described by lord Dartmouth, was provoked by sir Humphry Edwin’s going to a meeting-house as lord mayor, with the city sword — (Note in *Burnet*, v. 49.) ; which is pleasantly touched by Swift, in his “ Tale of a Tub,” at the close of the following burlesque summary of the history of the dissenters before, during, and after the revolution.

“ I can only assure thee, courteous reader, for both our comforts, that my concern is altogether equal to thine, for my unhappiness in losing, or

Lord Marlborough, on his return, received the compliments of the commons by deputation, and was created a duke by the queen, with a pension of 5000*l.* a year for his life, charged on the post-office. These honours were premature; and if his career had then stopped, they might be taxed with favouritism and excess. The queen further desired the commons, by message, to settle the pension upon his heirs. It was received first with silent amazement, next with expressions of disgust. The duke's services were allowed, but with the addition that they were amply paid with the emoluments already received by his wife and himself. The message was withdrawn by the queen expressly at his request; but it was understood that he never after forgave the tories, who were the most strenuous opponents of the grant.\*

1703. The states general, alarmed by the preparations of the king of France for the ensuing campaign, solicited the queen to increase her contingent by 10,000 men. This request was backed by the duke of Marlborough, with whom it had doubtless been concerted at the Hague. It was readily agreed to by the commons, but with the important condition annexed by both houses, that the Dutch should no longer carry on any correspondence, trade, or commerce with France or Spain. The unscrupulous trading spirit of the Dutch was handled,

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mislaying among my papers, the remaining part of these Memoirs; which consisted of accidents, turns, and adventures, both new, agreeable, and surprising; and therefore calculated in all due points to the delicate taste of this our noble age. But alas! with my utmost endeavours, I have been able only to retain a few of the heads. Under which there was a full account, how *Peter* got a *protection* out of the *King's Bench*; and of a reconciliation between *Jack* and him, upon a design they had in a certain *rainy night*, to trepan brother *Martin* into a *spunging-house*, and there strip him to the skin. How *Martin*, with much ado, showed them both a fair pair of heels. How a *new warrant* came out against *Peter*; upon which how *Jack* left him in the lurch, *stole his protection*, and made use of it himself. How *Jack's* tatters came into fashion in *court* and *city*; how he got upon a *great horse* and eat *custard*."

The following note is appended to the close of this passage:—

"Sir Humphry Edwyn, a presbyterian, was some years ago lord mayor of London, and had the insolence to go in his formalities to a conventicle, with the ensigns of his office.

"Custard is a famous dish at a lord mayor's feast."

\* The duchess says (Conduct, &c. 137.) she began very early to incline the queen to the whigs. It was said in one of the tory pamphlets of the day, that "the queen appeared disposed to give one duke (Marlborough) all the gold which another duke (Ormond) had brought from Vigo."

during the debate, with coarse severity\* ; but they accepted the condition, and most probably evaded it.

The committee of public accounts criminated lord Ranelagh as paymaster of the army, and lord Halifax as auditor of the exchequer. Lord Ranelagh was a member of the house: he was expelled, and he resigned his place. The lords passed a resolution vindicating lord Halifax. This produced a violent collision between the lords and commons, the latter denying the competency of the former to pass a vote of acquittal in a matter of public accounts investigated before the house of commons. Both houses ordered that their proceedings should be printed. The queen somewhat abruptly terminated the dispute and the session on the 27th of February, when she prorogued the parliament to the 22d of April, from which day it was successively prorogued to the 9th of November.

The duke of Marlborough resumed his command in the Low Countries about the middle of spring. He found the French strong and menacing on every side. Marshal Villars had, like Marlborough, fixed the attention of Europe for the first time in the late campaign. He obtained a splendid victory over the prince of Baden at Fredlingen, near the Black Forest. That prince lost 3000 men, his cannon and the field; but *Te Deum* was nevertheless sung at Vienna as well as at Paris. Villars opened this year's campaign by taking Kelh, passed through the Black Forest into Bavaria, and formed a junction with the elector; whilst the prince of Baden was kept in check by a French army under marshal Tallard.

The elector had been victorious on his side. After defeating the imperialists at Scarding, he took possession of the imperial city of Ratisbon, whilst the diet was assembled there to consult his ruin. The imperial general, count Styrum, was now moving to join the prince of Baden with 20,000 men. Villars persuaded the elector to cross the Danube and prevent this junc-

\* Burnet, v. 48, 49.

tion; attacked the imperialists in the plain of Hochstadt near Donawert; and put them to the rout. The capture of Augsburg followed: the road was open to Vienna, and the emperor thought of abandoning the capital. His consternation was heightened by marshal Tallard's capture of Landau, and defeat of the prince of Hesse at Spire. Happily for the allies, the elector requested the court of France to relieve him from the superiority of Villars, and that able captain was recalled to perform the unworthy service of reducing the insurgent fanatics of the Cevennes.

Holland was once more threatened on her frontier. Marshal Villeroy, liberated by exchange, was again at the head of an army, and, in conjunction with Boufflers, commenced operations for recovering the ground and the strong places from which Marlborough had dislodged the French on the Meuse.

The campaign had opened at this point of the theatre of war with the capture of Rheinberg. It was taken by the Prussians before the duke of Marlborough arrived. The duke's first operation was the capture of Bonne. He returned to the main army with the view to engage the French under Villeroy. That marshal abandoned his camp, and retired within his lines of defence on the approach of the English general. Marlborough was prevented from attacking the French by the reluctance of the Dutch generals and the positive prohibition of the Dutch field deputies. In such cases, it would be for the most part vain to judge by any criterion but the result; but here expert genius was controlled by inexperience and mediocrity. The only fruit of Marlborough's movement was the easy capture of Huy. Boufflers obtained the slight advantage of surprising and defeating the Dutch general Opdam near Antwerp. Marlborough, still embarrassed by the Dutch field deputies, to whose good intentions and limited views he bowed with a facility which only proves the extent of his superiority, closed the campaign with the acquisition of Limburg and Gueldres. After a visit

from the archduke Charles, now styled Charles III. of Spain\*, he distributed the army in their cantonments for the winter, and returned to England. That prince also visited England during the winter, but left no traces of his presence which merit particular notice.

Parliament met on the 9th of November. Five new peers were created during the vacation, to turn the scale in the lords and bear upon that of the commons. These were John Granville, lord Granville; Heneage Finch, lord Guernsey; John Leveson Gower, lord Gower; Francis Seymour Conway, lord Conway; and John Hervey, lord Hervey. The last campaign was on the whole indecisive: but the allies had detached the king of Portugal and duke of Savoy† from the French king.

The tone of the queen, in her speech from the throne, was warlike and decisive. She avowed for the first time the purpose to make the conquest of the throne of Spain for the house of Austria. The commons appeared to be in the same temper, and voted with readiness the necessary supplies for 58,000 troops to serve abroad, and 40,000 men, sailors and marines, for the navy.

Her recommendation of peace and union among her subjects had less effect. One of the first measures introduced was the Occasional Conformity Bill, somewhat mitigated, but still vexatious. It was carried through the house of commons triumphantly, on the old pretence that the hypocrisy of the dissenters endangered the church; but with the same party views of rendering all who opposed it odious, as the church's enemies, to the queen "its nursing mother."‡ Marlborough, Godolphin,

\* This prince took off his sword and presented it to the duke of Marlborough, observing that he hoped the duke would not value it the less for its having been worn one day by a poor prince, who had nothing but his sword and his mantle. Such is the story recorded, but phrases of this sort are always, to say the least, apocryphal.

† He was father-in-law of Philip, king of Spain, and the duke of Burgundy, but a prince who never consulted any thing but his interest.

‡ Conduct of Duchess of Marlborough, &c. 149. The word "church," says the duchess, "had never any charm for me in the mouths of those who made the most noise with it; for I could not perceive that they gave any other distinguishing proof of their regard for the thing than a frequent use of the word, like a spell to enchant weak minds; and a perse-

and the queen herself, deprecated the introduction of it, but the queen's bigotry prompted her to wish secretly that it should succeed.\* Even Marlborough and Godolphin voted for it, from the fear of a direct breach with the tories and the high church. Whiggism, moderate toryism, and the influence, it is said †, of the court, prevailed in the house of lords, who negatived it by a majority of twelve.‡

An affair called "Fraser's Plot" wasted a considerable portion of the session, and produced disputes between the lords and commons. Fraser of Lovat, executed for treason many years after in England, combined the worst arts and vices of savage and civilised life. He carried off by force the sister of lord Athol, was outlawed, fled to France, insinuated himself into the confidence of the court of St. Germain, and returned to Scotland to raise the Highlanders. He betrayed those who trusted him, compromised his enemy Athol by a pretended letter to him from queen Mary d'Este, was sent up to London as an informer by Queensbury, went thence to Paris as a spy, and, on his arrival, was thrown into the Bastille upon the knowledge or suspicion of his treachery.

The discovery of the plot was communicated to both

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cutting zeal against dissenters, and against those real friends of the church who would not admit that persecution was agreeable to its doctrine. And as to state affairs, many of these churchmen seemed to me to have no fixed principles at all."

\* She avowed this to the duchess of Marlborough (Ibid. 166.), and volunteered rather suspiciously a disclaimer of having received any suggestions in its favour from lord Nottingham.

† Tindal, Continuation, *sub ann.* 1703.

‡ Parl. Hist. vi. 168, &c., where see list of peers who voted for and against.

Burnet, again its chief opponent, made a curious avowal of his want of bigotry or of scruple. "I myself," says he, "was an occasional conformist in Geneva and Holland." Sir John Packington, the mover of it in the house of commons, spoke as follows of the archbishop of Canterbury and other prelates, who resisted it:—

"I did wonder to hear so many bishops against this bill, but that wonder ceased when I considered whom they owed their preferment to. The archbishop of C——y, I think, was promoted to that see by my lord S——d's interest; and being asked what reasons he had against this bill, replied, he had not well considered the bill, but that my lord S——d told him it ought not to pass. This was a very weighty reason for the head of our church to give; and yet, I dare say, none of the rest of them could give a better." — *Parl. Hist.* vi. 154.

houses by the queen in person. It was treated with indifference, if not contempt, by the house of commons, and taken up very eagerly by the lords. The latter appointed a committee of inquiry, which proceeded to examine several persons taken up on suspicion. The house of commons, in an address to the queen, remonstrated against the procedure of the lords, who, they said, had wrested several persons out of her majesty's hands, in violation of the known laws of the land and prerogative of the crown. A war of pleadings, in the form of memorials to the queen, followed, but has left no trace; and, in short, like the plot itself, led to nothing. The affair appears to have been really insignificant; 1704. but the whigs, who had the ascendant in the house of lords, magnified it, as the means of bringing suspicion and odium on the tories as jacobites; whilst the tories, whose strength lay in the house of commons, would have made light of it were it more serious. Both viewed and treated it unscrupulously with a reference to party ambition and interests. This abuse is peculiar to a country of which the administration is subjected to institutions and to the opinion of the people. It is a tax upon free government which freedom can afford to pay.

The memorials or pleadings of the lords in this and some other collisions between the two houses in this reign are models in their kind. They were for the most part drawn up by lord Somers. It is only to be regretted that so many excellencies of style and reasoning should be wasted upon matter so transitory.\*

The queen signalised her birth-day this year by a measure which rendered her justly popular. She sent a message to both houses signifying her wish to assign the revenue arising to the crown from the tenths and first fruits, for increasing the incomes of the poorer clergy. A bill sanctioning the alienation of this revenue was accordingly brought in and carried with universal applause. It also created a board for carrying the objects of the bill into effect, and repealed the statute of

\* See Parl. Hist. vi. 176. *et seq.* Burne 136.



mortmain as affecting them. At the time the amount was but 17,000*l.* a year, but it has since greatly increased under the name of Queen Anne's Bounty.\* On the 3d of April the session was brought to a close.

Lord Nottingham, — disappointed of the Occasional Conformity Bill ; disgusted or alarmed by the charge of attempting to extenuate the Scotch plot, brought against him by some whig lords ; and unable to obtain from the queen the dismissal of the dukes of Somerset and Devonshire from the council, — resigned his office whilst the parliament still sat. His successor was Harley, appointed through the influence of the duke of Marlborough† ; and at the same time St. John, afterwards lord Bolingbroke, was made secretary at war.

In the beginning of this year the emperor, threatened by the French and Bavarians in the very capital of the empire, implored aid from the queen ; and, on the 19th of April, the duke of Marlborough left England to enter upon a campaign memorable for that victory of Blenheim, which eclipsed the victories of Crecy and Agincourt, — to be eclipsed in its turn by another, fought with at least equal valour, and resplendent with incomparably more of personal genius and imperishable renown on the side of the victorious and the vanquished. On his arrival at the Hague, he proposed to the states general to alarm France for her frontier by a movement on the Moselle. Their consent even to this slight hazard for their own security, was not easily obtained.

\* Lord Dartmouth, a tory, has made the following note on Burnet's account of the institution of this fund : —

“ We hear much of the poverty of some, but nothing of the wealth of others ; but take it in the whole, and no Christian church has a better provision. If the lands belonging to deans and chapters, who are of no more use either to the church or state than abbots and monks, were divided amongst the poor clergy in every diocese, there would be no just cause of complaint ; unless that bishops' daughters would not go off so well as they do now with a good sinecure. And if bishops themselves were brought to an equality of revenue as well as function, it would prevent the great scandal given by commendams and translations, that are daily increasing. But it is to be hoped that the legislature will think proper (some time or other) to put them under a better regulation.” — *Burnet*, v. 120.

† Conduct of the Duchess of Marlborough, 208. Harley continued speaker, notwithstanding his appointment. — Note of speaker Onslow, in *Burnet*, v. 142.

Villeroi, who commanded in Flanders, soon lost sight of him ; so rapid, or so well masked were his movements ; Tallard, who commanded on the Moselle, thought only of protecting the frontier of France ; and Marlborough, to the amazement of Europe, whether enemies or allies, passed in rapid succession the Rhine, the Maine, and the Necker. Intercepted letters, and a courier from the prince of Baden, apprised him that the French were about to join the Bavarians through the defiles of the Black Forest, and march upon Vienna. He now threw off the mask, sent a courier to the states, acquainting them that he was marching to the succour of the empire by order of the queen of England, and trusted they would permit their troops to share the glory of his enterprise.

The pensionary Heinsius alone was in his confidence ; and the states, though taken by surprise, conveyed to him their sanction and confidence with the best grace. He met prince Eugene for the first time at Mindlesheim. Marlborough and Eugene are henceforth associated in the career of war and victory. Nothing need be said here of the former ; and there is but too much in his history which it would be a pleasure to forget. Prince Eugene of Savoy has been called with some show of reason a Frenchman. He was born in France ; he was brought up there ; his father was the comte de Soissons, and his mother, Olympia Mancini, one of the celebrated nieces of Mazarin. He lived in Paris first with the title of chevalier de Carignan, next with that of abbé de Savoie, and in both characters attracted notice — at least from the vulgar in judgment, not in rank — only for dissipation and frivolity. Louis XIV. refused him a regiment, according to some ; a company, according to others ; and he entered the service of the emperor in disgust. “ Have I not suffered a great loss ? ” said Louis to his courtiers ; and they responded assent in the conventional tone of court mockery. Eugene avenged himself, first, by the lustre of his reputation whilst engaged against the Turks ; next, by

arresting the arms and the ambition of the king of France. The prince of Baden soon joined them, and they marched upon the Danube.

The Bavarians and French, about 16,000, under the command of general D'Arcos, were strongly posted at Schellingberg, near Donawerst, on that river. Marlborough, with about 10,000 infantry and thirty squadrons of cavalry — select troops — advanced to attack the Gallo-Bavarian lines. His movement was taken for a mere reconnoissance. It was not till his cannon came into full play that the enemy was undeceived. The English columns charged the intrenchments with the coolest valour, under a dreadful fire. Repulsed several times, they returned to the attack with fresh ardour. The cavalry came to their relief, dismounted, and advanced on foot, sword in hand, upon the lines. The carnage was now terrible, and the issue doubtful, when the prince of Baden came up with the main body and turned the enemy's left. In a few minutes from this, and after only two hours' fighting from the first onset, the rout was complete. Of the whole force defeated, little more than a third reached the main army of the elector. Marlborough's loss was considerable, but the victory was brilliant, and the passage of the Danube was opened by it. He took Donawerst, passed the river, laid Bavaria under contribution, and ravaged the country the more mercilessly from having been amused by the elector with a show of negotiation.

The position of the elector was now critical, and marshal Tallard advanced to his relief from the Rhine. At the same time prince Eugene moved in a parallel line to form a junction with Marlborough. The prince of Baden, from jealousy or pride, was found unmanageable: he was therefore detached to invest Ingoldstadt.

Marlborough and Eugene, with about 52,000 men, were now on the eve of battle with about 60,000 Bavarians and French, under the command of the elector, and the two French marshals, Marsin and Tallard. On

the morning of the 13th of August those celebrated captains led out the confederate army against the Gallo-Bavarians. The latter were strongly posted on high ground near Hockstedt, with the village of Blenheim and the Danube on their right ; the village of Lutzingen and its woods on the left ; and a rivulet in front. Marlborough advanced with the British to the attack of Blenheim, their strongest post ; passed the rivulet in front, chiefly by means of fascines ; made repeated attacks upon the village ; and was repulsed with great carnage. So close and eager was the combat, that the English and French officers crossed swords through the palisades. He abandoned the hope of carrying the defences ; manœuvred so as to cut off all communication between Blenheim and the enemy's right wing, which that post was intended to cover ; and bore down with his main force upon that wing commanded by marshal Tallard.

Marlborough was engaged a full hour with Tallard on the right, before the conflict began between Eugene and the elector and Marsin on the left. The French right gave way — was put to the rout — and the French marshal himself made prisoner, after having seen his son killed by his side. The 12,000 men posted in the village of Blenheim surrendered at discretion ; the left wing, under the elector and Marsin, after having thrice repulsed Eugene, gave way, and the rout became general. The loss of the enemy is admitted by the French to have been 40,000\*, killed during the battle and the rout, or drowned in the Danube. The French army of Germany was annihilated ; the elector of Bavaria was dispossessed of his dominions ; the empire was saved, and not for the first time, by foreign valour. The loss of the confederates was about 12,000 killed and wounded.

This victory covered the duke of Marlborough with glory : the emperor made him a prince of the empire ; and he had, it is said, the weakness to affect the state

\* Voltaire, Siècle de Louis XIV.

of a German petty highness.\* This famous battle is called by the Germans from Plentheim, by the French from Hockstedt, by the English from Blenheim. It overwhelmed the French nation as well as the court. No one, at first, could resolve to be the bearer of the news to Louis XIV. ; at length, the task was undertaken by madame de Maintenon, who began by telling him he was no longer invincible. He knew this before, only not to the same extent.

The elector of Bavaria, with about 20,000 men, abandoned his dominions to the conquerer, and scarcely stopped until he joined Villeroy in Flanders. He met, it is said, on his way, his equally unfortunate brother, the elector of Cologne, and their meeting was one of sorrow and tears. The whole region from the Danube was at the mercy of the allies. The campaign was closed with the conquest of Landau and Traerbach.

The arms of the queen of England were more than commonly successful at sea, in this year. Sir George Rooke, who commanded in the Mediterranean, appeared before Barcelona and summoned the governor in the name of Charles III., king of Spain : the governor answered with a Spanish defiance : the English admiral, who had counted in vain on a favourable disposition in that city to the house of Austria, did not even bombard it, and proceeded, according to his orders, to protect Nice, menaced by the French. Finding Nice in no danger, he bore upon Lisbon, met sir Cloudesley Shovel in his way, and concerted with him an attempt by surprise upon Gibraltar. After a previous cannonade of some hours, a body of troops was landed ; these stormed a redoubt half way between the town and the mole ; the governor of a fortress deemed impregnable surrendered ; and Gibraltar was occupied in the name of the queen of England.

Rooke next sailed into the Mediterranean, and met a French fleet of fifty sail of the line under the comte de Toulouse. His squadron was combined of English and

\* Burnet, v. 149. note.

Dutch, but still of inferior force to the enemy. A council of war was held, and the result was a resolution to engage. The battle raged from ten o'clock in the morning till sunset. No vessel, however, was sunk or taken on either side, but the loss of lives was severe — that of the combined fleet being about 3000, whilst the French loss must have been still greater, estimating it by their having had 200 officers slain. The French bore away for Toulon unmolested, from the want of ammunition, as well as the disabled state of several of Rooke's ships. Victory appears to have been doubtful — it may be called a drawn battle; yet the Tories, it will be found, now more incensed against the duke of Marlborough than against the avowed Whigs, had the malice and effrontery to couple the name of Rooke and the battle of Malaga with that of Marlborough and the battle of Blenheim.

A confederate force, it has been observed, of English and Dutch, to serve in Portugal this year, was voted by parliament and the states general. It arrived in that kingdom early in the spring, and met with a success worse than indifferent. The duke of Schomberg, who commanded the English contingent, found to his astonishment no measures taken for a campaign, and saw the troops distributed among the frontier garrisons. King Charles of Spain — so called — was in Portugal at the moment, but his presence appears to have done no good. At the same time, Portugal was entered at two points from Spain, by the duke of Berwick and the marquis de Villadarias. Berwick took several towns in his way, almost without resistance; whilst Villadarias moved upon Lisbon.

King Philip himself soon joined the duke of Berwick; and there were now three kings — the king of Portugal, and the rival kings Philip and Charles of Spain — in that small kingdom, sharing the most ignoble of campaigns. Portalegre and Castel-Davide surrendered to the duke of Berwick at discretion, and that general, or his army, appears to have suffered more from the heat of the season and the climate than from the resistance of the Portuguese.

·Meanwhile parliament assembled on the 29th of October. The queen again recommended union and a vigorous prosecution of the war, promising, on her part, to be "kind and indulgent to all." The difference of temper in the two houses quickly manifested itself. The lords congratulated her on the great and glorious success of her arms, with those of her allies, under the duke of Marlborough, and offered up their prayers that the like success might attend her majesty's arms until she saw the protestant religion and the liberty of Europe settled on a sure foundation. They made no allusion whatever to Rooke's capture of Gibraltar, and well-fought battle, whether victory or not, off Malaga. Rooke, it will be remembered, was a tory; and the majority of the lords were partisans of the duke of Marlborough, or whigs. The commons avenged the wrong done him. They congratulated her in the same sentence on the "entire defeat of the united force of France and Bavaria by her majesty's arms and those of her allies, under the command, and by the courage and conduct of the duke of Marlborough, and on the victory obtained by her majesty's fleet under the command, and by the courage of sir George Rooke." The public of England and of Europe must have received with disgust or wonder this weak effusion of party spirit.\*

The queen's recommendation of peace and union; her promise to be kind and indulgent, by which was to be understood tolerance to dissenters; and the failure of the Occasional Conformity Bill twice, did not prevent its being presented a third time. Godolphin was by this time thoroughly disgusted with the tories, and hopeless of keeping terms with them; the chancellor of the exchequer, Boyle, and the whole phalanx of placemen and courtiers accordingly opposed the bill. It was nevertheless carried through the house of commons. It was further mitigated, with the view to its conciliating the more moderate of its opponents in the house of lords, and

\* The duchess of Marlborough never forgave this to the tories. She refers to it with indignation in her defence of her conduct, written many years after, when her husband was some time dead.

the old device of tacking it to a money bill was resorted to. "The practice of occasional conformity," says Bromley, the mover, "is such a scandalous hypocrisy as should be indulged on no pretence whatever. The church is now in as much danger from the dissenters as it was from the papists at the enactment of the tests; and the bill having been twice rejected by the lords, nothing remains but the ancient constitutional resource of tacking it to a money bill." The "tack" was rejected, after a warm debate, and the bill sent up to the lords.

Hitherto it was supported by lord Godolphin with his vote, but that only. He now directly opposed it; but was so embarrassed and disconcerted that he talked "nonsense"\* for the first time in debate. It was thrown out by a majority of 71 to 50.

About the middle of December the duke of Marlborough arrived in England, covered with the glory of the battle of Blenheim; the honours bestowed on him by confederate Europe wherever he passed; and bringing in his train various trophies of his victory; among them the French marshal Tallard. He was received with grateful, admiring, and deserved enthusiasm by the queen, the parliament, and the nation. The more inveterate Tories were, perhaps, an exception.† Sir 1705. Edward Seymour is stated to have said that, in spite of his victory, they would hunt him down like hounds for his march to the Danube. This blind menace, if really uttered, stands rebuked by the voice of Europe and of history. It was doubtless a military inspiration of fearful hazard; but it saved the empire, or rather the whole confederacy, and gained Marlborough and

\* Burnet, v. 182. note of lord Dartmouth.

† The parallel reception of the duke of Wellington will suggest itself to most readers. It is honourable to the spirit of party in this age, compared with the former, that in his case there was no exception. Voltaire, in his Letters on England, instances the excess to which English party spirit was carried, by the fact that during his visit in 1726, he met people who literally said the duke of Marlborough was a coward, and Pope a dunce. "J'ai entendu dire ici," says he, "mot pour mot que mi lord Marlborough était le plus grand poltron du monde, et que M. Pope était un sot." — *Lettres sur les Anglais*.

See also this volume, *post, sub ann.* 1712; the cause of challenge from the duke of Marlborough to lord Pawlet.



England imperishable renown. The domains of Woodstock and Wootton were granted to him and his heirs for ever ; and the vast pile called Blenheim perpetuates at once the warrior's achievement, the nation's gratitude, and the architect's want of taste.\*

A dispute of privilege, started in the last session, was followed up in this. The point, though then most interesting, is now settled, and may be dismissed briefly. An elector of Aylesbury, named Ashby, brought an action against the returning officer of that borough, named White †, for rejecting his vote, and thus illegally depriving him of his franchise. The case was tried at the assizes, and a verdict with damages given for the plaintiff. Upon application to the court of king's bench, the proceedings were quashed, on the ground that the house of commons had exclusive jurisdiction in the matter. Three of the four judges held this opinion, but the fourth, who dissented, was the chief justice Holt. That eminent judge distinguished the election of a member which was triable only by the house from the right to vote, an original right, accruing in various ways, which was triable by the courts of Westminster. He is described as having spoken with vehemence and learning.‡ The case was brought by writ of error before the lords, who, "upon examination of witnesses, and mature deliberation §," gave judgment for the plaintiff, in affirmation of the verdict. The commons upon this voted Ashby, his council, and attorney, guilty of a high breach of their privileges in prosecuting the writ of error, and ordered their vote to be affixed to the gate of Westminster hall. || Their vote, however, was unpo-

\* The mock epitaph of doctor Evans on sir John Vanbrugh is well known, but yet so short, so pleasant, and so illustrative of the enormities of Blenheim, that it may be cited :—

" Lie heavy on him earth, for he  
Laid many a heavy load on thee."

† The case is named in the law books that of Ashby and White. For a full account of the proceedings before both houses, and the court of king's bench, see Parl. Hist. vi. 225, &c., 326, &c., and State Trials, xiv. 695, &c.

‡ Burnet, v. 115

§ Lords' Journ. Jan. 1704. Parl. Hist. vi. 227.

|| It is said that Holt declared he would have sent to Newgate any messenger or officer of the house who presumed to enter the hall for the purpose of seizing either counsel or attorney in pursuance of the vote.

pular ; and, under the pretence of lenity, they proceeded no further. The lords passed resolutions on their side\* in reply to the commons, and the judgment was duly executed.

The good fortune of Ashby encouraged five more electors, who had suffered the same wrong, to bring similar actions. Upon this the house, finding its lenity in the preceding session abused, committed the plaintiffs to Newgate for breach of privilege and contempt of its resolution. They remained in Newgate for three months without making submission or seeking redress. Their first step was to come into the king's bench by *habeas corpus*. Holt would discharge them, but the three puisne judges again declared that the court had no jurisdiction, and they were remanded. They next applied for a writ of error, the form of obtaining which is by petition to the crown. The house of commons presented an address to the queen, affirming that no such writ of error was ever brought, or could be, and expressing "their entire confidence that she would not give leave for the bringing any writ of error in that case." The lords voted that a writ of error could not be refused without a violation of *magna charta*, and addressed the queen for an immediate issue of the writ in question. A new point now arose, — whether a writ of error was one of grace or of right. Conferences, or rather disputations, between both houses, and adverse representations from them to the queen, now followed.† She

\* The following is one of their vindictory resolutions : —

"That the deterring electors from prosecuting actions in the ordinary course of law, where they are deprived of their right of voting, and terrifying attorneys, solicitors, counsellors, and serjeants at law, from soliciting, prosecuting and pleading in such cases, by voting their so doing to be a breach of privilege of the house of commons, is a manifest assuming a power to control the law, to hinder the course of justice, and subject the property of Englishmen to the arbitrary votes of the house of commons." — *Parl. Hist.* vi. 324.

† The superiority of the lords' papers is very apparent, and easily accounted for by the fact of their being drawn up, in this as in former instances, by lord Somers. (Burnet, v. 195. note.) The following is the main principle or maxim maintained by the lords : — "That every freeman of England who apprehends himself to be injured has a right to seek redress by action at law ; and that the commencing or prosecuting an action at the common law against any person who is not entitled to privilege of parliament, is no breach of the privilege of parliament." — *Parl. Hist.* vi. 431.

decided virtually for the lords and the Aylesbury men, by declaring that she should have granted the writ if the approaching close of the session did not render impossible any proceeding upon it.\* This high tory parliament was accordingly prorogued on the 14th of January and dissolved on the 5th of April.

Marlborough resumed his command in Flanders early in April. In the last year's memorable campaign he had masked his march upon the Danube under the pretence of attacking France on the side of the Moselle. He now proposed to do so in reality. The king of France, meanwhile, had called Villars from his ignoble and unworthy campaign in the Cevennes, to oppose Marlborough in the Low Countries, and strained his resources to the utmost, no longer for ambition or glory,

\* The following observations of speaker Onslow on the Aylesbury case are curious and instructive, at a time when the decisions of election committees, under the Grenville act, are in as much disrepute as those of the house in the matter before the act.

"All this happened in a turbulent time, and was carried on with great violence by the tories, which raised a prejudice to it in the whigs, heightened by the part the lords took in it, the majority of whom were then of that party, who were actuated in it by the lord Wharton, for the sake of his interest and friends at Aylesbury, and supported by the aid and authority of the lord Somers, who had reason enough for resentment and anger towards the tories. But upon a calm consideration of the matter, the point seems to me to be clearly with the house of commons; and so it stands now fortified with some subsequent acts of the house of commons, with regard to the main objection made to their claim, as you may see in my printed copy of these debates. Holt does not seem a friend to parliamentary judicatures: he had high notions of justice and the strictness of it, and thought it could not well be had but in the precision of the common law courts. He had some reasons for this, but he carried it too far. The lords have in general preserved a purity in their judicial acts beyond what could be expected from so large a body, and composed, as they are, of such various persons in age and otherwise, with so few of the science of law among them. But what can I say for the judgments of the house of commons in their election causes? It is reported that sir Edward Seymour, in his profane way of talking, said once in the house of commons, 'If the lord should be extreme to mark what was done amiss by us in the matter of elections here, Mr. Speaker, the Lord have mercy upon us all;' and so it has been, more or less, in every age since parties began among us. It soon worked itself into a police; but it is really come to be deemed by many a piece of virtue and honour to do injustice in these cases. 'The right is in the friend and not in the cause,' is almost avowed, and he is laughed at by the leaders of parties who has scruples upon it; and yet we should not bear this a month in any other judicature in the kingdom, in any other object of jurisdiction; or in this but that we do it ourselves, and that sanctifies it, and the guilt is lost in the number of the guilty and the support of party without doors." — *Burnet*, v. 195.

He then sketches a plan of trying such cases mainly identical with that of the Grenville act, and probably known, though not then printed, to the author of that act. His opinion is against "having it out of the house of commons," to which he sees objections which he thinks unanswerable.

but for safety and defence. An ordinary genius will encounter and surmount every force opposed by the enemy. Marlborough was subjected to the much more trying test of character and capacity — the failure of his chief ally. Prince Louis of Baden, who commanded the imperialists, declared his inability to co-operate, as he had engaged, on the ground of the weakness of his army and the bad state of his health. Marlborough proceeded to Radstadt, conferred with that prince, had the art to persuade him to co-operate, and on the faith of his promised aid resolved to engage Villars. The prince again disappointed him, and he found it necessary to fall back upon the Meuse. He expressed his own mortification and his sense of the merit of Villars, in a letter to that marshal, on the eve of his retreat. "Do me," said he, "that justice to believe that my retreat is the fault of the prince of Baden, and that I esteem you still more than I am dissatisfied with him."\*

The French meanwhile, under Villeroy, formed a junction with the remnant of the Bavarian army; and the elector took Huy, invested Liège, and alarmed the Dutch once more for their frontier. They applied to Marlborough for protection. He re-captured Huy, raised the siege of Liège, forced the Gallo-Bavarian lines at Tirlemont, and compelled the elector and the marshal to retreat along the Dyle. They took up a position, and showed a disposition to give battle. A small river separated them from the allies, and Marlborough gave orders to prepare for action. The duke, in his march to the Danube, had contrived to rid himself of the Dutch field deputies. They were now in his camp once more, to thwart his genius and try his temper by their peremptory refusal to let the Dutch troops engage. A great occasion was lost, and the enemy retreated upon Louvaine and Brussels. The duke remonstrated by letter with the states; and a Dutch general, upon whose advice the field deputies had acted, was removed by way of

\* Voltaire, *Siècle de Louis XIV. sub an. 1705.*

satisfaction to him. The campaign in Flanders, thus closed, was a disappointment.

France, on the whole, seemed to recover breath. Villars, after the retreat of Marlborough, made some minor conquests on the Moselle. In Italy, the duke of Vendôme left victory doubtful between him and prince Eugene, in the battle of Cassano on the Adda. He captured Nice, and menaced the duke of Savoy in his capital. In Portugal, the campaign of this year opened with advantage to the allies. Schomberg, son of the more famous soldier of fortune so named, was, it has been observed, commander of the English forces in that kingdom. His want of capacity or of zeal became so manifest that the court of Portugal solicited his recall. He was succeeded by Rouvigny earl of Galway, another foreign and favoured satellite of king William. One of the recommendations to the personal favour of that great prince was mediocrity, and Galway was not an exception. He turned to little account the double advantage of coming after Schomberg, and soon ceasing to have the duke of Berwick for his adversary. That able captain did not please the young queen of Spain, and was recalled to Versailles.\*

The capture of Gibraltar, and the menacing aspect of the Austrian party in Catalonia and Aragon, had left the frontier of Portugal unprotected. This tempted lord Galway to enter Estremadura. He took the towns of Valencia de Alcantara and Albuquerque with little difficulty; and, after some weeks, invested Badajoz. The siege was conducted with languor, and raised with discredit. This result is ascribed to a random shot which carried off the hand of lord Galway. He could no longer direct the siege in person; it was in consequence carried on still more languidly than before, and the French marshal Tesse came up in superior force.

\* The French marshal De Tesse one day asked the young queen of Spain why she did not retain a general whose talents and probity would be so useful to her. She replied, "Que voulez-vous que de vous disse? C'est un grand diable d'Anglais, sec, qui va toujours tout droit devant lui."—Note to a recent edition of *Voltaire's Siècle de Louis XIV.*

The Portuguese general Das Minas crossed the Spanish frontier from the province of Beira, with no better fortune.\*

The disgrace of the allied arms in Portugal was redeemed by brilliant successes in Spain. Lord Peterborough signalised there the chivalrous eccentricities of his courage and character, the felicity of his inspirations, and the unscrupulous ingenuity of his stratagems in war. He sailed from Portsmouth in the beginning of June, with about 5000 men, on board a squadron commanded by sir Cloudesley Shovel; arrived at Lisbon about the middle of the month; was joined there by the rival king, Charles III., and the prince of Hesse Darmstadt; and entertained them on board at his private cost, on their passage from Lisbon to Gibraltar.

The point of attack had now to be determined. Charles and the prince of Hesse, confiding in the assurances of the Austrian party among the Catalans, proposed and urged the siege of Barcelona; and lord Peterborough sailed for that place with about 7000 effective men. He touched on the coast of Valencia, circulated proclamations in the name of Charles III., took the small fort of Denia without resistance, and found the people so well-inclined, that he proposed to make a rapid movement on Madrid. His hope was to carry Madrid by a *coup de main*, and enthrone Charles in the capital of his kingdom. Charles, his chief adviser the prince of Hesse Darmstadt, and finally a council of war, overruled this adventurous, and perhaps sagacious, project; and, on the 27th of August, lord Peterborough landed his troops at a short distance from the walls of Barcelona.

The strength of the defences and the garrison rendered the enterprise all but hopeless — absolutely so to common minds.† Charles and the prince of Hesse

\* See lord Galway's "Narrative," &c. in the Parliamentary History, vol. vi. He charges these failures upon the Portuguese, and upon his being disabled by the shot which carried away his hand and rendered amputation necessary. Also "Comparison," &c. in Somers's Tracts, xiii. 395.

† Minutes of councils of war, in Dr. Freind's "Account of the Conduct of Lord Peterborough," &c.

persisted, it is said, from the obstinacy of false shame ; Peterborough, from the elasticity of his courage, and the consciousness of his genius. For three weeks no serious impression was made by the besiegers, and lord Peterborough was urged to re-embark. Nothing could save him from this dishonour but one of those rare combinations of daring and casualty which decide victory, and give the reputation of a hero. The town of Barcelona was overlooked and protected by the strong castle of Montjuich. According to all ordinary rules in the art of war, the town must have been taken before this castle could be attacked. Lord Peterborough viewed it in person, obtained information from deserters that it was feebly and negligently guarded, and confirmed the security of the besieged by a show of re-embarking. On the night of the 3d of September he placed about 1400 chosen men under arms with the greatest secrecy ; communicated his design, for the first time, to the prince of Hesse Darmstadt, who joined him as a volunteer ; and attacked the defences of the castle at break of day. Peterborough himself led the attack upon the post of danger, whilst general Stanhope was charged with the reserve. The prince of Hesse Darmstadt was soon killed at Peterborough's side. The attack was continued at several points with some fearful alternations ; even whilst the outworks were in the hands of the besieged. The citadel itself held out the second day, in the confidence of its strength, and of being relieved from the town. A shell thrown by the besiegers fell upon the magazine of the castle, blew up the building, killed the commandant, and the castle surrendered.

The town still remained, but a heavy cannonade soon made a breach in the walls ; and the governor, Don Francisco Velasco, to avoid the horrors of capture by storm, agreed to surrender within four days, if not relieved in the mean time. Succour from without was scarcely possible by land or sea, and he was soon assailed by a new enemy within. On the morning after this conditional engagement was signed, the partisans of the

house of Austria, aided by bands of Catalans who had joined lord Peterborough, and found their way into the town, rose in arms against the governor, and gave loose to the excesses of an unbridled rabble. The governor lost all control. Lord Peterborough, upon this, demanded and obtained admission with a body of the besiegers; rescued and restored to her husband a lady, who proved to be the duchess of Popoli; quelled the tumult; and received from the governor possession of Barcelona.\*

This gallant and great achievement was followed by the surrender of every other fortified town of Catalonia, with the exception of Roses. Lord Peterborough next

\* Voltaire gives the following dramatic and lively version of this incident. It differs from the English accounts, but those differ as much from each other; for instance, that of bishop Burnet, communicated to him, he says, by general Stanhope, who commanded under lord Peterborough at the storming of Monjuich and siege of Barcelona, differs as to time and circumstances from the account given in the Memoirs of Carlton, who was also present:—

“ Une bombe crève dans le fort sur le magasin des poudres, et le fait sauter; le fort est pris; la ville capitule. Le viceroy parle à Peterborough à la porte de cette ville. Les articles n'étaient pas encore signés, quand on entend tout à coup des cris et des hurlemens. ‘ Vous nous trahissez,’ dit le viceroy à Peterborough; ‘ nous capitulons avec bonne foi, et voilà vos Anglais qui sont entrés dans la ville par les ramparts. Ils égorgent, ils pillent, ils violent.’ — ‘ Vous vous meprenez,’ répondit le comte Peterborough: ‘ il faut que ce soient de troupes du prince de Darmstadt. Il n’y a qu’un moyen de sauver votre ville: c’est de me laisser entrer sur-le-champ avec mes Anglais; j’apaiserai tout, et je reviendrai à la porte achever la capitulation.’ Il parlait d’un ton de vérité et de grandeur qui, joint au danger présent, persuada le gouverneur: on le laissa entrer. Il court avec ses officiers; il trouve des Allemands et des Catalans, qui, joints à la populace de la ville, saccageaient les maisons des principaux citoyens; il les chasse; il leur fait quitter le butin qu’ils enlevaient; il rencontre la duchesse de Popoli entre les mains des soldats, prête à être déshonorée; il la rend à son mari. Enfin, ayant tout apaisé, il retourne à cette porte et signe la capitulation. Les Espagnols étaient confondus de voir tant de magnanimité dans des Anglais, que la populace avait pris pour des barbares impitoyables, parce qu’ils étaient hérétiques.”

Voltaire very rarely mentions his authorities; and his not doing so in this instance is no sufficient reason to reject his account, which is so characteristic of lord Peterborough. It moreover derives some confirmation from the following passage in a long letter of king Charles to queen Anne on the occasion:—

“ There happened another accident which was never known before. The cruelties of the pretended viceroy, and the report that he intended to carry away several prisoners, contrary to the capitulation, had stirred up the burghers and some of the country to take arms. The garrison, being employed in loading their baggage in order to march out the next day, found themselves in a very great confusion, and all things tending to a slaughter, when your majesty’s troops entered the town with the earl of Peterborough; and instead of busying themselves with plundering, as is usual in such occasions, they appeased the disorder, and saved the town, and even the lives of their enemies, with a discipline and generosity without example.”—*Somers’s Tracts*, xiii. 418.



entered Valencia, raised the siege of San Matteo, reduced that province or kingdom with the exception of Alicant, and, in short, executed a series of daring enterprises and rapid movements beyond the capacity and imagination of any other man.\*

The whig party, meanwhile, was gaining ground in England. An approximation had taken place between them and Godolphin; and the influence, or rather authority, of the duchess of Marlborough over queen Anne, brought that weak-minded princess to hear them named without displeasure.† The duke of Buckingham was succeeded as lord privy seal by the duke of Newcastle; and the accomplished lord Cowper succeeded sir Nathan Wright, a man of little talent and less virtue ‡, as lord keeper. The removal of Buckingham, an avowed deist and profane wit, was a matter of loud complaint to the high church party; and that most hackneyed and yet successful of impostures, the party cry of “the church in danger,” was raised through the kingdom.§

The great object was to influence the elections to the new parliament, summoned for the 25th of October. The Tories no longer disguised their opposition to the court. They set up Bromley, member for the university of Oxford, and mover of the bill against occasional conformity, as a candidate for the speakership. Smith, formerly chancellor of the Exchequer, was elected by a majority of 250 to 207. This proved the ascendancy of the Whigs in the new parliament; and their influence in the queen’s councils was manifest in the tone of her speech. She repeated her resolution to depose Philip and enthrone Charles, as essential to the balance and independence of Europe; recommended concord; rebuked, as malicious, the cry of “the church in danger;”

\* Any detail, or particular mention, is obviously inadmissible in a compendium of civil rather than general history.

† Conduct, &c. 171.

‡ Id. 169. He was suspected of selling his patronage as lord keeper.

§ A pamphlet, famous for its hour, entitled “The Memorial of the Church of England,” was published at this time. It is stated to have been the joint work of Dr. Drake, a physician, and several churchmen.

and declared that she should combine her affectionate support of the established church with the inviolable maintenance of toleration. Lord Cowper is said to have prepared her speech.

The addresses of both houses were in the most courtly tone. A contingent of 40,000 men was voted to serve with the confederates in the Low Countries, with the addition of 10,000 men for Portugal, and 5000 for Catalonia.

The first important step taken by the tories is a curious instance of the reckless inconsistency of party, when governed by interest, ambition, or revenge. Queen Anne's dislike of the Brunswick family, and horror of the presence of any member of it in England, was well known. Lord Haversham, a renegade whig, and busy partisan in those days \*, in his zeal for the protestant succession and safety of the church, moved an address to the queen, desiring her to invite the electress Sophia over to England. He was supported by Buckingham and Nottingham. The former put the case of the queen's falling into a state of idiotcy or dotage, and becoming the mere tool of others. She was present, probably unseen, at this debate, resented this sally of Buckingham as an outrage, and reproached "the honest party" † with "malice and insolence." ‡

The princess thus proposed to be invited over for the defence of the church of England, was a Lutheran, and the grandmother of a full-grown young man, afterwards George II. She, however, retained much of the vivacity, sense, and grace which she inherited from her mother.

The address was opposed by lord Godolphin, lord Cowper, and the whole body of whig lords, without losing their credit for attachment to protestantism and

\* He was in the habit of publishing pamphlets and his speeches, of which many will be found in the 6th volume of the Parliamentary History.

† Queen Anne, before (see her letters in Dal. App.) as well as after her accession, habitually called the church party by this name.

‡ Conduct of the Duchess of Marlborough, 171.

the revolution ; and the motion was rejected by a large majority.

They further contrived to maintain their credit with the house of Hanover, by passing contingent regency and naturalisation bills, which were carried over to Hanover by lord Halifax, with the order of the garter for the electoral prince.\*

The whigs, having proved their strength on the church cry, resolved to bring it to a direct vote. Lord Halifax challenged the adverse champion, lord Rochester, to prove his assertion of peril to the church ; and the 6th of December was fixed for the debate. The proceedings may be read with instruction after the lapse of 134 years. † Rochester said the church was endangered by the establishment of presbytery in Scotland, the absence of the protestant heir presumptive, and the want of an act against occasional conformity. The bishop of London complained vehemently of recent sermons in which countenance was given to the doctrine of resistance to the higher powers, and of his want of power to punish one of his refractory clergy. This was the same bishop Compton who escorted the princess Anne in her desertion from her father to the prince of Orange, and appeared in arms for the prince at the head of a troop of horse. The sermon to which he alluded was preached by Hoadly, who afterwards adorned the bench of bishops. Hoadly was vindicated by Burnet, who very aptly asked Compton to reconcile his censure of the sermon with his memorable appearance in arms at Nottingham. Sharp, archbishop of York, who had railed at the higher powers from his pulpit, now called for the strong arm of the state to defend the church against the danger from seminaries maintained by dissenters. On the other side, Patrick bishop of Ely, and Hough, the courageous president of Magdalen college, now bishop of Lichfield, charged the universities with infusing into their pupils an uncha-

\* Burnet, v. 231, *et seq.* Parl. Hist. vi. 457, *et seq.* Conduct of the Duchess of Marlborough, 163—171.

† See Parl. Hist. vi. 479.

ritable fury which these brought to their parishes;—and the clergy with laying opprobrious slanders upon their bishops. The duke of Leeds, sunk almost wholly in public and party estimation after the vicissitudes of his long career, tried to emerge by high tory zeal for the safety of the church. He said the church could be preserved by nothing short of the Occasional Conformity Bill; and declared that the queen, in discourse with him, had expressed the same opinion. Queen Anne, doubtless, thought so\*; and her giving up that bill only proves the complete ascendant of the duchess of Marlborough over her.

Lord Wharton touched and laid bare the real spring of this movement within and without the walls of parliament, about the church. “In all,” said he, “that I have read and heard, I can find but one fact—that the duke of Buckingham, the earl of Rochester, and the earl of Nottingham are out of place,”—a pointed truth, which might be generalised with the same aptness in reply to the same party cry, whenever raised, from that day to this.

Eventually the church was voted safe and flourishing, and all who gainsaid it were declared enemies to the church, the queen, and the kingdom.†

The commons concurred in the vote of the lords, and both addressed the queen in the same spirit. The queen issued a proclamation against the scandal, malice, and licentiousness of speech and writing which prevailed respecting danger to the church, and commanded the apprehension of David Edwards, printer of a malicious and seditious libel entitled “The Memorial of the Church of England.”

An adjournment of three weeks took place at Christ- 1706.  
mas; and the session closed on the 19th of March, without any change in the state of parties, or the good understanding between the queen and the majority of both houses.

\* Conduct of the Duchess of Marlborough, before cited.

† The division was 61 to 30. — *Parl. Hist.* vi, 506.

The duke of Marlborough, in the last year's campaign, was disappointed by the prince of Baden, and thwarted by the states' deputies. His fame abroad was, in consequence, stationary, if not retrograde. At home, his reputation and credit with the queen, the parliament, and the nation were not only unimpaired, but advanced. After the close of the last campaign, he visited Vienna, Berlin, Hanover, and the Hague; concerted, or rather inspired, the plan of operations for the next year's campaign; returned to England; was thanked by parliament for his services, military and diplomatic; and had so much credit with the London capitalists, as to obtain from them a loan of half a million for the emperor, or rather for prince Eugene, on the security of certain imperial revenues in Silesia, of which the lenders probably knew nothing.

About the middle of April, Marlborough left England to take the command in Flanders. He found the French, 80,000 strong, under the command of marshal Villeroi, prepared to give him battle. That marshal is said to have had the presumption to hope he should recover against Marlborough the reputation which he had lost against Eugene. He advanced from his strong lines behind the Dyle, across that river, and took up a position on the river Mehaigne, on the morning of Whitsunday, May 23. (N. S.\*). His right rested on that river, his left on the marshes which form the source of the Gheet, and his centre was defended by a village, henceforth famous almost as Blenheim — that of Ramilies. The want of judgment in his dispositions, and the remonstrances of the French superior officers against his giving battle, when he might avoid it, have been exposed in all accounts of the action†, and are perhaps exaggerated through the medium of defeat. French writers have evidently sacrificed the reputation of the commander to the honour of the army

\* The duke of Marlborough dates his letter of the following day's date (see note, *post*) according to the new style, "May 24."

† These censures are but the echo of the strictures of Feuquières, said to be a saturnine as well as able military critic.

and the nation. Villeroy, moreover, owed his command to an unpopular source,—the favour of Louis XIV. to the companion of his youth—and of madame de Maintenon to a supple if not sycophant courtier. The chief errors charged upon him, are posting his worst troops in the centre, where they had to bear the brunt, leaving his baggage between the lines, and disposing his left behind a marsh, whence it could not act against the enemy.

It is generally remarked that Marlborough seized the errors of Villeroy with the utmost grasp and quickness of strategic glance and instinct. Seeing the position of the enemy's left, he called in the chief force on his own right to strengthen his centre; fell upon the French centre at Ramilies with overwhelming vigour; and routed the enemy at every point, from one end of his line to the other, in less than thirty minutes.\* The numbers actually engaged on either side were nearly equal: they are variously stated above and under 70,000 men. On the side of the victors, the loss was 1000 killed and 2500 wounded; on that of the vanquished, it is variously stated from 13,000 to 20,000 men.† The French, however, saved their artillery and equipments.

Victory was never doubtful for an instant, unless, perhaps, in a moment of the utmost hazard to the duke of Marlborough's life. He was unhorsed in a charge of cavalry; and his aid-de-camp, colonel Bingfield, whilst helping him to remount, was killed by a cannon-shot.‡

\* Voltaire, *Siècle de Louis XIV.*

† Voltaire states the French loss in killed and wounded to have been 20,000.

‡ Marlborough, in a short letter to the duchess, announcing the victory, mentions this incident with kind and considerate feeling. After stating that, to prevent her being uneasy, he had concealed from her his design of engaging the enemy, he proceeds:—"But I can now give her the satisfaction of letting her know that on Sunday last we fought, and that God Almighty has been pleased to give us a victory. I must leave the particulars to this bearer, colonel Richards; for having been on horseback all Sunday, and after the battle marching all night, my head aches to that degree that it is very uneasy for me to write. Poor Bingfield, holding my stirrup for me, and helping me on horseback, was killed. I am told that he leaves his wife and mother in a poor condition." It may be observed that he says nothing of his own personal hazard. It appears from the duke's "marching all night," and the date of his letter, eleven o'clock next morning, from Ramilies, that he fell back from the pursuit, and occupied the enemies' position.

Part of Villeroi's army consisted of Bavarians, the remnant of the army defeated at Blenheim. They were commanded by the elector, who since that famous battle had no home but his camp. His emotions at Blenheim have not been recorded, but it is stated by an eye-witness\* that he shed tears upon the defeat of Ramilies. He wrote to Louis XIV. in the most disconsolate tone.† Villeroi's despair was such, that he allowed the lapse of five days before he sent a courier to Versailles confirming the disastrous news. Louis XIV. received him with generous compassion. His father had been the king's preceptor; they were brought up together, and about the same age. "Marshal," said Louis, on Villeroi's first appearance at court, "you and I are now too old to expect the favours of fortune.‡"

The material losses of the French in the field were greatly exceeded by the moral effects of the victory. Villeroi and the elector of Bavaria, both of whom narrowly escaped being slain or made prisoners, fled in the general route to Louvaine, where they first drew breath and bridle. Here the pursuit ceased, and they continued the retreat in some order to Brussels.

The French king, his court, the whole kingdom, were in consternation. The electorates of Bavaria and Cologne were lost by the battle of Blenheim; the Spanish Netherlands followed the victory of Ramilies. Louvaine, Mechlin, Brussels, Antwerp, Ghent, Bruges, submitted without resistance, renounced the dominion of Philip, and acknowledged Charles as their king. Ostend and Dendermond made the first show of resistance; the former holding out but four days after the bombardment commenced, the latter sustaining a siege of three months. Menin, also a place of strength, but inadequately garrisoned, capitulated with the honours of war after twenty-

\* Letter of the states' deputies, in Cox's Life of Marlborough.

† He calls the defeat "an unexampled fatality," which he could not comprehend. It would appear from this, that the elector, who was an experienced if not able officer, was not sensible of the glaring errors imputed to Villeroi's order of battle.

‡ Voltaire, *Siècle de Louis XIV. sub ann. 1706.*

two days, during which the breaching by cannon, the explosion of mines, and assaults by storm, reduced the defences and the garrison to the last extremity.

Meanwhile Vendôme was called away from Italy to take the place of Villeroy. He soon re-organised and strengthened the defeated army, and threatened, it is said, to avenge the defeats of Blenheim and Ramilies. The reputation acquired by him against prince Eugene, render his boasts more excusable than those of Villeroy. It was not till a subsequent campaign that he was practically undeceived.

Marlborough entered Brussels, the capital of the Spanish Netherlands, in triumph, disposed the confederate army in winter quarters, passed some days in negotiation at the Hague, and returned to England in November.

In Italy, prince Eugene had begun to gain or recover ground before the departure of Vendôme. The duke of Orleans, afterwards regent, who succeeded him, found Eugene advancing to the relief of Turin, besieged by the duc de Feuillade, and proposed to march out and meet him — not wait to be attacked. His opinion was supported by the majority of a council of war. Marshal Marsin, one of the council, put a negative upon it, in pursuance of orders which he had brought from Versailles. The French continued in their lines. Eugene disposed his force in eight columns, assailed the French lines of circumvallation, forced them after two hours fighting, and put the enemy to the rout. The duke of Orleans was wounded severely; and marshal Marsin died, a prisoner, of his wounds. The French lost their cannon, equipments, 2000 men slain, — their whole moral force, — and their footing in the Mantuan, Milanese, and Piedmontese territories.

The fortunes of Louis XIV. in Spain were only less disastrous than in Italy and Flanders. Lord Peterborough, thwarting and thwarted by king Charles and his German counsellors, signalised himself by adven-



tures and achievements, which, however brilliant, did not greatly advance the cause.\* Early in the spring, an attempt was made to recover Barcelona. King Philip, with a Spanish force, joined the French auxiliaries under marshal De Tesse, and invested that city; whilst a French fleet, commanded by the count de Toulouse, natural son of Louis XIV., bombarded it by sea. Charles was in the town, and the rival king made the utmost efforts to make a conquest which might prove decisive. The inhabitants on their part made a brave defence. Lord Peterborough marched back to their relief from Valencia. The town, however, was closely pressed; the castle of Montjuich was retaken; the force at the disposal of lord Peterborough did not exceed 2500 men; he was unable to throw any relief into the town, and nothing, probably, but the appearance of an English fleet under admiral Leake, prevented a fatal result. Upon the appearance of the English squadron, the count de Toulouse, admiral of France, sailed for Toulon without firing a gun, and king Philip or marshal Tesse raised the siege.

Madrid was now threatened from the frontier of Portugal by lord Galway. The duke of Berwick was again appointed to command in that quarter, but with a force not a third of the confederates, consisting of English, Dutch, and Portuguese. King Philip hastened from Barcelona to his capital, not to defend but to abandon it; and on the 24th of June, lord Galway occupied Madrid without resistance. It was an occupation of mere parade. King Philip rallied the Spaniards; was reinforced by his grandfather; and upon his advance to dispute the capital, lord Galway moved upon Ara-

\* He obtained possession of the pass of Murviedro by a stratagem not quite becoming his chivalrous character. The duke of Arcos, who commanded the Spaniards, intrusted it to general Mahony, an Irishman. Peterborough proposed and held a conference with him; tried in vain to gain him over; contrived, by means of pretended deserters, to represent Mahony to Arcos as having sold himself to Charles; caused his arrest, and obtained the command of the pass.

gon, to form a junction with Charles and lord Peterborough.

The temper of lord Peterborough appears to have been arrogant as his spirit was adventurous. He had urged upon Charles, both before and after the siege of Barcelona, a rapid march upon Madrid\* ; and upon finding not only his opinion over-ruled, but himself under the command of lord Galway, withdrew on board an English ship for Genoa, with expressions of contemptuous disgust.

The French monarch was now menaced on every side, with not merely danger but ruin. The emperor was master of Italy, and had placed the dispossessed electors of Bavaria and Cologne under the ban of the empire. France was threatened from the side of the Alps by the duke of Savoy, who adhered to the grand alliance with a constancy not easily reconciled with his previous character, and the marriage of his two daughters to the son and grandson of Louis XIV.† The English fleet, after relieving Barcelona and taking Alicant, continued in the Mediterranean, and threatened the shores of France.‡ Of the French navy, so formidable before the battle of La Hogue, and even after, there now remained about thirty-five sail of the line.§ The possession of Landau

\* It is said that the reason given by Charles for not taking advantage of the defenceless state of Madrid, to general Stanhope, was his want of an equipage to enter his capital in royal state ; and there are two versions of Stanhope's reply ; — the first, that "if king William had not advanced to London with only a few dragoons, he would have missed the crown of England ;" the second, "Our William III. entered London in a hackney coach with a cloak-bag, and soon after was made king." Now, the prince of Orange, so far from advancing to London with only a few dragoons, moved by slow marches with his main army, and occupied London with his Dutch troops, from St. James's and Whitehall to the Tower, the day before he entered it ; and so far from a hackney coach and cloak-bag affair, he entered London in state, with a pompous cavalcade, in an open carriage, having marshal Schomberg seated before or beside him as an emblem of foreign force and conquest. General Stanhope was too well informed not to know this ; and if he used the alleged exhortation in either form, he must have sacrificed fact to rhetoric. If king William had not given very different proof of activity and enterprise from what he gave in his advance from Torbay to London, his reputation would be very different from what it is.

† The dauphin and his son Philip of Spain.

‡ The abortive expedition under sir Cloudesley Shovel, at the suggestion of the adventurer and deserter Guiscard, who afterwards stabbed Harley, does not merit particular mention.

§ Siècle de Louis XIV.

exposed the frontier of Alsace to the imperialists. The confederates were in possession of Valencia, Catalonia, Aragon, and, for a moment, of Madrid; whilst the Pyrenean frontier of France was protected only by a reduced and ill-provided force in Navarre. They were masters of the Low Countries to the gates of Lille.

So desperate was the condition of France on every side, that a project of Vauban, to send king Philip with his court and partisans to rule over Spanish America, was entertained, for a moment, by the court and council at Versailles. This scheme implied the sacrifice of the grandson of Louis XIV.; but it would have removed the cause of war between him and the allies, and would have transferred to France the wealth of Mexico and Peru. The sentiments of regal dignity, paternal affection, and perhaps generosity, prevailed with Louis, and he persisted in supporting his grandson on the throne of Spain.

His pride, however, was humbled, and his arrogance chastised. He had for some time made efforts to bring the calculating Dutch to a separate treaty. The sound policy, and perhaps republican pride, of the burgher lords of Holland, and the address and influence of the duke of Marlborough at the Hague, defeated his intrigues. He now made overtures for a congress, through the elector of Bavaria, to Marlborough and the states' deputies — through the pope, to the emperor. They were rejected as unsatisfactory, with a haughtiness bordering on disdain, at the Hague, London, and Vienna; and this result was charged in England, by the tories, upon Marlborough's ambition and avarice. Both were with him ruling passions; but had he given no other, and no worse, proof of them, his fame would be unsullied. Louis, doubtless, in making these overtures, combined with the hope of peace that of dividing the confederates.

It must be admitted that Louis, now advanced in years, and broken down by adversity, no sooner found his overtures refused, than he met his enemies at every

point with resolution and energy. His fortunes in Spain had, moreover, taken a somewhat favourable turn. The incapacity of lord Galway left Madrid open once more to Philip. Maria Louisa, the young queen of Spain, daughter of the duke of Savoy, who was in arms against her, swayed her husband, the court, the ministry, the Spanish nation from the grandee to the peasant, — and was endowed with a spirit which rendered her worthy to sway them. She traversed the kingdom within her acknowledged dominion; conciliated all classes; animated them to resistance; and in three weeks after her flight from Madrid, on the approach of Galway, obtained 300,000 crowns as voluntary gifts, which she brought her husband to meet the charges of the war.\* Philip himself was roused to energy by his danger; and the Spaniards, a proud and gallant people, only appeared the more faithful to him as his fortunes grew desperate. Some Spaniards of rank went over to the confederates in the provinces attached to Austria, and over-run by the allies; but of the Spanish grandees, so called, who swore allegiance to him, not one betrayed or deserted him.

The revived courage and fidelity of the mass of the Spanish nation, it is said, influenced Louis and his council in rejecting the project of Vauban. He now strengthened his army in Navarre, and sent a body of troops into Rousillon; reinforced the insufficient army, which was enabled only by the ability of Berwick to maintain itself in Castile; guarded the shores of France on the Mediterranean and the ocean, by a militia of the provinces; and took measures of defence, on the side of Flanders and Alsace, against Marlborough and the imperialists. Europe looked forward to the next year's campaign with awful suspense.

The two kingdoms of England and Scotland were deeply engaged, meanwhile, with the only permanent measure of this reign — their union. The statesmen of the English commonwealth carried into execution an

\* Voltaire, *Siècle de Louis XIV.*

incorporate union with Scotland and Ireland, and contemplated a federal union of Great Britain and Ireland with the United Provinces. This vast state project could have occurred only to such intellects as that period produced in England. The influence of such a republican body upon the face and form of European, or rather of civilised, polity, would present a rich and curious subject of meditation to a speculative mind. The authors of this scheme had the genius to conceive and the prudence to abandon that part of it which related to Holland, when they found themselves opposed by the extrinsic relation of the country, and electric repulsion of the Dutch people. The relations of Scotland and Ireland to England were different. They were parts of the same dominion, governed by the same executive; and the English commonwealth forced an union upon them under the forms of compliance. The restoration could not extinguish republican virtue without demolishing the monuments of republican statesmanship; and England, Scotland, and Ireland were again dis-severed.

The object of the statesmen of the commonwealth was to deprive foreign powers, and the expatriated house of Stuart, of a theatre for invasion or intrigue. King William had the same motives of ambition and policy.\* Scotland was a focus of intrigue for the jacobites and French during his reign. But his share in the massacre of Glencoe; his sacrifice of the Scotch African company and the colony of Darien† to his foreign policy and relations, especially with Spain, — to the trading interests and jealous rapacity of the Dutch, who were his countrymen — of the English, who were his tools, — rendered his name and govern-

\* He does not appear to have thought of comprising Ireland from an apprehension of the antipathies of religion and nation in England, and from the fact that Ireland was a conquered province, ruled and plundered by his Dutch and other satraps, with only a mockery of parliaments, and even of courts of justice, — unless, perhaps, it arose from his want of a sufficient grasp of mind.

† For a full account of this curious but isolated and transient adventure, and of Patterson, a singular man, the projector of it, see Dalrymple's *Memoirs*, iii. 89. *et seq.*

ment odious to the Scotch ; and a union was impracticable during his lifetime. He, however, recommended it to the English parliament more than once, and addressed a message on the subject to the house of commons from his death-bed.

Queen Anne, upon her accession, recommended it in her first speech to both houses from the throne ; and was empowered by the parliaments of both kingdoms to appoint commissioners for the arrangement of the terms. The commissioners could not agree, and their appointment was cancelled.

In England, the jacobites opposed this great measure, as a bar to the restoration of the pretender ; the tories, as an accession of strength to the whigs. Seymour, and others of the latter party, repudiated union with the Scotch in terms of indecent and insolent contumely to them as a nation. Of the tory leaders, Nottingham alone was friendly to it.

In Scotland, the jacobites and the republicans — the duke of Hamilton and Fletcher of Saltoun — coalesced against it ; and the states or parliament of that kingdom passed a bill, famous in its day, called afterwards the Act of Security. The succession in Scotland was not yet settled, as in England, upon the Hanover family. The Bill of Security made the succession in Scotland, upon the queen's death, open, elective, and essentially republican. It was introduced and prepared by Fletcher\*, and breathed his free and fearless spirit.

Queensberry, who acted as the queen's commissioner, withheld the royal assent ; the opposition to the govern-

\* See Parl. Hist. vi. app. i. Proceedings and Debates in the Parliament of Scotland, &c. It provided, in substance, that, on the twentieth day after the queen's decease, the estates of parliament should meet ; and that in the intermediate time the executive government should devolve on those members who should be resident in Edinburgh — that no foreigner or *Englishman* should be capable of sitting as a member of the assembly of estates — that the nomination of a successor should be vested in the assembly or convention — but that the successor so named, should *not* be the successor to the crown of England, unless such conditions of government should be previously settled, as should secure the honour of the kingdom, the independence of the crown, the freedom, frequency, and power of parliament, and the religion, liberty, and trade of the Scottish nation from *English* or foreign influence.

ment became furious ; the supplies were refused ; the supporters of the government were called traitors and slaves ; some denied the right of the crown to withhold its assent ; others talked of resorting to their swords. This temper was cooled down by peerages, places, and promises during successive prorogations ; and in the next session, the Act of Security, in a modified form, received the royal assent. Godolphin advised this concession as the only means of obtaining a supply. He doubtless, also, calculated upon the ultimate success of the measure of union to neutralise the Scotch act.

The English parliament in revenge, passed an act restricting the trade of Scotland, and declaring Scotchmen, with certain specified exceptions, aliens throughout the dominion of the crown of England. The Scots parliament was not wanting to the nation or to itself. It voted that no further progress should be made in the business of the union, till the English act declaring them aliens should be repealed. There is observable, in the fierce temper, steady purpose, and proceedings of the parliament of Scotland, a rectitude of aim and movement which contrasts very advantageously with the violences and weaknesses — the vacillations and obliquities — in that of England. Whigs and tories had joined in passing the Alienation Act — so called. The tories took the lead in repealing it, on the supposition of embarrassing the adverse party ; and the latter, not to be outdone in a course now popular, extended the repeal to the restraints on the trade of Scotland.

The union was now in a fair train ; and commissioners of both kingdoms met to settle the terms on the 16th of April, 1706, in Whitehall.\* The articles were finally agreed to on the 23d of July ; and the queen, upon their being presented to her, said she should look upon the accomplishment of the union as a particular happiness in her reign.† Lord Somers, though not yet a

\* The names of the commissioners will be found in the Parl. Hist. vol. vi. p. 534.

† Parl. Hist. vi. 541.

minister of the crown, had a great share in this important measure. The Scotch peers, and other leading men in that kingdom, consulted and confided in him.\*

In the moral, as in the physical, order of nature, there is in the larger bodies an inherent force tending to absorb and assimilate the lesser within their sphere; and no serious resistance to the union was expected in England. But in the lesser there is an antagonist force. A people clings to its existence as a separate and independent unit in the community of nations, as an individual in that of men; and the union was fiercely opposed in the parliament of Scotland.

The chief advocates of the measure were Queensberry, Argyle, Montrose, Seafield, and Stair.† They could urge only policy, calculation, calm and cold reasoning. Every advantage in debate was on the other side,—the love of virtue, liberty, and country—all that is most generous and electric in passion, sentiment, and declamation. The chief opponents were Hamilton, Athol, Annandale, Belhaven, and Fletcher of Saltoun. The last named said the Scotch commissioners had betrayed their country‡; and upon being required to explain, declared he knew no other word to express the idea consistently with truth.§ Lord Belhaven, in a speech still cited in

\* Notes of lord Hardwicke and others, in Burnet, v. 283. 295. 302. 360.

† Stair came to the debate in bad health, and died of the effort next evening. It was he who had so horrid a share in the massacre of Glencoe.

‡ Parl. Hist. vi. app. i. p. 135.

§ His sentiments, character, and oratory bore an antique cast. The only objection to his oratory is a palpable affectation of Demosthenism. The following might be the opening of an Olinthiac or Philippic oration:—

“Gentlemen,—It seems at first view hard to determine whether you would be more obliged to one who should persuade you of the miserable and irretrievable condition into which you are precipitating yourselves, and the rest of Europe; or to him who, after you are convinced, should show you how to escape.”

There are two well-drawn characters of this eminent patriot,—one anonymous—the other by Lockhart, a tory. The following extracts are from the former:—

“He is so zealous an asserter of the liberties of the people, that he is too jealous of the growing power of all princes; in whom he thinks ambition so natural, that he is not for trusting the best of princes with the power which ill ones may make use of against the people; believes all princes were made by, and for the good of, the people; and thinks princes should have no power, but that of doing good. This made him oppose king Charles; invade king James; and oppose the giving so much power to



Scotland for its eloquence and patriotism, combined the forms of rhetoric and a figurative licence of prophetic inspiration with true and touching sentiment.\* He concluded as follows : — “ But it is superfluous to enter

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king William, whom he never would serve ; nor does he ever come into the administration of this queen, but stands up a stout pillar for the constitution of the parliament of Scotland.

“ He is a gentleman steady in his principles, of nice honour, with abundance of learning : brave as the sword he wears, and bold as a lion : a sure friend, and an irreconcilable enemy : would lose his life readily to serve his country ; and would not do a base thing to save it. His thoughts are large as to religion, and could never be brought within the bounds of any particular set. Nor will he be under the distinction of a whig or a tory ; saying, those names are used to cloak the knaves of both.”

Lockhart says of him : —

“ He came over with the prince of Orange ; but that prince was not many months in England till he saw his designs and left him, and ever thereafter hated, and appeared as much against him as any in the kingdom. He was blessed with a soul that hated and despised whatever was mean and unbecoming a gentleman ; and was so stedfast to what he thought right, that no hazard nor advantage, no, not the universal empire, nor the gold of America, could tempt him to yield or desert it. . . . He was no doubt an enemy to all monarchical governments ; at least, thought they wanted to be much reformed : but I do very well believe his aversion to the English and the union was so great, in revenge to them, he would have sided with the royal family ; but as that was a subject not fit to be entered upon with him, this is only a conjecture from some innuendos I have heard him make : but so far is certain, he liked, commended, and conversed with high-flying tories more than any other set of men ; acknowledging them to be the best countrymen, and of most honour, integrity, and ingenuity. To sum up all, he was a learned, gallant, honest, and every other way well-accomplished gentleman ; and if ever a man proposes to serve and merit well of his country, let him place his courage, zeal, and constancy as a pattern before him ; and think himself sufficiently applauded and rewarded if he obtain the character of being like Andrew Fletcher of Saltoun.” —

*Ibid.*

\* He opens thus : —

“ I think I see a free and independent kingdom delivering up that which all the world hath been fighting for since the days of Nimrod ; yea, that for which most of all the empires, kingdoms, states, principalities, and dukedoms of Europe are engaged in the most bloody and cruel wars that ever were ; to wit, a power to manage their own affairs by themselves, without the assistance and counsel of any other.—I think I see a national church founded upon a rock, secured by a claim of right, hedged and fenced about by the strictest and most pointed legal sanction that sovereignty could contrive, voluntarily descending into a plain, upon an equal level with Jews, Papists, Socinians, Arminians, Anabaptists, and other sectaries, &c.—I think I see the noble and honourable peerage of Scotland, whose valiant predecessors led armies against their enemies upon their own proper charges and expenses, now divested of their followers and vassalages, and put upon such an equal foot with their vassals, that I think I see a petty English exciseman receive more homage and respect than what was paid formerly to their quondam Macallamores.—I think I see the present peers of Scotland, whose noble ancestors conquered provinces, over-ran countries, reduced and subjected towns and fortified places, exacted tribute through the greatest part of England, now walking in the Court of Requests like so many English attornies, laying aside their walking swords when in company with the English peers, lest their self-defence should be found murder.” — *Parl. Hist.* vi. app. i. 142.

upon a formal examination of the articles; for even though England should offer us a *carte-blanche*, what is it in exchange for our sovereignty and independence."

The duke of Hamilton invoked the historic names of his country — in the depth of his emotion shed patriot tears — and afterwards silently acquiesced. His conduct has been uniformly ascribed to weakness, vacillation, or secret compromise down to a late period. It is presented in a more favourable light by one of his descendants. "At that critical juncture," says his grandson, "the duke of Hamilton received a letter from lord Middleton, secretary of state to the court of St. Germain, wherein, after acquainting him with the recent engagements which his master had just taken with the queen's ministers, in order to procure a peace to the French king, to whom he stood so much indebted, he proceeds with telling him, that 'he beseeched his grace, in the behalf of his master, to *forbear giving any further opposition to the union*, as he had extremely at heart to give to his sister this proof of his ready compliance with her wishes; not doubting but he would one day have it in his power to restore to Scotland its ancient weight and independence.' The letter concluded with recommending the business 'to be kept a profound secret, as he must be sensible that a discovery might eventually materially prejudice their interests both in Scotland and in England.' Thunderstruck at this extraordinary and unexpected request; wounded to the quick at not having had some previous notice of the negotiation while on foot, that he might have taken his measures accordingly; and debarred from consulting with any one on this sudden and momentous turn of affairs; the duke abandoned himself to despondence. The conflicting struggle within his breast preyed visibly on his health, and at length produced a violent fit of illness, which had nearly deprived his country of his future services, and his family of his protection."\*

\* Hamilton's Transactions, &c. 41—44. The writer further observes: —  
"To this hitherto unaccounted for incident is to be attributed the con-



It was this duke of Hamilton, who, as lord Arran, in a meeting of Scotch peers and commoners, pending the revolution, uttered a short and stirring speech for recalling king James, and was afterwards committed by king William to the Tower. He was, even on the showing of his descendant, a jacobite, not a patriot, but more open to the charge of weakness than duplicity.

The articles of union were approved by a large majority; and the parliament of Scotland, having despatched subordinate matters, was adjourned on the 25th of March in the following year—never to meet again.

The parliament of England had assembled, meanwhile, on the 3d of December. The first proceeding of the session was to reward the duke of Marlborough with the thanks of parliament, and the extension of his grants and titles to his descendants, male or female.\* Supplies for the ensuing campaign were voted with the utmost promptitude†; and, on the 28th of January, the queen acquainted both houses, from the throne, with the ratification of the articles of union by the parliament of Scotland. An act was passed to secure the church of

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duct of the duke of Hamilton on this occasion; not to the inconsistent and invidious motives propagated by the partial Lockhart, and the vain colonel Hooke; the last of whom the duke had disdained to admit to any share of his confidence. It is much to be regretted that these authors should have gained such credit to their vague assertions, made against probability, as not to have been yet contradicted."

This writer professes to derive his information from family papers, and appears deserving of credit. The continued intrigues of Marlborough and Godolphin with the court of St. Germain, pending, and even after, the union, are minutely detailed on the same authority in his volume; but they were already known from the publication of Macpherson, and they are at once so base and barren, that the association of them with the eminent public services of the one in the field, and the other in the cabinet, would disgust without instructing the reader. An emissary of the court of St. Germain said he could account for their conduct only by supposing them to lie for the mere sake of lying. But the real fact seems to be, that having once engaged in this course of guilty and grovelling intrigue, they could not break off without danger. The courts of St. Germain and Versailles could put in the hands of their enemies, matter to reach, not only their reputations, but their heads. As to the union, the object of their artifices was to employ the authority of St. Germain with the Scotch jacobites, to make the latter submit to that measure.

\* He had but one son, who died, a youth, at the university.

† The tories tried their strength, and proved their weakness, by moving, in the committee of supply, that a sum of about a million, advanced to the duke of Savoy and prince Eugene, "was not expended for the safety and honour of the nation." The censure was negatived, and the affirmative voted, by a majority of 211 to 205, after a warm debate of which there is no record.

England against the presbyterian leaven about to be admitted from Scotland into both houses. The Scotch parliament had gone beyond them, in providing for the presbytery. They not only stipulated that the kirk should not be altered, but declared it unalterable for ever; — such is the presumption of man.\* The treaty was cavilled at, rather than resisted, in both houses; and the final ratification celebrated with congratulatory addresses, and the formal observances of religious solemnity, combined with festive rejoicing.†

This is to be understood only of England. In Scotland it was different. The union deprived the Scotch of that which is most cherished by a proud, fierce, and ancient people,— their independence: they knew it was carried by servile ambition and vile corruption, and they submitted with rankling purposes in sullen silence. There are, however, but two means of carrying such measures,— corrupt influence, and superior force. The former, though less felt at the moment, is incalculably

\* The general assembly of the kirk carried its presumption to a length which might be merely called still more absurd, if it were not also odious.— At one time they petition the parliament of Scotland not to consent to any allowance of the “ Anglican hierarchy and ceremonies ” in Scotland; — “ a manifest homologation (they say), by which they (the parliament) would involve themselves and the nation in guilt.” On another occasion they say,— “ We are persuaded, that to enact a toleration for those of the episcopal way,— which God in his infinite mercy avert! — would be to establish iniquity by a law; and would bring upon the *promoters thereof, and their families*, the dreadful guilt of all those sins and pernicious effects that might ensue thereupon.” Persecution should have taught them to be more tolerant. But the kirk is distinguished from other communions in this curious particular,—of breathing intolerance and persecution even in the act and agony of being persecuted.

† For the Articles or Act of Union, see Parl. Hist. vi. app. ii. The chief provisions are,— That the succession of the United Kingdom shall remain to the princess Sophia, and the heirs of her body, being protestants; that all privileges of trade shall belong equally to both nations; that there shall be one great seal, and the same coin, weights, and measures; that the episcopal and presbyterian churches of England and Scotland shall be for ever established, as essential and fundamental parts of the union; that the United Kingdom shall be represented by one and the same parliament, to be called the parliament of Great Britain; that the number of peers for Scotland shall be sixteen, to be elected for every parliament by the whole body, and the number of representatives of the commons forty-five, two thirds of whom to be chosen by the counties, and one third by the boroughs; that the crown be restrained from creating any new peers of Scotland; that both parts of the United Kingdom shall be subject to the same duties of excise, and the same customs on export and import; but that when England raises two millions by a land-tax, 48,000*l.* shall be raised in Scotland, and in like proportion.

more demoralising, and proves in time much the more injurious of the two.\* The queen prorogued parliament on the 24th of April; revived it by proclamation, as provided by a clause of the Act of Union, on the 29th — the day before the union of the two kingdoms began; and summoned the first parliament of Great Britain to meet on the 23d of October.

\* The union of 1707 generated the Mac Sycophants and Lumbercourts of St. James's. That imposed by the commonwealth upon Scotland, by moral authority blended with superior force, and imposed in the spirit of statesmanship as well as conquest, left the staminal vigour and virtue of the Scottish nation and character unimpaired.

## CHAP. V.

1707—1710.

CHARLES XII. AND THE CZAR PETER. — INTERVIEW OF CHARLES AND MARLBOROUGH. — BATTLE OF ALMANZA. — PROGRESS OF THE WAR. — ATTEMPT ON TOULON. — DEATH OF SIR CLOUDESLEY SHOVEL. — FIRST PARLIAMENT OF GREAT BRITAIN. — LORD SUNDERLAND. — THE WHIGS. — THE DUCHESS OF MARLBOROUGH — HER CHARACTER. — MRS. MASHAM. — STATE OF PARTIES AND THE COURT. — INQUIRY INTO MIS-CARRIAGES OF THE ARMY AND NAVY. — REMOVAL OF HARLEY. — ATTEMPT OF THE PRETENDER. — THE CAMPAIGN. — BATTLE OF OUDENARDE. — SIEGE AND CAPTURE OF LILLE. — LAW OF TREASON IN SCOTLAND. — ACT OF GRACE. — DISTRESS OF FRANCE. — PACIFIC OVERTURES — REFUSED. — FORTITUDE AND RESOLUTION OF LOUIS. — THE RHINE. — ITALY. — SPAIN. — CONQUEST OF MINORCA. — ENGLISH PARTY MOVEMENTS. — DEATH OF PRINCE GEORGE OF DENMARK — HIS CHARACTER. — ASCENDANT OF THE WHIGS. — PROCEEDINGS OF PARLIAMENT. — THE BANK. — BATTLE OF MALPLAQUET. — NEW OVERTURES MADE BY LOUIS. — SACHEVEREL — HIS SERMONS, TRIAL, AND POPULARITY.

THIS year the duke of Marlborough went as usual to Flanders, but was employed more in diplomacy than war. It was his happiness to be alike qualified for both. Charles XII. of Sweden was now in the zenith of his fame and power. He had forced upon the king of Denmark the humiliating peace of Travendahl ; he had defeated 80,000 Moscovites, under the czar Peter, with 10,000 Swedes ; he had forced the passage of the Dwina ; he had dethroned Augustus king of Poland, and enthroned Stanislaus in his place ; and he was now in Saxony with his Swedes, laying that electorate under contribution ; whilst the terror of his arms was felt at Vienna. He appeared in a position to become the arbiter of Europe. Louis XIV. solicited an alliance with him ;

the confederates were alarmed for the issue ; and it was resolved that Marlborough, under the guise of a visit of compliment to this Alexander of the north in his camp, should sound his intentions. It is said that Charles was disgusted with the finery of Marlborough's dress ; and that the latter, seeing a map of Russia open before the former, saw instantly that he had no design upon the centre or south of Europe. Others, again, maintain that the Englishman attained the object of his mission by the adroitness with which he flattered and observed the Swede.\* He returned to the Hague in the beginning of May ; resumed the command of the army ; but, from the interference of the states' deputies on the one side, and the defensive system of Vendôme on the other, passed the remainder of the campaign and of the year in counter movements and mutual observation between him and the enemy.

Whilst Marlborough thus achieved nothing in Flanders, fortune was disastrously adverse to the confederates upon other points of the theatre of war. The French king's aim, of dividing the allied powers by his overtures for peace, did not wholly fail. The emperor took the alarm ; and, to make his Italian possessions secure, contracted with Louis for the evacuation and neutrality of the Milanese. Louis sent the troops, thus rendered disposable, to reinforce the duke of Berwick in Spain. Lord Galway was at the same time reinforced from England, by a body of troops landed at Alicant under lord Rivers ; and it was resolved to advance from Valencia upon Madrid.

Lord Peterborough, who had by this time rejoined the confederates in Spain, opposed this resolution ; but his opinion — so little consonant with his daring character and love of adventure — was ascribed to caprice or envy, and over-ruled. He now served only as a volunteer ; and flitted with his usual velocity over Italy

\* Marlborough had tried to sound the intentions of Charles, before his own interview, by means of a German officer, who, in the report of his mission in Coxe's Memoirs, proved that Marlborough was himself as open to flattery as the king of Sweden.

and Germany, — touching at the quarters of a kindred genius, Charles of Sweden, in his way to England.

The allies—English, Dutch, and Portuguese—commanded by lord Galway and the Portuguese marquis Das Minas, appeared before Berwick's lines on the 14th (O. S.) of April, in the plain of Almanza. He was prepared to receive them in order of battle. They engaged, and fought, with the usual fluctuations of fortune and carnage of a well-fought battle, for about six hours — when the assailants suffered a defeat and rout, said to have decided the succession to the throne of Spain. Galway and Das Minas were both wounded; narrowly escaped capture; and lost, in killed, wounded, and prisoners, 15,000 men, with the whole of their artillery, ammunition, standards, and equipments. The army, in short, was annihilated.

Neither of the rival kings was on the field, — Philip was at Madrid, Charles at Barcelona. Lord Peterborough, with his republican contempt of both, is said to have exclaimed or written, on some occasion, in reference to them, — “What simpletons we must be to fight for such creatures!” He certainly said so in substance to the French marshal De Tesse, when they were adversaries, — with the further remark — “Slaves may fight for a man; freemen should fight only for a nation.”\*

The duke of Orleans arrived in Spain the day after, and took the command. Almanza, a Moorish fortress on the frontier of Valencia, immediately surrendered to him. Saragossa followed its example. The two provinces of Valencia and Aragon submitted after a little time. He closed the campaign with the conquest of

\* Voltaire (Siècle de Louis XIV. chap. xxi. *sub ann.* 1707), who had heard it from the lips of De Tesse himself. The editor of a recent edition subjoins: —

“D'autres écrivains dignes de foi racontent que Peterborough disait de lui-même et du général Français, son adversaire dans la guerre de la succession d'Espagne: ‘Que nous sommes des grands ânes de combattre pour ces deux gros benêts!’ Et ces deux gros benêts étaient Philippe V. et l'archiduc Charles, depuis empereur sous le nom de Charles VI.”

Lord Peterborough, it should be observed, had left Valencia in disgust before the battle of Almanza.



Lerida, which had foiled the great Condé\* ; tried to supplant his kinsman Philip by a secret and abortive intrigue ; and was recalled, but not punished, by Louis XIV.

France, meanwhile, was recovering breath and strength beyond the Rhine. Prince Louis of Baden died in January, of the fatigues of war, disappointment at the court of Vienna, and his splenetic jealousy of Eugene and Marlborough. He was succeeded by the prince of Bareuth—a person disqualified for a command in chief, by the mediocrity of his intellect and the infirmities of his age and temper. Marshal Villars, recalled once more to a command worthy of him, appeared on the Rhine, to meet the imperialists under the command of the margrave of Bareuth. Landau was in the hands of the imperialists, who had thus a key to France ; but the possession of Strasburgh left the empire no less open. Marshal Villars crossed the Rhine at that city ; drove the imperial advanced guard before him ; forced the strong lines of Stalhoffen ; took the imperial city of Rastadt ; over-ran Wirtemberg and Swabia ; penetrated to the Danube ; and prepared to recover the electorate of Bavaria from the grasp of the emperor, and the ban of the empire. The command of the imperialists now passed from the margrave of Bareuth to the more respectable mediocrity of the elector of Hanover,—afterwards George I. Fortunately for the elector, Villars was suddenly compelled to detach a large force for the protection of the South of France ; and his army being no longer adequate to his designs, he fell back upon the Rhine, and repassed that river.

Italy was wholly subject to the emperor. He recovered, under a convention, Final, Milan, Mantua, Cremona,—in short, all the places garrisoned by the French in Italy

\* There are two curious facts stated in the Memoirs of Berwick respecting this campaign ; — that a Portuguese general officer conveyed the designs of the confederates to him, from motives of patriotism — considering the alliance injurious to his country ; and that, upon the approach of the French to Saragossa, the monks persuaded the people they were phantoms raised by magic or the devil — began to exorcise them — and kept up the delusion until the hussars began to do execution with their sabres upon the credulous Saragossans.

— and occupied Naples without resistance. In these acquisitions he sacrificed the common interest to his own. The loss of Italy was a relief to France; and it was resolved to assail Louis by land and sea, in Dauphiné or Provence, Toulon or Marseilles. This design is said to have been advised and pressed by the duke of Marlborough, in concert with prince Eugene. There appears between these two great captains a fine example of the accord which prevails between master minds in a particular science or art. The duke of Savoy and the emperor marred the design by their mutual jars and separate interests. The one interposed delays; the other weakened the invading force, by detaching from it the troops which occupied Naples. Even their unison had a bad effect. They agreed in regarding the capture of the great naval arsenal of Toulon as advantageous only to the English and Dutch.

In the beginning of July, however, prince Eugene and the duke of Savoy advanced from Piedmont, by the passes of the Col di Tende, on France. Their army is variously estimated from 30,000 to 40,000 men. A combined fleet of English and Dutch was prepared to co-operate with them in the Mediterranean, under sir Cloudesley Shovel. The French frontier on this side was unguarded. There was neither a chain of fortresses, like those of the Rhine, Moselle, and Meuse—nor a strong military force. But the country, mountainous and barren, would retard an advance, and embarrass a retreat. On the 10th or 11th of July, the allies crossed the Var. The passage was opened to them by a detachment of well manned and armed gunboats from the combined fleets, led by sir John Norris—an able and gallant seaman. He rowed up the river with about 600 men, within musket-shot of strong works thrown up and defended by the French; and, after a discharge of small arms, landed his men, and carried the intrenchments sword in hand.\*

\* There is reason to suspect, upon a comparison of the French and confederate accounts, that the strength of these temporary works, and the number of the French charged with the defence of them, is overstated in the latter.

The allies, having passed the river, advanced without opposition upon Toulon; whilst the combined fleet appeared before that great focus of the naval resources of France. It was cannonaded and bombarded with effect from the land and sea side for some time. But the garrison, strong and full of zeal, did severe execution in return, by their artillery from the ramparts, and by vigorous sallies. There appeared no immediate prospect of the place being carried. The detachments from Villars were arrived; the reinforcements destined for Spain were countermanded; the French king made every effort and sacrifice to send a strong army to the relief of Toulon, commanded by his grandson the duke of Burgundy and a marshal of France. Under these circumstances, the duke of Savoy raised the siege; re-crossed the maritime Alps; and comforted himself for the dishonour of his arms, by the capture of Susa — the chief defence of his frontier and his capital, on the side of France.

The duke of Savoy had no good will to this unhappy attempt; and prince Eugene showed so little of his inventive and enterprising genius, that it was said he acted under the control of secret orders from Vienna. These selfish jealousies of interest and vanity may be despised, but are not to be regretted. They tend to prevent or break up oppressions of the weak by the strong; and procure mankind intervals of repose from the ambition and inhumanity of courts and cabinets\*, — those reckless and retired dispensers of the scourge of war.

The combined fleet discontinued its operations at the same time, after having destroyed two batteries and eight ships of the line; and the English navy soon lost

\* The raising of the siege of Toulon is ascribed, in the Memoirs of Madame de Maintenon, to this expression of Charles XII. to Marlborough, — "If Toulon be taken, I will go and retake it:" in the Memoirs of Lambert, to his being induced by the French and Bavarian ministers who attended him, to convey an insinuation to the duke of Savoy, of his intention to attack the empire if the siege were not raised; on which the duke of Savoy acted accordingly. These stories continue to be cited (see Burnet, v. 319. note); though Voltaire has absolutely disproved the one, and stated facts which all but disprove the other.

one whose valour and virtue shed lustre upon his profession and his country. Sir Cloudesley Shovel, having left a part of his fleet in the Mediterranean, under the command of admiral Dilkes, sailed for England with fifteen ships of the line; and on the night of the 22d of October perished on the Scilly rocks, in a fog, with the whole crews of the Association, his flag ship, the Eagle, and the Romney. The body of the admiral was cast ashore by the waves; stripped and buried in the sand by the inhospitable people inhabiting there; discovered after some days; and entombed in Westminster Abbey. He had risen from before the mast to the highest rank in the navy, without patronage, or the ignoble arts commonly practised at that time. His public virtue equalled his ability and valour as a seaman. When Russell, Carter, Killegrew, and Delaval defiled themselves by their intrigues with the courts of St. Germain and Versailles, a jacobite emissary in England was asked whether sir Cloudesley Shovel also might not be gained. The emissary replied, that "he was not a man to be spoken to." The naval operations of the year were wide-spread, minute, and on the whole unfortunate.\*

\* A historian, whose merit would be more appreciated had he written the naval, not the general, history of England, and who has recorded in an imperishable work of fiction his experience of the sea, gives the following summary of the naval incidents of the year:—

"In the month of May, three ships of the line—namely, the Royal Oak, of seventy-six guns, commanded by commodore Baron Wylde; the Grafton, of seventy guns, captain Edward Acton; and the Hampton Court, of seventy guns, captain George Clements,—sailed as convoy to the West India and Portugal fleet of merchant ships, amounting to five and fifty sail. They fell in with the Dunkirk squadron, consisting of ten ships of war, one frigate, and four privateers, under the command of M. de Forbin. A furious action immediately ensued, and, notwithstanding the vast disproportion in point of number, was maintained by the English commodore with great gallantry until captain Acton was killed, captain Clements mortally wounded, and the Grafton and Hampton Court were taken, after having sunk the Salisbury, at that time in the hands of the French. Then the commodore, having eleven feet water in his hold, disengaged himself from the enemy by whom he had been surrounded, and run his ship aground near Dungenesse; but she afterwards floated, and he brought her safe into the Downs. In the mean time, the French frigate and privateers made prize of twenty-one English merchant ships of great value, which, with the Grafton and Hampton Court, Forbin conveyed in triumph to Dunkirk. In July, the same active officer took fifteen ships belonging to the Russian company off the coast of Lapland. In September, he joined another squadron fitted out at Brest, under the command of the celebrated M. du Guai Trouin; and these attacked, off the Lizard, the convoy of the Portugal fleet, consisting of the Cumberland, captain Richard Edwards, of

The union was accomplished, and the united parliament of Great Britain now about to meet under circumstances which seemed to promise a continued and confirmed sway to Marlborough and Godolphin—a wider opening of the doors of office and the court to the whigs. Godolphin became lord treasurer. Cowper was raised from lord keeper to lord chancellor of Great Britain. Stamford was appointed chief commissioner of the board of trade; and Sunderland, after a struggle which seemed to decide the ascendant of the whigs, was appointed secretary of state in the place of sir Charles Hedges.\* He was the son of Robert earl of Sunderland, so well known and so ill reputed as the minister of king James and favourite of king William; and he was married to a daughter of the duke of Marlborough, from whom the blood and honours of that great man—the counterpart of Bacon, with the differences only of philosophy and war—have descended to posterity.

All this was mainly the work of the duchess of Marlborough,—a woman of imperious temper, but of generous sentiments and fearless masculine reason, whom it is a sort of fashion with writers to disparage and decry. She ruled her husband in all but his campaigns,—from which she was remote; she influenced, if she did not rule, Godolphin; and she exercised over queen Anne that

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eighty guns; the Devonshire, of eighty; the Royal Oak, of seventy-six; the Chester and Ruby, of fifty guns each. Though the French squadron did not fall short of twelve sail of the line, the English captains maintained the action for many hours with surprising valour. At length the Devonshire was obliged to yield to superior numbers; the Cumberland blew up; the Chester and Ruby were taken; the Royal Oak fought her way through the midst of her enemies, and arrived safe in the harbour of Kinsale; and the Lisbon fleet saved themselves by making the best of their way during the engagement. Since the battle off Malaga, the French king had never dared to keep the sea with a large fleet, but carried on a kind of piratical war of this sort in order to distress the trade of England. He was the more encouraged to pursue these measures by the correspondence which his ministers carried on with some wretches belonging to the admiralty, and the other officers, who basely betrayed their country in transmitting to France such intelligence concerning the convoys appointed for the protection of commerce, as enabled the enemy to attack them with advantage. In the course of this year, the French fishery stages, ships, and vessels in Newfoundland were taken, burned, and destroyed by captain John Underdown, of the Falkland."—*Smollet*, ii. 121. note †.

\* He was not finally appointed or installed till after the meeting of parliament, but the change was pending in a state of uncertain struggle during the recess.

sorcery which Leonora Galigai avowed to her judges over Mary of Medicis — the power of a strong upon a weak mind. The English, like the Italian favourite — but less unhappily — abused it. She was merely supplanted, whilst her prototype was burned at the stake. Parliaments and judges, both in France and England, had by this time ceased to treat witchcraft as a capital crime; reason had made some progress slowly and painfully, and fortunately, perhaps, for the duchess of Marlborough.

The duchess had some time before provided for a destitute relative named Abigail Hill, by procuring her the appointment of cradle-rocker to the infant duke of Gloucester. She was humble, deceitful, and insinuating, as the duchess was frank and proud. She crawled up from the cradle of the deceased son of queen Anne to the post not only of bedchamber woman, but favoured confidante of the queen; and, as the usage is at court, laboured to undermine her benefactress.

Harley, now impatient of his subjection to Godolphin and Marlborough; the Tories, alarmed at the progress of the Whigs; and the Jacobites, yearning for the succession of the pretender, — all saw the use which might be made of the new favourite. Their common watchword was to liberate the queen from the tutelage in which she was held by Godolphin and the Marlboroughs — to make her queen in fact as well as in name\*; and Mrs. Masham became the rival of the duchess of Marlborough. Of two such rivals in the favour of a weak and vulgar-minded princess, the chances were in favour of the former; but by slow degrees. The duchess maintained her ascendant for some time longer, though she put it to the perilous test of forcing Whig divines for vacant mitres upon the high church conscience of queen Anne.† It is a fact, humiliating to a nation calling itself free, and embarrassing to such admirers of monarchical go-

\* Hamilton's Transactions, &c. 70. *et seq.* Conduct of the Duchess of Marlborough, &c.

† See "Conduct of the Duchess of Marlborough," &c.

vernment as have honesty and reason, that the ministers of the crown should depend for their efficiency and existence on the favour of a mistress of the robes or a bedchamber woman ; but the ministers who allied themselves with the pride and sense of the duchess of Marlborough, had assuredly the advantage of those who coalesced with her rival's sycophant character and mean arts.

In this state of parties and the court, the first parliament of Great Britain was opened by the queen on the 23d of October. Smith was re-elected speaker without an opponent. The session promised to exhibit a keen party struggle. The queen, in her speech, referred to the miscarriages of the war by sea and land, and earnestly recommended the completion of the union in a conciliatory spirit. The commons passed over the latter topic ; but assured her, that, notwithstanding those miscarriages, they were prepared to prosecute the war with unabated vigour. No address of thanks was voted by the lords. The usual motion in that house was abandoned by the ministers ; and in its place, a vote passed for an inquiry into the state of the nation. It originated with lords Wharton and Somers, who sought to dislodge Harley and St. John\* ; and was supported by Buckingham and Rochester, whose object was to dislodge or damage Godolphin, Marlborough, and the whig ministers.

The naval miscarriages, so called, were detailed and discussed at great length in both houses, without any decisive vote in either. The commons then voted the supplies with readiness, and passed several resolutions for rendering the union more complete. The first of these resolutions was that there should be but one privy council in Great Britain — in other words, that the still surviving nuisance of the privy council in Scotland should be abated. It was effected by a bill

\* They were also suspected of a design to remove prince George of Denmark, and supply his place at the head of the admiralty with lord Orford.

which received the most earnest support from lord Somers.\*

The defeat of Almanza, and the failure before Toulon, led to a more animated debate in the house of lords. It was produced by a recommendation of the queen, in person, to both houses, that the aids to king Charles of Spain (so called) and the duke of Savoy should be increased.† Lords Rochester and Haversham extolled the conduct of lord Peterborough in Spain, with oblique censures of the duke of Marlborough and lord Galway. The former said, on the authority of the old duke of Schomberg, that attacking France in the Netherlands was like taking a bull by the horns. He lessened the duke of Marlborough with the presumption of the rhetorician who harangued Hannibal on the art of war. Marlborough, who never lost his calmness in the heat of battle, appears to have lost it in his collision with the impertinence of lord Rochester dictating to him the conduct of a campaign. The fact might be doubted, were it not admitted by himself.‡ Lord Galway was not present, and found no defender. Eventually, both houses addressed the queen against any peace which left a French prince in possession of Spain and the Indies. The session terminated on the 1st of April, and the 1708. parliament was soon after dissolved.

Two incidents, meanwhile, agitated the passions of the court, of parties, and of the people, — the removal of Harley, and an attempt of the pretender upon Scotland. A clerk named Greg, in Harley's office, was detected in a traitorous correspondence with the French minister Chamillard. He was clearly convicted, and executed. The secretary might be censured for carelessness, but there was not a shadow of proof to connect him with the crime of Greg§; and that person, though

\* See his speech in the Hardwicke Papers, ii. It is to be observed that the Scotch privy council exercised powers almost to the extent, and fully in the spirit, of the inquisition, or the star chamber.

† Addison's pamphlet on this subject obtained him a reputation for political capacity which he did not afterwards sustain.

‡ Parl. Hist. vi. 607.

§ See note of lord Hardwicke, in Burnet, v. 356.



tempted, it is said, with a promise of pardon\*, not only did not accuse, but did expressly, in a written paper, exculpate Harley on the scaffold. Harley's credit was somewhat affected with the credulous public, but he was in no danger of removal for this alone; his credit with the queen was not only unabated, but advanced; and it was his very advance in her favour that led to his being dismissed.

Godolphin, Marlborough, and, above all, the duchess, were sensible for some time of the great and growing influence of Harley and Mrs. Masham. The duchess complained of her own and her husband's decline in the queen's confidence and favour, in a tone of imperious resentment, which has been termed, with gross exaggeration, insolence and rage. She felt, as it was natural she should feel, with her strong mind and as strong passions, what she considered the revolt of the enslaved and feeble mind of queen Anne against her habitual sway and natural superiority; especially when she saw herself supplanted ungratefully by her own dependent. The queen's submissive expressions of continued confidence and affection to the duke and to herself were received by her as the insincere and artful suggestions of Harley and Mrs. Masham, and only irritated her into frank

\* The charge of subornation is made by Swift, writing, it should be observed, after the attempt of Guiscard upon the life of Harley at the council table. Swift, however, was not scrupulous when indulging his party passions, or defending his political or personal friends.

"And here it may be worth observing, how unanimous a concurrence there is between some persons once great in power, and a French papist (Guiscard),—both agreeing in the great end of taking away Mr. Harley's life, though differing in their methods; the first proceeding by subornation, the other by violence; wherein Guiscard seems to have the advantage, as aiming no further than his life, while the other designed to destroy at once both that and his reputation. The malice of both against this gentleman seems to have risen from the same cause—his discovering designs against the government. It was Mr. Harley who detected the treasonable correspondence of Gregg, and secured him betimes, when a certain great man, who shall be nameless, had, out of the depth of his politics, sent him a caution to make his escape, which would certainly have fixed the appearance of guilt upon Mr. Harley; but when that was prevented, they would have enticed the condemned criminal with the promise of a pardon, to write and sign an accusation against the secretary. But, to use Gregg's own expression, his death was nothing near so ignominious as would have been such a life, that must have been saved by prostituting his conscience."—*Examiner*, March, 1711.

disdain of an attempt to impose upon her simplicity and insult her reason.

The queen could not be brought to dismiss the secretary. Godolphin and Marlborough absented themselves from the council. The secretary thought himself able to go on without them. The tories thronged round the queen, and they were very graciously received by her.\*

Harley and the tories deceived themselves. The council, at its next meeting in the queen's presence, was reserved and sullen; and upon the secretary's submitting a matter relating to foreign affairs, the duke of Somerset said he did not see how they could entertain it without the treasurer and the general.† The other members assented: the council broke up abruptly: and the queen propitiated Marlborough and Godolphin by dismissing their rival.

St. John, secretary of war, and Harcourt, attorney-general, went out in Harley's train. The successor of Harley was Henry Boyle, chancellor of the exchequer; and St. John was succeeded by the future whig leader and minister Walpole.

The news of a French expedition from Dunkirk, with the pretender‡ on board, for Scotland, now reached the ministry; and the usual measures of warning away papists by proclamation, suspending the *habeas corpus* act, seizing suspected persons — among them the duke of Hamilton — and disposing forces, military and naval, were immediately resorted to. The representations of colonel Hook, a jacobite emissary in Scotland, of the disposition of the Scotch chiefs and clans; the hope of making a diversion in his favour, on the side of Flanders and Spain; the desire to avenge the invasion of Provence and siege of Toulon, — decided Louis to send out this armament.

It consisted of five ships of the line and twenty fri-

\* Note of lord Dartmouth, in Burnet, v. 254.

† Such, at least, is Burnet's version, v. 254.

‡ He was now so called for the first time in the queen's speech announcing the invasion to both houses; and the word was henceforth used in addresses, and generally by the public.

gates equipped at Dunkirk, with 5000 men on board, under the orders of Forbin, a distinguished naval officer. Again the Dutch took a false alarm, and again the English were taken by surprise.\* On the 6th of March, the pretender — called by the English jacobites James III.; by the Scotch, James VIII.; by the more dishonest and scurrilous of the English whigs, the pretended son of a pretended mother †—embarked in royal state, and the destination of this armament was no longer doubtful. A British squadron, under sir George Byng, stretched across the Channel, but was forced back by stress of weather to the Downs. The pretender and the French were also forced back by adverse winds; took the sea again on the morning of the 13th; found themselves beyond the Frith of Forth in view of the British squadron under Byng; and made sail for Dunkirk, which they gained with the loss of one ship, captured, without honour on either side. Among the prisoners on board were two sons of lord Middleton, and lord Griffin, a veteran, or rather worn, jacobite, whose imbecility of mind seems to have been replaced by the instinct of his principles. The two former were, after some time, released by order of the queen. Considerate and common humanity would dictate this; but it is ascribed to their father's possessing the means of retaliating upon Marlborough and Godolphin. ‡ Lord Griffin was already an outlawed traitor, and might be executed without trial. He was suffered to die a natural death in the Tower, after a short captivity, during which his old age was tortured with the suspense of continued respites from the crown. But, to the honour of the queen and her government, no blood was shed, though proofs of treason existed against several in Scotland, and many Scotch and Irish were made prisoners on board the captured ship.

Louis XIV., by making a vain demonstration instead of a great effort, missed a great opportunity. The ele-

\* See page 56. *antè*.

‡ Hamilton's Transactions, &c. 90. †

† Oldmixon. †

ments of rebellion against the crown and dominion of England were not merely ready, but organised, in Scotland.\* But Louis could see little — his minister Chamillard still less — beyond the mere routine of European combinations in war or peace. They thought the fate of France and the grand alliance was to be decided only in Spain, in Italy, on the Rhine, and in the Low Countries.

The duke of Marlborough proceeded in the beginning of April to the Hague, where he met prince Eugene. They concerted with the pensionary and states' deputies the plan of the approaching campaign. After this, the prince proceeded to Vienna, and Marlborough took the field. Louis XIV. made great efforts to improve the last year's advantages. He placed his grandson the duke

\* The following description of the state of Scotland is cited in "Hamilton's Transactions," from a MS. written at the time: —

"Although the armament for the invasion of that country seems rather to have been extorted from Louis XIV. than intended as a serious diversion to the British arms, yet there cannot be a doubt that the abortion of the scheme proved the salvation of the Scottish government. Many of the nobles, the greatest part of the gentry, and two thirds of the people, were inflamed to a degree of despair at what they termed the indignity of the union. The injudicious violence with which the new laws for collecting the revenue had at length recently been introduced into Scotland, bore the appearance of a design in the minister to rouse the inhabitants to some desperate attempts for breaking a treaty which he had himself accomplished with great apparent zeal. Swarms of surveyors, collectors, and other officers were just arrived from England. They enforced the new regulations with a vigour better adapted to the indignities accompanying conquests, than consonant with the rights of a free people. The friends of the excluded family fomented with success the public resentment against the English government. Those who had formerly been averse to the restoration of the Stuarts, now wished it ardently, as the only means to avoid a yoke the more grievous and insupportable that it was novel and unexpected. All accounts concur in stating that the minister was inviting instead of warding off an invasion. Only 2000 regular troops known to be disaffected were stationed in Scotland. The castles and forts were in a ruinous condition, and all unprovided with military stores. The money voted by the last English parliament as a compensation for Scotland was deposited in the castle of Edinburgh, which the slightest efforts of a resolute enemy would have carried. A Dutch fleet had just been stranded on the coast of Angus, with ammunition, cannon, muskets, and money. The Act of Security had placed arms in the hands of the people, of which they had not yet been deprived, although that law had been repealed. The Highland clans, though not so mediately affected by the innovations of the union as the inhabitants of the South of Scotland, were, from principles, naturally attached to a race of princes whom they considered as their countrymen, and whom they judged that strong hand deprived of their native rights. So sensible were the officers of government of their inability to maintain themselves in Scotland, that they were preparing to take refuge in the town of Berwick. Had the pretender, therefore, accomplished his landing with the appearance of a regular force, he would infallibly have taken quiet possession of the whole kingdom."

of Burgundy — the pupil of Fénelon — at the head of the army of Flanders, with the duke of Vendôme for his military director. The French were 100,000 the allies 80,000 strong; but the latter were commanded by Marlborough and Eugene. The prince had gone to Vienna for the purpose of bringing up reinforcements, and returned with them.

Fortune favoured the French at the opening of the campaign. They took Ghent, Bruges, Ypres, and invested Oudenarde. Marlborough and Eugene moved to its relief. The French raised the siege, and crossed the Scheldt: the allies pursued and attacked them during a crisis of indecision and discord between the dukes of Burgundy and Vendôme, and routed them with the loss of about 15,000 men.

The pretender and the electoral prince of Hanover — afterwards George II. — were present at the battle of Oudenarde. According to English writers, the former looked on from a safe distance; but the duke of Berwick, an eye-witness, bears testimony to the sense and spirit displayed by him in the field. Berwick may be suspected of partiality to his brother, whom he also considered his sovereign; but, on the other hand, they who slanderously charged confederate imposture upon his father and mother, and spurious birth upon himself, would not now hesitate to charge him as slanderously with cowardice. The electoral prince led a charge of German horse with undisputed gallantry against the French guards. Courage was one of the traits which went to redeem the fantastic vulgarities which characterised that personage. Vendôme\* conducted the retreat with ability, and rallied the fugitives under the walls of Ghent, Tournay, and Ypres; whilst the allies invested

\* Vendôme lost more character than Eugene or Marlborough gained. He was thwarted, it is said, by the instructions and incapacity of the French war minister, Chamillard; by the impatient jealousy of the duke of Berwick, who served under him, and has left proofs of discontent in his account of the campaign; by the presumption and the piety of the duke of Burgundy, who was not always content with a nominal command. One of this pious prince's suite said to Vendôme, after the defeat of Oudenarde, "See what it is never to go to mass."—"Do you think," replied Vendôme, "that Marlborough goes oftener than I do?"

Lille—one of the strongest places in Europe, and the very key of France.

Lille had recently received such improvements of its works as the genius of Vauban could impart to it; and it was defended by a numerous garrison, under the command of a skilful and experienced though not first-rate captain, marshal Boufflers. The attempt was deemed a rash one; the command of Ghent, considered necessary to its success, was dispensed with; and it was thought, even after the event, that if the chances of war had not been unusually fortunate, Lille would have foiled the combined skill and valour of Marlborough and Eugene. The former covered, the latter conducted, the siege.\* The town capitulated on the 22d of October, the citadel on the 10th of December, with the honours of war. Lille is said to have cost the allies near 20,000 men. Ghent surrendered before a cannonade had seriously begun. Bruges and other places were abandoned by the French. The year's campaign in Flanders ended thus disastrously to France. Such was the value attached to the capture of Lille, that it was looked upon as opening the way to the capital of France.†

\* The chief difficulty was to obtain the necessary supplies of ammunition and provisions for the army. Vendôme cut off their communication with Brussels, and there remained only a difficult and exposed communication with Ostend. General Webb, charged with a large convoy from Ostend, was attacked by a French force treble his number, defeated the enemy, and brought his convoy safe to Lille by a rare union of skill and gallantry; found himself deprived of the honour of this achievement in the public despatch, by Cardonel, the duke of Marlborough's secretary, in favour of general Cadogan; left the army in disgust; and published an account of the affair on his arrival in England. Others charge the injustice upon Steele, who then "wrote the Gazette." The enemies of Marlborough charged it upon him personally; and he cannot be considered wholly free from blame. Webb was a member of the house of commons, and received its thanks in his place. If the "Transactions" before cited may be relied on, the duke of Marlborough "was loudly censured in the debates for using unjustifiable means to depreciate the merit of a deserving officer;" and Bromley, a tory leader, is described by Oldmixon and Tindal, as referring to him in the following terms:—

"I do not disapprove the custom, said Mr. William Bromley, which of late years has been introduced, of returning thanks to such generals as have performed eminent services, especially when they received those compliments as modestly as the worthy member to whom they were now given had now done; but it is with grief I observe that a certain commander, on whom not only the thanks of both houses, but also great rewards, have been bestowed, appears yet to be unsatisfied."

† A small band, chiefly French refugees, set out from Courtray, with the adventurous design of reaching Versailles, and carrying off the person of

On the Rhine, nothing was lost, won, or disputed. The elector of Hanover appeared so tranquil that his opponent, the elector of Bavaria, too weak to attack him, cantoned his troops, and went to join Vendôme in the Low Countries. On the side of Northern Italy, the duke of Savoy, more interested in the strength and advantages of his frontier than in the capture of Toulon, took some minor frontier fortresses. In Southern or Central Italy, the pope gave signs of life, but very feebly. He was attached to the house of Bourbon: he received very distastefully the emperor's mockery of homage for the investiture of Naples: he acknowledged the archduke, with spiritual ambiguity, as "our very dear son, catholic king in Spain;" but was soon brought to reason, and a more ample recognition of "our dear son the king of Spain and the Indies," by the movement of an imperial force on the side of Lombardy, and the menace of a visit from the English fleet in the Mediterranean to Civita Vecchia. It is remarked by a French historian, far from friendly to papal or spiritual power\*, "that the power of St. Peter's keys was now reduced almost to what it should be."

Great hopes were entertained of the confederate cause this year in Spain. The emperor sent count Staremberg, a general of reputation and experience, to com-

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the dauphin of France. They reached their destination; took one of the dauphin's officers in a royal carriage, for himself, on the bridge of Sèvres; and carried him away on horseback. The officer was infirm, and they stopped to procure him a chaise: meanwhile the dauphin's escort came up, rescued the prisoner, and captured the adventurers, who thus became the victims of their politeness or humanity. Without this they would have borne off their prize; and a few minutes later would have captured the dauphin himself, who came up escorted only by a single trooper.

Another incident during the siege of Lille, though it had no result, may yet be mentioned. There are various, if not opposite, accounts of it. According to one (see Voltaire, *Siècle de Louis XIV.*, and *Mémoires du Duc de Berwick*), Marlborough made overtures of peace through the duke of Berwick, who was the son of his sister; and was so disgusted with the impertinent reply of the French court, or the minister Chamillard, that he was adverse to peace ever after. Upon this it should be observed, that Marlborough was not a man to be actuated by such motives; and in point of fact, his motives of policy and ambition to continue the war are notorious. According to lord Hardwicke, in a note on Burnet, v. 383., the overture came from the duke of Berwick, through whom "the French court offered the duke of Marlborough a considerable sum of money to procure them peace."

\* Voltaire, *Siècle de Louis XIV.*

mand the imperialists there, and overawe the intriguers of the court or camp of Charles. Lord Galway at the same time returned to Portugal, and was succeeded in his command by general Stanhope, a man expert and accomplished as a soldier, diplomatist, and member of the house of commons, and, — from having been an ambassador at the court of the deceased Charles II., and his titular successor Charles III., — well acquainted with Spain and the Spaniards.

In the Peninsula, nothing was achieved by the allies, while the French took Tortosa and the castle of Denia. But general Stanhope made a conquest which has proved of permanent value to England, in the Mediterranean, — that of Minorca, with its fine harbour, Port Mahon. The aid of the English squadron in the Mediterranean, under sir John Leake, was indispensable. Leake had just made, with little resistance, the acquisition of the island of Sardinia. The general and the admiral met, with their respective forces—the one from Barcelona, the other from Sardinia — off Majorca, and both appeared before Minorca about the middle of September. Stanhope landed with little more than 2500 men, including marines, and invested the chief fort — St. Philip. A breach was made, a redoubt was stormed, and the fort capitulated on the third or fourth day — the 30th of September. The rest of the island submitted as a matter of course. Stanhope returned to Barcelona, leaving Port Mahon garrisoned with British only, as a British possession ; and Leake sailed for St. Helen's.

The protection of the siege of Lille against Vendôme ; the raising of the siege of Brussels, vigorously attacked by the elector of Bavaria ; the capture of the city of Ghent, — occupied the duke of Marlborough to the end of the year ; and he passed the winter in the Low Countries.\* His power and influence were threatened

\* If Hamilton's Transactions, &c., already cited, may be relied on, he was detained by personal and disreputable motives : —

“ The duke of Marlborough was detained in Flanders by concerns of a domestic nature. Since the victory of Ramilies, the consequential conquests in Flanders had yielded to the duke a considerable revenue. The management of it had been intrusted to general Cadogan, an intimate friend of his grace, fond of money, and, like him, not over scrupulous



and invaded, meanwhile, from opposite quarters at home. The intrigues of Harley, the tories, and the jacobites\*, and the overbearing, impatient spirit of his wife, were undermining him in the favour of queen Anne. At the same time, the whig junto † — so called — with his

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about the means of its acquisition. For the conveniency of imposing and levying contributions on the conquered towns, it had been found expedient to station the general at the Hague; for which purpose Mr. Stepney had been removed from his embassy to the states, and general Cadogan had been appointed ambassador from Great Britain in his room. So faithfully had this useful agent discharged the trust confided to his care, that he had the year before laid 6000 pistoles in specie at the feet of his noble patron, as an humble earnest of gratitude from the magistracy of Ghent, who humbly craved as a favour to be continued in their offices during another year only. The suitors had in consequence appeared such eligible magistrates, that the duke had, by his own single authority, reversed in their behalf the regulation made for the civil government of Ghent, although it had been signed by himself and the deputies of the states on the 6th of October, 1706; and he invested these worthy sitting magistrates with full authority to oppress their fellow citizens at their own discretion. Some of the inhabitants of this town, as well as of Bruges, not tamely acquiescing in what they deemed infringements of their rights, had opened their gates to the French. It imported now, therefore, to punish exemplarily these testy and refractory Flemings: pecuniary fines were the most obvious and efficacious modes of atoning for their offences. The delinquents entreated general Cadogan to interpose his good offices in soothing their conqueror's resentment. Through his friendly means, the duke of Marlborough contented himself with receiving only 200,000 guilders; and in return for his mediation, general Cadogan took no more than 10,000 pistoles. As, in all public transactions, it is a difficult task to please every body, some of the inhabitants of those towns, deeming themselves severely treated, were induced to lay their grievances at the foot of the British throne in a long memorial addressed to her majesty." — *Hamilton's Transactions*, 113.

\* The union had hardly passed, when the jacobite duke of Hamilton communicated with the queen through Mrs. Masham: —

"The duke of Hamilton could not remain an unconcerned spectator of the nefarious proceedings of the men in power about the queen's person; nor without animadversion suffer them to sacrifice, to their selfish purposes, their mistress's honour, their country's welfare, and the subjects' dearest interests. He saw with indignant grief the abject restraint in which this princess was kept by the wiles of the duchess of Marlborough, and sedulously sought the means of re-establishing her usurped authority. Having discovered that the queen's fraternal affection was thwarted by favourites who had become her tyrants; that, sensible of her own insignificance, she had betrayed great uneasiness at the violence exercised over her inclinations; that she had often, by stealth, ventured complaints upon this subject to Mrs. Masham, one of the ladies about her person, and had intimated a wish to be delivered from her unworthy shackles;—the duke immediately made a dutiful tender of his services through the medium of that lady, who was not long in imparting to him how benignly her majesty had received the pleasing offer. His next step was to write, the 7th of May, to the pretender, acquainting him, 'with the favourable opening for effecting a change in the cabinet, and thereby baffling the machinations of Marlborough. He warmly recommended to him to cherish the opening perspective; to cultivate the friendly disposition of his sister; and by all means abstain from any attempt which might either give her umbrage or increase her perplexity.'" — *Ibid.* 52.

† They were lords Sunderland, Orford, Wharton, Halifax, and Somers; to whom may be added the dukes of Devonshire and Bolton, lord Dorchester, and lord Townshend.

son-in-law, lord Sunderland, secretary of state, at their head, were dissatisfied with their share in the government, and preparing to attack Marlborough and Godolphin in the approaching parliament.\* The main object appears to have been the removal of prince George of Denmark from the admiralty; the appointment of lord Pembroke in his place, to make way for lord Wharton as lord lieutenant of Ireland; and the introduction of lord Somers into the cabinet.†

\* Lord Sunderland, in a letter to the duke of Newcastle, dated August 8. this year, says, "Without running over all the particulars, such as the villanous management of Scotland; the state of the fleet, which is worse than ever; the condition of Ireland, in which the protestant interest is lower and the popish higher than ever; their late management in relation to the invasion, and, in particular, the pardoning lord Griffin, is a declaration to the whole world, as far as in them lies, for the prince of Wales, and against the protestant succession. These are such proceedings, that, if there is not a just spirit shewn in parliament, we had as good give up the game, and submit to my lord treasurer and lord Marlborough's bringing in the prince of Wales." — *Ellis's Orig. Let.* N. S. iv. 249.

† Lord Sunderland, in a subsequent letter, not dated, to the duke of Newcastle, writes as follows: —

"I give your grace this trouble at the desire of the duke of Devonshire, the duke of Bolton, lord Dorchester, lord Orford, lord Wharton, lord Townshend, lord Somers, and lord Halifax, to give you an account of what has passed between them and lord treasurer in relation to the present posture of our affairs, in which they hope what steps they have made will meet with your approbation. They have, upon the best consideration among themselves, come to this resolution and opinion,—that it was impossible for them, with any reputation to themselves or safety to the public, to go on any longer with the court upon the foot things are at present; for that, if one looks round every part of the administration,—the management of the fleet, the condition in Ireland, the proceedings in Scotland, the management of the late invasion, the disposal of church preferments, &c.,—they are all of a piece, as much tory, and as wrong as if lord Rochester and lord Nottingham were at the head of every thing, under the disguise of some considerable whigs in some considerable places, but with so little credit or to so little purpose, that they can neither obtain any right thing to be done, nor prevent any wrong one. They considered that the management of the fleet, as it is of the greatest consequence, so it is under the most scandalous management of all; and that this is never to be cured but by the prince's quitting; for that, whatever council he has, George Churchill will in effect be always lord high admiral; so that they have in a body declared to lord treasurer, that if this is not immediately done, they must let the world and their friends see they have nothing more to do with the court. The man they propose to be lord high admiral is lord Pembroke (which would open a redress for Ireland, and what is so much desired by all honest people, the president's place for lord Somers). My lord treasurer seems to agree with them in opinion (as his way always is in words), but at the same time pretends great difficulties, and that when lord Marlborough comes, all will be set right; which, by the way, cannot be much before Christmas. To this the lords told him that they could no longer rely upon promises and words, and that therefore they must take their measures, till this thing was actually done, as if it never was to be done; and they told him therefore plainly, that they would and must oppose the court in the choice of a speaker,—that being the first point to come on; for that they had no other way left to let the world see, and all their friends, that they were upon a different foot to this. He was pleased to make a

The opportune death of prince George vacated the admiralty, suspended hostilities on the part of the whig junto, and opened the cabinet to them.\* He died of dropsy and asthma, on the 28th of October. It was said of him, that he did neither good nor evil. This, though a poor eulogy, was undeserved. The influence of the Churchills made him deceive and desert his benefactor king James; the influence or commands of his wife made him vote against his conscience for the Occasional Conformity Bill; and, though others could make him do evil, it does not appear that extrinsic influence or his own impulses ever made him do good. He has been described more correctly as one who was fond of the queen, his dinner, his bottle, his repose; and cared for nothing else. Charles II. said "he had tried him drunk and sober, and could find nothing in him." He, however, combined the common decencies of life with an existence essentially animal, and found people to commend him even after his death.

The ministry now became decidedly whig. Lord

proposal, which was as ridiculous as it shewed the uncertainty of their intentions to do anything that was right; and that was, that there should be an act of parliament obtained to allow the prince to continue lord high admiral, and to empower his council to act for him. It would be tedious to repeat all the objections the lords made to this proposal, as absurd, ridiculous, and ineffectual, and what no parliament ever would hear of. I will only mention one particular, which is very remarkable and pretty extraordinary, that lord treasurer told them that he had mentioned this proposal to lord chancellor, and that he had entirely approved of it: lord chancellor since has been told what lord treasurer said; and he does positively affirm that he does not remember that ever lord treasurer spoke to him, or he to lord treasurer, of any such proposal. This extraordinary proceeding has been a further confirmation to the lords, of the reason they have to declare against the court, which they are resolved to do in this first point of the speaker, by setting up sir Peter King; and I am confident, when the court see this, that the whigs will no longer be fooled: they will then do all reasonable things; which they will never do whilst they hope that words and promises will pass." — *Ellis's Orig. Let.* N. S. iv. 251.

\* The same to the same, in a letter dated Nov. 4., writes —

"Since I last wrote to your grace, and had the honour of your answer, the death of the prince has made so great an alteration in every thing, and particularly what was most at everybody's heart, — the affair of the admiralty, — that as soon as it happened, those of our friends of the house of commons that were in town, and that were the most zealous with us in setting up sir Peter King, began to press us to accommodate the matter, and not to make division, since by this accident there was room to have every thing set right; since that my lord treasurer has acquainted us that the queen had agreed to make lord Pembroke lord high admiral, lord Somers president, and lord Wharton lord lieutenant of Ireland." — *Ibid.* p. 257.

Pembroke succeeded prince George at the admiralty, and left it so soon, as to make it appear the object of his appointment to render vacant the presidency of the council and lord lieutenancy of Ireland — both of which he held. The latter was now bestowed on lord Wharton\*; the former, on lord Somers. Upon the retirement of lord Pembroke, the admiralty was put in commission; and lord Orford, whose former malversations were atoned for by his whigism, was appointed first commissioner. Lord Dorset was made constable of Dover castle, and warden of the Cinque Ports.

The strength thus gained by the whigs only rendered their tenure of office the more precarious. It had been privately suggested to the queen, that some of the party designed an address to her for inviting over the electoral prince of Hanover; and the person chosen to be the medium of this suggestion was the whig renegade lord Haversham, the very mover of the address for inviting over the princess Sophia in a former session.† It became

\* The author of the "Transactions," &c. before cited, gives the following curious account of lord Wharton's appointment, on the authority of "MS. anecdotes," forming part of the family papers in his hands, and cited through his volume. There is no reason to doubt the existence of the "anecdotes," but their truth may be questioned.

† It may not be amiss, in this place, to detail the circumstances attending the minister's deviation from his original system, and give a particular account of the extraordinary means employed by lord Wharton to recommend himself so suddenly to Godolphin's notice. The marquis of Annandale happened to have in his possession one of the treasurer's original letters to the court of St. Germain. By insinuating his certain knowledge of lord Godolphin's secret, and ticklish manœuvres with the excluded prince, while a petition of his lay pending against an undue return in the election of one of the peers for Scotland, the full support of government was instantaneously afforded, to seat him in the house of peers. Lord Wharton, having got wind of this circumstance, entered into an immediate treaty with the marquis for his miraculous manuscript. For some consideration, either given or promised, it was readily transferred to him. No sooner was lord Godolphin apprised of his lying at the mercy of lord Wharton, than he became as pliant and gracious, as he had a while before been lofty and distant. In the height of his alarm, he with all expedition imparted the serious tidings to the duke of Marlborough; who, without loss of time, directed him, by all possible means, to be speedy in hushing the business, and giving to the holder of the letter whatever he should ask. Lord Wharton was not of a selfish nature; he regarded his friends; he contented himself with the government of Ireland for his own share; and insisted upon the privy seal for lord Somers; the admission in council of lord Dorset; and some other douceurs for other friends." — P. 111.

† "My lord Haversham," says the duchess of Marlborough, "a great speech-maker, and publisher of his speeches, and who was become the mouth of the party for any extraordinary alarm, was sent privately by the Tories to the queen, to acquaint her with the discovery they pretended to

apparent from the course of the elections, that a tory ministry could not maintain itself in the approaching parliament; the whigs, if dismissed, might avenge themselves by moving the abhorred address; and the queen submitted with increased but concealed aversion.

Harley and other tories were secretly introduced by Mrs. Masham to her presence. She selected her residence, and even her chamber, with a view to these stolen interviews whilst her ministers slept.\* “Mr. Harley and his associates,” says the duchess of Marlborough, “did often, both in their cups and out of them, boast that they, while the queen’s ministers were asleep, were frequently at court giving advice in secret how to perplex all their measures.”† Queen Anne, in short, with her weak character and narrow mind — her high church and tory notions of prerogative — looked upon herself as constrained and oppressed by her ministers; wanted firmness to dismiss, and frankness to deal plainly with them; and had the timid perfidy to conspire against them. Monarchy should have great advantages to compensate for the humiliating subjection of public affairs to intrigues and agencies so vulgar.

In this state of things the new parliament met on the

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have made, of a terrible design formed by the whigs to bring over one of the house of Hanover, and to force this upon her whether she would or not. Now, can any thing be more curious than such a message from the tories, and by such a messenger? For my lord Haversham was the man who had moved for the princess Sophia’s coming over, as a thing necessary for the preservation of the protestant religion. But now any design of inviting hither one of that family was of so frightful a nature, that it must be esteemed meritorious to give early notice of the danger. I shall make no further comment upon this proceeding, but transcribe a part of the queen’s letter to the duke of Marlborough upon this occasion.

“ July 22d, 1708.

“ ——— I cannot end this, without giving you an account in short of a visit I had from lord Haversham. He told me his business was to let me know there certainly was a design laying between the whigs and some great men, to have an address made in the next sessions of parliament for inviting the electoral prince over to settle here, and that he certainly would come to make a visit as soon as the campaign was over; and that there was nothing for me to do to prevent my being forced to do this (as I certainly would), but my showing myself to be queen, and making it my own act. I told him, if this matter should be brought into parliament, whoever proposed it, whether whig or tory, I should look upon neither of them as my friends, nor would ever make any invitation neither to the young man, nor his father, nor his grandmother.” — *Conduct of the Duchess of Marlborough*, 163.

\* Ibid.

† Ibid.

16th of November. The commons elected sir Richard Onslow, a whig, without opposition, for their speaker. The queen still mourned for the death of prince George\*; and the session was opened by commission, with a speech containing only the common topics — a vigorous prosecution of the war, the improvement of the union, and the security of the protestant succession. The addresses of both houses echoed the speech. In pursuance of the queen's recommendation of an addition to the troops in Flanders, the sum of 220,000*l.* was appropriated to that object; and the whole supply amounted to six millions and a half. Among the ways and means was a loan of 400,000*l.* by the bank of England, which further undertook to circulate 2,400,000*l.* exchequer bills, bearing interest at 2*d.* per cent. per diem. The bank, of course, did not accommodate the government to the extent of 2,800,000*l.* without an adequate consideration — which was, the queen's commission for doubling its capital by subscription, and the renewal of its charter for twenty-one years from its expiration in August, 1711.

So abundant was money in the city, that the subscription for enlarging the capital stock of the bank was filled up in four hours.

By way of improving the union, some steps were taken to the great discontent of the Scotch. The eldest sons of peers were declared ineligible to the house of commons. The duke of Queensberry, sitting in parliament as duke of Dover, claimed the right to vote at the election of representative peers in Scotland. He had the chief share in the administration of Scotland, under

\* Her mourning was one rather of ceremonial than sorrow, according to the duchess of Marlborough, who says (*Correspondence*, ii. 120.) "Her love to the prince seemed, in the eye of the world, to be prodigiously great; and great as was the passion of her grief, her stomach was greater; for that very day he died, she ate three very large and hearty meals, so that one would think that, as other persons' grief takes away their appetites, her appetite took away her grief. Nor was it less remarkable, where there was so great an appearance of love, the peculiar pleasure she took, before his funeral, in settling the order of it, and naming the persons that were to attend, and placing them according to their rank and to the rules of precedence; which was the entertainment she gave herself every day until that solemnity was over."

the name of third secretary of state, — an officer created at the union; the court favoured his claim; and the question nevertheless was decided against him.

1709. A bill to render the law of treason uniform throughout Great Britain—in other words, to introduce that of England into Scotland—produced the only serious opposition to the whig ministry in this session. The Scotch in both houses, divided and ranged under adverse leaders, as in Scotland, upon most other subjects, were agreed upon this. They resisted the bill as injurious, and as a breach of faith. The English tories joined them to embarrass the ministry; and, upon the passing of the bill, recorded their objections by an elaborate protest on the journals of the house of lords.

This bill abolished the torture, still existing in the procedure of Scotland; and introduced the precious securities of the acts of Edward III. and William III. But there was, in the penal jurisprudence of Scotland, a certain blending of barbarism and laxity with specific immunities from forfeiture, designed to maintain unimpaired the hereditary wealth, power, and independence of the chieftain families, which bound the Scotch to it by their interests as well as their national habits and passions; and they clamoured against the stringent penalties and forfeitures of the English law. The commons made concession to them, by a clause providing that no entail should incur forfeiture upon a conviction for treason. It was clogged, in the house of lords, with an exception as barbarous in spirit as the law which it superseded—namely, that it should not come into operation until after the death of the pretender; and the mover of this exception was lord Somers! It will be remembered that he was also the chief opponent of the act of the 7th of William III.; so rarely is a lawyer's mind unfettered by that hardening and stunting bigotry or pedantry of his calling, which makes him think laws effective and wise because they are severe.\*

\* M. Lemontey, in his "Monarchie de Louis XIV.," has a remark on the bias of lawyers to harsh codes, which merits citation:—

Among the measures of this session was an act of grace — the first in the reign of queen Anne. It embraced in terms all correspondence with the court of St. Germain, and was professedly designed to tranquillise and conciliate the Scotch. The Tories said it was contrived by Godolphin and Marlborough for their own safety.\* Both were so deeply implicated, that this may have been truth; but party spirit is so unscrupulous, that it may also have been scandal.

In this session, also, was passed the act which secures and defines the privileges of foreign ministers — originating in the arrest of the Moscovite ambassador, for 100*l.* by a laceman of Cheapside. The czar demanded the heads of the offending tradesman and bailiffs; but was brought to content himself with apologies and an act of parliament, of which a copy was transmitted to him, splen-

“ Mais telle est la malheureuse infirmité du cœur humain, qu’il finit par jouir avec orgueil de la sévérité des ministères qu’on lui confie, à l’exemple des druides, qui augmentaient leur considération en prêchant des dieux terribles. Dans les longues querelles qui agitèrent la Grande-Bretagne entre le despotisme et l’ordre constitutionnel, on vit toujours les juges incliner vers celui de ces deux parties qui est le père des codes sanguinaires.”

He further observes, truly and philosophically: —

“ La sévérité de nos gens de robe ne provenait au reste ni d’une cause passagère, comme le fanatisme, ni d’une dureté naturelle, comme chez les Malais ou chez les anciens Hébreux. Mais de fort honnêtes, et souvent même de fort bonnes gens, devenaient cruels sans s’en apercevoir, et simplement par pédantisme. Ce serait un livre neuf et utile, qu’une histoire des crimes du pédantisme.” — P. 357, 358.

\* The writer of the “ Transactions,” &c. gives the following account, again, on the faith of his MS. anecdotes: —

“ While these debates occupied the attention of parliament, the trepidations of the lord treasurer were undescrivable. The urgent necessity of an ample act of grace, both for his own and Marlborough’s protection, manifested itself more and more every moment. The latter, whom private business no longer kept on the Continent, impatiently pressed the minister to expedite that salutary measure. Godolphin needed no spurring to be quickened in his pace; but he dreaded to breathe a syllable on the subject while his newly acquired friend, the mischievous Wharton, remained in the kingdom. Entreaties and promises were not spared, to persuade him to repair to Ireland, and take possession of his viceroyalty: temporary embarrassments were pleaded as the causes of delay; these the treasurer instantly removed with a considerable pecuniary aid. All excuses for tarrying longer in the kingdom being thus obviated, lord Wharton was forced to leave London, fully resolved to make use of his precious talisman. No sooner, however, was the lord lieutenant’s back turned, than the famous bill was introduced; and so rapidly was it pushed through the houses, that the first intelligence received by his excellency on reaching Dublin, was, that the minister had fairly worked himself out of his clutches, and was perfectly safe under the potent shield of an act of grace pointedly and especially pardoning all correspondence with the court of St. Germain.” — P. 120, 121.



didly engrossed on vellum. The session closed on the 21st of April.

The distress of France was now extreme. That kingdom, in the beginning of 1709, was suffering at once the dire visitations of a tyrannic government, a bad administration, the exhaustion of a long war, a winter so protracted and severe as to destroy the seeds of vegetation in the bosom of the earth, and realise the figurative expression of the Athenian — by depriving the year of its spring. The state was without resources — the people without food.\* The French court set an example of sacrifice, privation, and even patriotism. The king, the court, the nobles of France, sent their plate to the royal mint to be coined for the public service. The table of madame de Maintenon at Versailles was served with oaten bread.† This has been called mere show, to reconcile others to real privation. But animal luxuries are little valued where the aim of life is intellectual, and the individual is governed by the ambition of power or fame, or even the vanity of distinction.

Louis XIV. was humbled to the condition of almost a suppliant for peace to that Dutch commonwealth which he had treated with so much of tyrannic insolence in his days of prosperity and power. He despatched Rouillé, president of the council, with overtures to the Hague. Two of the states' deputies — Buys and Vanderdussen — were appointed to confer with him. His proposals were rejected; and he wrote to the French court, desiring his recal, in a tone of despair. A meeting of the French council took place. "So mournful a scene," says De Torcy, in his Memoirs, "would be hard to describe, even were it permitted to disclose the secret of what was most touching," — that is, the tears that were shed. This retribution of divine justice in the moral order might be contemplated without pity, if it were confined to the court, and did not involve the fate of suffering millions.

\* Mémoires de Marquis de Torcy.

† Voltaire, Siècle de Louis XIV.

Rouillé was instructed anew to concede still more. He made a further effort ; failed ; and returned to Versailles.

Soon after his return, an unknown stranger was announced to the pensionary Heinsius. The person thus waiting in his antechamber for an opportunity to speak with him, was the French chief minister, De Torcy, arrived incognito, to make new overtures. Heinsius, during a mission to Versailles, had been treated by the frivolous courtiers with impertinence, and menaced by the arrogant Louvois with the Bastille. He did not retaliate ungenerously ; but he made Torcy feel the power and independence of the republic, and the dignity of its first magistrate.\*

The pensionary insisted upon the surrender of the Spanish dominions, in their integrity, by the grandson of Louis XIV. ; the frontier security of a chain of fortresses for the states ; satisfaction generally to the allies. Torcy was joined by Rouillé ; the pensionary, by the duke of Marlborough and lord Townshend ; prince Eugene by the imperial minister, Zinzendorf.

The negotiation was only rendered more difficult by the presence of Marlborough and Eugene. The one commanded the court and cabinet, as well as the armies, of England ; the other was at the head of the Aulic council at Vienna, as well as of the forces of the empire ; both were interested, by political ambition and the love of military glory, in the continuance of the war.

Torcy desired a specific statement of their demands ; which were submitted to him accordingly in the form of preliminary articles. These articles provided, in substance, the surrender of Spain and all her dependencies to Charles III. ; the cession of twelve barrier fortresses to the

\* It would appear, however, that the states' deputies treated not only the envoys of Louis, but the German petty highnesses in their pay, with the rude arrogance of the caste called plebeian : —

“ Les quatre commissaires hollandais députés à l'armée traitaient avec fierté trente princes d'Allemagne à leur solde. Qu'on fasse venir Holstein, disaient-ils ; qu'on dise à Hesse de nous venir parler. Ainsi s'expliquaient des marchands, qui, dans la simplicité de leurs vêtemens et dans la frugalité de leurs repas, se plaisaient à écraser à la fois l'orgueil allemand, qui était à leurs gages, et la fierté d'un grand roi, autrefois leur vainqueur.” — *Voltaire*, ii. 217, 218.

Dutch — of Alsace, with Strasburg, Landau, and Brisac, to the emperor; the demolition of the fortifications of Dunkirk; two months' suspension of arms, during which the king of France should, if necessary, join his arms to those of the allies in executing the treaty — that is, in dethroning his grandson.

Louis XIV., in despair, instructed Torcy to tempt Marlborough's known love of money with a bribe of four millions of livres, to be allotted as follows: — two millions, if the duke of Anjou were allowed to retain the sovereignty of Naples and Sicily; one million for saving the port and defences of Dunkirk; one million for Strasburg, Landau, and Brisac. Marlborough, thus tempted, turned off the conversation, and had the grace to blush.\*

The French minister threw out an intimation of his being in the secret of Marlborough's intrigues with the court of St. Germain. He blushed again; but after having resisted the seductions of money, it was far from likely that any impression could be made upon him through his sense of fear or shame. Torcy returned with the humiliating propositions or preliminaries to Versailles.

The religion of Louis XIV. made him a persecutor in his prosperous fortune: it now imparted to him fortitude and humanity. The reason of this difference may be, that in the former case he was actuated by ambitious, hypocrite, or bigot churchmen, his own passions, and the flattery of fortune as well as of men. Court priests, for the most part, can only retire or tremble at the approach of danger †; and his reverses had now

\* *Mém. de Torcy.* — The author of the "Transactions," &c. gives a different version of this bribe affair and its effects, on the authority of an anecdote told his father by Rouillé, and several MS. letters: but his version, where it is inconsistent with that of Torcy, is not entitled to credit; and where it agrees, is not worth citing. It may be stated, however, that by his account, Harley had his spies upon Marlborough, knowing that great man's love of pelf; that the offer of the bribe was discovered, and communicated by Harley, through Mrs. Masham, to the queen, who upon this frowned upon the duchess; that Marlborough was immediately summoned over, to avert his court disgrace; and that he succeeded in half cajoling, half intimidating, queen Anne.

† Father Petre was the first to fly from king James; but not, it must be owned, to betray him, or did not betray him at all. Here the king's own daughter had precedence of the Jesuit.

taught Louis that he was but a man. He descended— if that can be called descent, by which his character is raised — to account and justify himself to his subjects, in a circular letter to the local authorities throughout the kingdom. In this letter he further appealed to the honour, the patriotism, the pity even, of the French people. He declared in council, that, if he must make war, he preferred war with his enemies, not with his children. The president Rouillé, whom Torcy had left behind him at the Hague, received orders to depart in twenty-four hours; and the respective armies in Flanders once more took the field.\*

Villars and Boufflers were now opposed to Marlborough and Eugene. The campaign opened with the siege and capture of Tournay by the latter. Their next object was Mons. The prince of Hesse, who had been detached in advance, was attacked by the enemy; and the main army advanced to his relief. On the 9th of September, the two armies confronted each other. The allies were about 80,000 — the French about 70,000 strong. Two days passed in mutual observation. Marlborough waited the coming up of twenty-one battalions and four squadrons from Tournay; and the French meanwhile entrenched themselves in the wood of Dour and Blangies, near the village of Malplaquet. The expected reinforcement came up on the 9th of September; the order of battle was made during the night; and at eight next morning the allies advanced against the French in their entrenchments. Marlborough led the left, composed of English, and auxiliaries in

\* For further particulars of this negotiation, see Torcy's Memoirs, and Voltaire's Age of Louis XIV.

It would be idle to discuss, at this distance of time, and in a narrative little more than sketched, the wisdom or the virtue of Marlborough, Eugene, and the English ministry, in rejecting the overtures of France. Even the case made against the allies by Swift, is now read chiefly for his admirable talent and the charm of his style—not for the merits of the question. Few who can think, will read this, and his other political tracts and party *jeux d'esprit*, without the melancholy reflection, that a genius capable of wielding the councils of a state and the opinion of a people—of producing works of fiction imperishable and unrivalled for wit, humour, and imagination—should have been the pioneer of a party in its commonplace interests and intrigues.

English pay; Eugene the centre, composed of imperialists; Tilly and the prince of Nassau the left, composed chiefly of Hollanders. The French lines were attacked and defended with signal courage and carnage from eight to twelve o'clock — when the French were driven from the wood into the plain. Here they were sustained by their cavalry. Both armies, horse and foot, were now engaged; and the fight was continued with furious valour till three in the afternoon — when the French gave way and retreated upon Maubeuge, Valenciennes, and Condé. The victors, after a short pursuit, encamped on the field of battle, which was strewed with 30,000 dead or dying — the greater number on the side of the allies. The French carried off their artillery and some captured standards; and, in point of fact, lost nothing but the field.

The battle of Malplaquet, so called, was the bloodiest of this memorable war. Both generals were criticised, — Marlborough, for giving the enemy two days to strengthen their lines — Villars, for his order of battle. But nothing is more useless than such criticism after the fact, unless in illustration and advancement of the art of war — and of what value is it then, unless made by a competent master of the art. Villars — an able captain, but somewhat given to gasconade\* — on his next appearance at Versailles, assured Louis XIV., that if he had not been wounded he would have gained the victory; continued to repeat it to the end of his life; and found few persons of his opinion even in France.† The battle of Malplaquet was soon followed by the capitulation of Mons; and the campaign ended in Flanders.

The campaign on the Rhine was marked only by a fruitless incursion into Upper Alsace; and the duke of

\* See letter of Marlborough, in Correspondence of Duchess of Marlborough, &c. — “Je ne saurois être partout,” is said to have been his habitual phrase when the French were defeated under other generals. It was made the burden of an epigram on him at Versailles, where he had malignant, mean, and powerful enemies: —

“Milord vous cherche à l'autre bout,  
Vous ne sauriez être partout.

Madame Maintenon, to her honour as a judge of merit, was his friend.

† Votalire, Siècle de Louis XIV.

Savoy, discontented with the emperor, confined himself to mere demonstrations on the side of the Alps. In the Peninsula, the campaign was unfavourable but indecisive. In Portugal, the British and Portuguese, under the inauspicious command of lord Galway, were defeated by a Spanish force under the marquis de Bay, at Caya, on the frontier of Estremadura. In Spain, Alicant capitulated with the honours of war, after a close siege of several months, and the terrific explosion of a mine. The only counterpoise to this loss of the allies was the conquest of the small town of Balaguer, by Staremberg.\*

Louis XIV., encompassed with dire necessities, sued for peace once more before the close of the year. He descended to make Petkum, resident of the duke of Holstein at the Hague, his intercessor. His request was, that the negotiation might be renewed at the Hague, or that Petkum might proceed to France and confer with the French ministers. The states refused the former, but acceded to the latter. Petkum soon returned with new offers from Louis, but with an express refusal to pledge himself for the surrender of the throne of Spain by his grandson. "I will not," said he, "aid or assist the king of Spain; but I cannot pledge myself to an article which I may be unable to execute."

In point of fact, his grandson had issued a protest against all that might be done to the prejudice of his rights, by the parties to the negotiation. This protest would be of little use without the power to maintain it; but the Spanish nation bravely rallied round him; his own character seemed to rise with the occasion, in the presence of danger and difficulty; he was sustained by the spirit and resolution of his young queen, to whom he was much attached. The states rejected this second overture as insincere, and called upon their allies to join them in extraordinary preparations for the next campaign.

\* A memorable battle, but without the sphere of the war of succession and the history of England, was fought in the summer of this year—that of Pultowa—which gave the first strong gleam of the genius of Peter the Great and the savage, and proved fatal to Charles XII.

On the 15th of November, the session of parliament was opened by the queen in person. She pronounced the overtures of the enemy a mere device to create jealousies between the allies, and called for new efforts for reducing the exorbitant and oppressive power of France. No person of the least sense and candour could deny the good faith with which Louis sued for peace; but it was thought expedient to launch this politic falsehood from the throne upon the mind of the public, now tired of war and satiated with victory.\* Both houses responded with eager zeal to the queen's speech; and the commons voted 6,200,000*l.* for the ensuing year.

The whigs, with their strength in parliament, and the queen's timidity †, might possibly have held out against the arts practised against them, by a crafty politician and intriguing bedchamber woman, upon the mind and passions of the queen. Their fall was precipitated by influences still more humiliating to the nation, because they were exercised, not upon a weak-minded princess, but upon the English public. Doctor Henry Sacheverel was hitherto an obscure divine, of mean repute for learning, virtue, or capacity. His ignorance was such, that his first application to be ordained was refused; and in one of his compositions he introduced, by way of illustration, "parallel lines meeting in a common centre." ‡ Bishop

\* The queen, too, was doubtless by this time willing enough to end a war, the benefits of which accrued to the duke of Marlborough and a ministry of which she was secretly contriving the destruction. It is said that she exclaimed with tears and sighs, in council,—“Lord! when will this spilling of blood be at an end?” and the authority for it is “Minutes of the Negotiation of M. Mesnager at the Court of England during the Four last Years of the Reign of the late Queen Anne.” There is some excuse for the unsuspecting confidence with which this fabrication of De Foe has been cited by so many writers, in the art and talent with which it is executed. Mesnager was not yet arrived in England, but the fabricator providently adds:—“Note—This I learned by report after my coming to England; but I had it from such persons of honour as merit to be believed.” It is strange that the non-appearance of a French original in print or manuscript should have excited no suspicion in the minds of the more recent writers who have quoted this book. Mr. Hallam alone (so far as the writer of these pages is aware) has pronounced it spurious, upon internal evidence only “of a native pen,” without the further authority of Lowndes's Bibliographical Catalogue, which assigns the authorship to Daniel De Foe.

† Queen Anne, according to the duchess of Marlborough (Corr. ii. 123.), “had a soul that nothing could so effectually move as flattery or fear.”

‡ See State Trials, vol. xv.; Trial of Doctor Henry Sacheverel.

Lloyd subsequently ordained him. Bishop Burnet obtained his mother admission to an asylum for destitute widows at Salisbury. He repaid both by defaming them. His turbulent ambition manifested itself early, and he tried in vain to attract notice in the late reign by outrageous whigism.\* King William would have set more value upon the qualities of a good trooper. He either did not know, or knowing despised, the aspiring churchman. Sacheverel, upon this, transferred his services to toryism and the high church. After having passed some time in the obscurity of a country cure, reviling king William, the revolution, and the dissenters, he at last made his way, by popular election, it is said, to the living of St. Saviour's, Southwark.

Party has little of fastidious taste or moral scruple; and Sacheverel was at once despised† and patronised. He carried into the pulpit the licence of a pamphleteer; his plausible effrontery imposed upon the multitude; his scurrilous rhetoric passed for spiritual zeal. The audacity of his railings drew upon him at last the notice of the government. Two sermons preached by him this year, — the one during the summer circuit, before the judges at Derby—the other on the 5th of November, at St. Paul's, before the lord mayor, — and printed with the respective titles of “The Communication of Sin,” and “The Perils of False Brethren in Church and State,” inculcated passive obedience without measure; consigned resistance, toleration, and the dissenters to eternal perdition, in the name of Scripture and the homilies; proclaimed the church in danger from false brethren and

\* Corresp. of Duchess of Marlborough, ii. 142.

† Sir Walter Scott has appended the following note to a passage of lord chancellor Cowper's reply to lord Bolingbroke, reprinted from Steele's Bickerstaff Papers, in Somers's Tracts, xiii. 78. :—

“It is said, when dean Swift begged from Harley a living for Sacheverel, he was roundly refused. Upon which he told the minister a story of a sailor during an engagement, who escaped a cannon ball by stooping at the moment to catch a ——, and thus out of gratitude permitted the insect to have his liberty. ‘The —— shall have the living for the sake of the story,’ answered the prime minister. It may easily be believed, that neither Harley nor St. John were willing to adopt the trash of Sacheverel and his supporters; though the clamour which his prosecution excited was one of the chief causes of the change which brought them into power.”



perfidious *Volpones*\* — that is, the whig bishops and lord Godolphin; and called upon the people to put on “the whole armour of God” in her defence.

1710. Dolben,—the same, probably, who moved the first resolution against James II.,—brought these sermons before the house; and Sacheverel was formally impeached for high crimes and misdemeanors, committed in his sermons, against the revolution, the late king, the queen’s title, and the protestant succession.

The house of commons, at the same time, voted an address to the queen, requesting her “to bestow some dignity in the church on the reverend Benjamin Hoadly, for his eminent services to the church and state.” Hoadly defended the principles of the revolution with every superiority of logic, scholarship, and good manners. The queen promised compliance; forgot Hoadly; and promoted Sacheverel.

The whigs are censured for elevating into notice a person so contemptible; and the impeachment is ascribed to the resentment of Godolphin† against the opinion of Somers.‡ But the whigs had scarcely passed over the threshold of office and the court, when they prosecuted several libels of a comparatively insignificant character; and the signal impunity of Sacheverel would only have made him more daring, and the administra-

\* This nickname, from Ben Jonson’s comedy, already attached to Godolphin; and was adopted, not originated, by Sacheverel. The sting, indeed, consisted in the previous association of the name with Godolphin.

† The nickname of Volpone stuck to him more closely than before, after Sacheverel’s sermon. Bishop Burnet, in his speech, alluded to the designation of a noble lord by a scurrilous nickname; upon which several of the younger lords, knowing Burnet’s habitual absence of mind or of discretion, cried “Name, name!” which the bishop would have given if the chancellor had not stopped his mouth, amidst loud laughter.

‡ Swift and Bolingbroke, in several of their works. Yet Godolphin, in a letter to Marlborough (Corresp. of Duchess of Marlborough, ii. 411.), wishes “it (the impeachment) had never begun;” and the duchess of Marlborough (Ibid. 152.) says that Somers, on the contrary, pressed it:—

“No man in all the debates was so pressing as himself to have Dr. Sacheverel tried; and one of his arguments for that was, that if they did not do it, the queen would be preached out of the throne, and the nation ruined. Notwithstanding this, when the queen, by her new counsellors, had a mind to save Dr. Sacheverel, she prevailed with lord Somers not to go to the finishing his trial; and the reason he gave for not doing it was, ‘because his mother,’ he said, ‘was dead.’ And he was so exact, that, though he could not bring her to life again, out of great decency he could not appear in public. I do not imagine that reason passed on anybody.” (See also Burnet, v. 435, 436, 443. notes.)

tration contemptible. Even their preference of impeachment to indictment may be justified. The former proceeding brought the antagonist principles of resistance and non-resistance into more conspicuous, solemn, and decisive conflict.

Papists are commonly reproached with being *priest-ridden* — protestants have been sometimes as blindly *church-ridden*. The word “church,” — an abstraction of which the meaning is by no means fixed,—was echoed from the mouths of the senseless multitude. Cries of “God bless your majesty and the church — we hope your majesty is for the church and doctor Sacheverel,” — sounded in the queen’s ears on her way to assist privately at the trial. Crowds lined the passage, and pressed upon the person of the impostor himself, to kiss his hand, and receive his benediction, as a martyr and saint. Some of the more zealous gave decisive proofs of the sanctity of their apostle and their faith, by destroying the temples and pillaging the dwellings of dissenters. This was to be expected from the populace; but eminent divines, who despised the man, stood by the side of the churchman during his trial at the bar of the house of lords.

Sacheverel, so far from expressly disparaging king William and the revolution, did verbal and hollow homage to both. He maintained, in his sermons and defence, that to associate the doctrine of resistance with either was to slander them.

The prince of Orange, in point of fact, put forth false pretences in his declaration; and it would be foolish to expect good faith from an invader in his manifesto. The authors of the revolution based it upon verbal casuistry and quibble; and for this there is much less excuse. New truths, whether in exact or ethical science, should be put forth — and are put forth by great minds — without disguise or compromise. To capitulate by ambiguities, with prejudice or error, is to retard the progress of truth and reason. Had king William, and the authors of the revolution, been less politic and

more candid, Sacheverel would have had no pretext for his sedition in politics and cant in religion.

A great writer has said of the authors of the revolution of 1688, that they drew a politic veil before the grand scene which they were enacting. There is in this more of rhetoric than philosophy — as there was in the “grand scene” more of imposture than statesmanship. Sacheverel took dexterous advantage of these weak points. The prince of Orange, he said, disclaimed all conquest — by necessary implication, all resistance — and the revolution professed to be based, not upon resistance, but upon the voluntary abdication of James II. These points, and the authority of the homilies, constituted his main defence, as urged by himself and his counsel.

The managers on behalf of the commons, comprising the most prominent whig commoners of the day, met the argument drawn from king William’s declaration, by the notorious fact of his coming over with a hostile armament; and that drawn from the votes of the convention, with the fact, equally notorious, of armed resistance in the field.

As for the homilies, they appear to have been bowed out of court.

The speeches of Lechmere, Walpole, King, Stanhope, and some others of the managers, are among the best remains of the parliamentary eloquence of the time.\* It is recorded by a historian of doubtful credit †, but a cotemporary, that Sacheverel, after having heard five managers with an air of indifference, became disordered and pale during the speech of general Stanhope, who appears, from all accounts, to have signalised himself by the vigour of his declamation and frankness of his principles. ‡ The late lord Stanhope, it would seem, inherited

\* See Parl. Hist. vol. vi. ; and State Trials (Howell’s), vol. xv.

† Oldmixon.

‡ Stanhope and the other managers threw overboard the imputed spurious birth of the pretender; and whig laymen generally had by this time abandoned it. But the churchmen of the party would still cling to the skirts of that dirty calumny. Dr. Hare, afterwards a bishop, writes as follows to the duchess of Marlborough, the year after the impeachment of

the unfettered freedom of his reason — its eccentricities only were his own.\* Sacheverel's speech, according to some, was made for him by a conclave of high church divines; according to others, it was written by Atterbury alone.† The reproach of bad faith has been cast upon it; but a man upon his defence has the right, within a wide latitude of advocacy, to use their own arms and arts against his accusers. The style could not be Sacheverel's, for it is worthy of the friend of Pope.

The result of this famous proceeding was, in the first instance, the condemnation of Sacheverel; in the second, the fall of the whigs. Sacheverel was declared guilty by a majority of 69 to 82: the judgment on him was,

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Sacheverel, what might be called pious fraud or popish imposture, if Dr. Hare were not a dignitary of the church of England.

"One of the principal things that drew the nation so unanimously into the revolution, was the supposed illegitimacy of the pretender; and whatever may have been the sentiments of a few persons of the first rank as to this matter, 't is certain the nation in general has all along been strongly possessed of this opinion; and I think it is exceeding evident that nothing can weaken the revolution so much as the dispossessing the people of this notion; and had the tories attempted this, 't would have been one of the most specious handles against them to prove them Jacobites; and yet the whigs have done this in the most publick manner possible, in Westminster Hall, by supposing or rather affirming his legitimacy, and maintaining the hereditary right to be in him; by which, I dare say, many thousands of the people have been brought to alter their opinion, and that may go a great way to endanger the revolution. For, tho' the excluding of him, supposing his legitimacy, may not be thought unjust, it will be thought hard that a prince should lose a kingdom for his father's faults, which he had no hand in; and there is a great disposition in people to pity innocent princes in distress; and therefore, in my poor opinion, nothing could have been of greater service to the revolution than keeping up that opinion; nothing so serviceable to the pretender as the removing it; and what good purpose the whigs could serve in this, I can't see, unless it were to assert the power of making kings."

\* The list of the lords spiritual and temporal for and against Sacheverel may be seen in the Parliamentary History, vol. vi. p. 686, &c. The bishops voted seven to six against him. Hooper, of Bath and Wells, one of the divines who had tried to extort from Monmouth, on the scaffold, his assent to non-resistance, and had since taken the oaths, as a bishop, to a government of resistance and revolution, tried to reconcile his conscience and his oath, by saying the right of resistance was a mystery which should be veiled from the people. He also said "the revolution was not to be boasted of," and required "the mantle of vacancy or abdication" to be thrown over its deformities. The duke of Leeds said nothing justified resistance but success. This is as flimsy as it is immoral; but it is only one of the many proofs that Danby and other heroes of the revolution were men of low and little minds. He farther said that "he never thought things would have gone so far as to settle the crown on the prince of Orange, whom he had often heard say he had no such thoughts himself." *Parl. Hist.* vi. 817.

† See Oldmixon, ii. 435.; Burnet, v. 444. notes; Corr. of Duchess of Marlborough, ii. 141, &c.

suspension for three years, with the burning of his worthless books ; and his party—not without reason—looked upon this sentence as a triumph. He made, in point of fact, a triumphal progress through England ; and was received in college halls, town halls, and private mansions, with the pomp of a sovereign and the reverence of a saint.\* The session, of which the greater portion had been employed thus unworthily as to the individual culprit, was closed on the 5th. of April.†

\* The following graphic sketch of him is given by the duchess of Marlborough :—

“ It must be owned that a person more fitted for a tool could not have been picked out of the whole nation. For he had not learning enough to write or speak true English (as all his own compositions witness) ; but an heap of bombast, ill-connected words at command, which do excellently well with such as he was to move. He had so little sense, as even to design and affect that popularity which now became his portion, and which a wise and good man knows not how to bear with. He had a haughty insolent air, which his friends found occasion often to complain of ; but it made his presence more graceful in public. His person was framed well for the purpose, and he dressed well. A good assurance, clean gloves, white handkerchief well managed, with other suitable accomplishments, moved the hearts of many at his appearance ; and the solemnity of a trial added much to a pity and concern, which had nothing in reason or justice to support them. The weaker part of the ladies were more like mad or bewitched than like persons in their senses. . . . . Several eminent clergymen, who despised the man in their hearts, were engaged to stand publicly by him in the face of the world, as if the poor church of England was now tried in him. A speech, exquisitely contrived to move pity, was put into his mouth, — full of an impious piety, denying the greatest part of the charge (which the man had been known to boast of before), with solemn appeals to God, and such applications of Scripture as would make any serious person tremble. Every one immediately guessed the real author of it, from the manner of using Scripture so profanely, and from the frequent calling of God to witness ; to what was known to be false. And perhaps there was but one man in England capable of making such a speech ; and but one proud man of lowness of soul enough to descend to speak it. . . . . Every body knows that he was afterwards sent about several counties ; where, with his usual grace, he received, as his due, the homage and adoration of multitudes ; never thinking that respect enough was paid to his great merit, using some of his friends insolently, and raising mobs against his enemies, and giving ample proof of how great meanness the bulk of mankind is capable ; putting on the air of a saint upon a lewd, drunken, pampered man ; dispersing his blessings to all his worshippers, and his kisses to some ; taking their good money as fast as it could be brought in, drinking their best wines, eating of their best provisions without reserve, and without temperance. And, what completed the farce, complaining in the midst of this scene of luxury and triumph, as the old fat monk did over a hot venison pasty, in his barbarous Latin, ‘ Heu, quanta patimus pro ecclesia ! ’ Oh, what dreadful things do we undergo for the sake of the church ! ” — *Corresp.* ii. 142, &c.

† The first Copyright Act was passed in this session. It set forth in the preamble, for its object, the encouragement of learning, and vested the copyright in the authors or purchasers for a term of years. There are no traces of debate on the subject ; but it was provoked at this time by the flagrant extent to which literary piracy was carried, and did not check the abuse. It is not to be inferred that publishers were become less scrupulous, but that their cupidity was stimulated by the productions of wit and genius which illustrate the age of Anne, and the consequently extended taste for reading.

## CHAP. VI.

1710—1713.

INTRIGUES AGAINST MARLBOROUGH, GODOLPHIN, AND THE WHIGS. — HARLEY AND MRS. MASHAM. — THE DUCHESS OF MARLBOROUGH AND QUEEN ANNE. — REMOVAL OF LORD SUNDERLAND. — DISSOLUTION. — THE WHIGS DISMISSED. — TORY MINISTRY. — CONFERENCES OF GERTRUYDENBERG. — MILITARY OPERATIONS. — CAMPAIGN IN SPAIN. — CHARLES ENTERS MADRID — AND ABANDONS IT. — DISASTER OF BRIHUEGA. — BATTLE OF VILLA-VICIOSA. — SESSION OF PARLIAMENT. — COURT DISGRACE OF THE DUCHESS OF MARLBOROUGH. — INQUIRY RESPECTING THE WAR IN SPAIN. — PARLIAMENTARY QUALIFICATION BILL. — ATTEMPT ON THE LIFE OF HARLEY — HIS ELEVATION. — THE CAMPAIGN. — SECRET OVERTURES FOR PEACE. — TREATY OF UTRECHT. — SESSION OF PARLIAMENT. — MARLBOROUGH. — THE SCOTCH PEERS. — CASE OF THE DUKE OF HAMILTON. — DISMISSAL OF MARLBOROUGH. — CHARGES AGAINST HIM — AND AGAINST WALPOLE. — ORMOND'S RESTRAINING ORDERS. — DEFEAT AT DENAIN. — PEACE OF UTRECHT.

THE last four years of the reign of queen Anne present, for the most part, but the materials proper to what is called secret history, — court intrigue, party intrigue, court scandal, party scandal. The secret practices of the politician and the bedchamber woman upon the queen's infirmities of temper and understanding worked concurrently with the impostures of the mountebank and his confederates on a fanatical or besotted people ; and the doom of Marlborough, Godolphin, and the whigs, now sealed, only waited to be consummated. Godolphin continued minister for a few months, and Marlborough general for some time longer ; but the one appears henceforth disenchanted of his capacity in the cabinet, the other of his genius in the field. There is something in the strife of the higher passions in the

arena of politics or of faction, which invigorates and develops the faculties ; — the tendency of low arts and agencies is to debase or neutralise them.

Whether the duchess of Marlborough treated the queen to her face with insolence and outrage \*, and spoke in her absence with contempt of her drivelling piety, — or lost the queen's favour only through the sycophant arts and insinuations of the rival bedchamber woman †, — are questions which may here be dismissed. It will suffice to state, that the relation now between the queen and the duchess was that of incurable alienation and disgust.

It appears to have been one of the devices of the secret cabal round the queen, to make her — as their confederate or their dupe — require the duke of Marlborough to do things disagreeable or mortifying to him. Early this year, he was required by her to give a vacant regiment to the brother of Mrs. Masham, who had not the requisite standing in the army, and whose incapacity and sottishness were redeemed only by convivial good humour. Marlborough remonstrated against an appointment, which would be a gross wrong to officers having superior claims of rank and service, and weaken his own authority in the army. Her secret prompters told her she was treated as a cipher by the Marlboroughs ; and, with the spurious obstinacy of weak minds, she persisted. The duke, upon this, wrote her a letter, setting forth that, since his zeal and services “ did not protect him from the malice of a bedchamber woman,” in this and many other instances, nothing remained for him but retirement.‡ This intimation, and her fear of the mention of the matter in parliament, brought her to reason ; and she made up for this disappointment to the brother of the favourite by a pension of 1000*l.* a year ; and soon after made the brother and the husband, against

\* The hackneyed stories about the pair of gloves and the spilling of a cup of tea over Mrs. Masham's dress are scarcely worth mention. The former is denied, as a silly falsehood, by the duchess in her Correspondence ; and there was probably as little truth in the latter.

† Mrs. Masham, whose Christian name was Abigail, now went by the name of Abigail Earwig.

‡ Conduct of the Duchess of Marlborough,

all the rules of the service and of justice, general officers.

The queen, immediately after the rising of parliament, took a more important step. The duke of Shrewsbury, having passed some years at Rome, came back with an Italian wife—into marriage with whom he had been frightened by her brother—and joined the tories in voting for Sacheverel. Whether he had a secret understanding with Harley and Mrs. Masham, or the queen cherished a sentiment of personal kindness for him\*, is scarcely worth inquiry; but, in point of fact, she resolved to make him lord chamberlain, and communicated her intention to lord Godolphin. That minister, who saw it would be but the first breach in his administration, remonstrated with decision and frankness. The appointment took place notwithstanding.

It is somewhat strange that Godolphin did not resign, after this contempt of his opinion and responsibility. Such, doubtless, was the expectation of the queen and her secret cabal. The next experiment was made upon Marlborough, who had been some time absent in Flanders. His son-in-law, lord Sunderland, was dismissed from the office of secretary of state, in spite of the remonstrances of the duke, the duchess, and the ministers of the states general and the emperor. She rebuked the latter for conduct which was impertinent and intrusive; but said, for the satisfaction of the allies, that she would continue the duke of Marlborough in the command of the army. It would appear that she had no apprehension of his resigning. Whether the joint letter to him deprecating that step, signed by the leading whigs †, determined him to remain at his post, or served him only for an excuse to consult his inclinations, it would be rash to decide. Sunderland was succeeded by lord Dartmouth. He is said to have had a bias

\* It is said to have been his fortune to please both sisters; and that queen Mary, who could not behold him without emotion, would have married him had she survived king William.

† The signatures were Cowper, Godolphin, Somers, Newcastle, Devonshire, Orford, Halifax, H. Boyle. (See Conduct of the Duchess of Marlborough, 301—303.)



to republicanism\*, and might have inherited it; — his father proposed the scheme of a commonwealth to lord Halifax on the eve of the revolution.† The republicanism of the father must have been that of a man who consulted only his ambition, and knew the interior of courts; that of the son proceeded from the force and freedom of his reason and his sentiments. He refused a pension. “If,” said he, “I am not fit to serve my country, I am incapable of plundering it.”‡ His disinterestedness was wholly his own; he neither derived it by descent from his father, nor by example from his cotemporaries.

The remaining members were struck down in quick succession. Godolphin himself was the next sacrifice. He received the queen’s commands to break his staff of lord treasurer§, and his office was put in commission; but the new chancellor of the exchequer was Harley. The whigs were strong in parliament; and the queen arrested for a moment the execution which she was doing on her ministers. She attended the council, and ordered the issue of a proclamation declaring the parliament dissolved. The chancellor Cowper stood up to speak, and doubtless to remonstrate; but the queen silenced him by saying, “Such was her pleasure.” The proclamation was issued, and the queen resumed the dismissals. Lord Somers was succeeded, as president of the council, by lord Rochester; the duke of Devonshire, as lord steward, by the duke of Buckingham; Boyle, as secretary, by St. John; the chancellor Cowper by sir Simon (afterwards lord) Harcourt; lord Wharton by the duke of Ormond, as lord lieutenant of Ireland. Lord Orford was removed from the admiralty for the third time, but with the novelty of not being charged with malversation; and his office was put in commission. The tories exulted; and the duke of Beaufort, upon kissing the

\* Swift, *Hist. Four last Years, &c.*

† Hal. MSS. cited in Vol. VIII.

‡ Oldmixon.

§ It is said that the queen earnestly solicited him to continue in office one day; and next day sent him orders by a livery servant, to be left with his porter, to break his staff. The latter story is told by the duchess, but contradicted by lord Dartmouth.

queen's hand, said it was the first time he did homage to her as such.

Why is it that the ministers did not tender their resignations in a body at the outset, when Shrewsbury was forced upon them as lord chamberlain—or, at least, when lord Sunderland was dismissed? That step might have intimidated the queen, and even her secret cabal. Such was the view of Walpole, who was yet but a subaltern in the whig party.\* It is said that Harley duped them, by saying he wanted only to remove Godolphin and Marlborough, and “intended a whig game at the bottom.” Such simplicity and selfishness would be incredible, if so many persons in the secret had not told the world with how very little intellect and virtue men may be ministers of state. It would appear, however, that Harley tried to gain some of them—in particular, Walpole and the chancellor Cowper. Harley had ceased to be a presbyterian only by becoming a politician; he was unfettered by principles of toryism or high churchism; he was apprehensive of being thwarted by the power and passions of the zealots of that party; he had already an instinctive dread of the superiority of St. John; and he would fortify himself against both by the aid of a few whigs. They somewhat redeemed their previous want of decision, by resisting the temptations of office. Some few whig subalterns only remained in place.†

The new ministers were not upon a bed of roses. Public credit in the city seemed to repose personally upon Godolphin; and the money confidence of men, so clear sighted in that matter, bears high testimony to his capacity and character. The elections, too, were unexpectedly favourable to the whigs, in spite of gross corruption, and the violence of banded ruffians in the metropolis and through the country.‡

\* Coxe's Memoirs of Sir Robert Walpole and of Horatio Lord Walpole.

† See next note.

‡ The following entries in Swift's Journal to Stella show that the friends of the new ministry had their misgivings:—

“Oct. 5.—This morning Delaval came to see me, and we went together to Kneller's, who was not in town. In the way we met the electors for parliament men; and the rabble came about our coach, crying ‘a Colt,’ ‘a

The twofold game of diplomacy and war went on meanwhile in the Low Countries. Louis XIV. was humbled by his reverses to a pitch which would be incredible without the evidence of facts. Fresh overtures, with further concessions, were made by the French minister Torcy in the beginning of this year. They were made again, through Petkum, to the states; and communicated by the latter to the other allies. The house of commons requested the queen, by address, to send the duke of Marlborough to the Low Countries. She complied; and the duke proceeded to the Hague. The first humiliation of Louis was the removal of the conferences from that city to the small town of Gertruydenberg. The French negotiators were marshal D'Uxelles — who was chiefly indebted for his reputation to an able defence of a besieged fortress, an adroit capitulation, and a court compliment of Louis XIV. — and the abbé (afterwards cardinal) Polignac, distinguished for his wit, eloquence, and accomplishments. They were met by the states' deputies — Buys and Vanderdussen — who made them feel their position. “It is easy to see, gentlemen, that you are not used to victory,” said the abbé de Polignac. The Dutch deputies entered into no discussion: they made demands and received answers, which they transmitted to Marlborough, Eugene, and the imperial minister Zinzendorf, at the Hague. Louis offered, through his ministers, to acknowledge Charles king of Spain; to withhold all aid from his

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Starhope, &c.: we were afraid of a dead cat, or our glasses broken, and so were always of their side.”

“Oct. 6.—We now hear daily of elections; and in a list I saw yesterday of about twenty, there are seven or eight more tories than in the last parliament; so that I believe they need not fear a majority, with the help of those who will vote as the court pleases. But I have been told that Mr. Harley himself would not let the tories be too numerous, for fear they should be insolent and kick against him; and for that reason they have kept several whigs in employment, who expected to be turned out every day; as sir John Holland, the comptroller, and many others.”

“Oct. 29.—I am afraid the new ministry is at a terrible loss about money: the whigs talk so, it would give one the spleen: and I am afraid of meeting Mr. Harley out of humour. They think he will never carry through this undertaking. God knows what will come of it. I should be terribly vexed to see things come round again: it will ruin the church and clergy for ever.”

grandson Philip ; to give up four strong places as a pledge of his sincerity ; to restore Strasburg and Brisac ; to rase all his fortresses from Bâle to Philipsburgh ; to cede to the Dutch, Maubeuge, Condé, Furnes, Menin, Ypres, Tournay, and Lille ; to destroy the port and demolish the fortifications of Dunkirk ; — in short, all but the thirty-seventh preliminary article — that is, compelling his grandson to surrender the throne of Spain within two months. He even offered aid, in money, for dethroning Philip.\* The allies insisted rigidly upon the article ; and the negotiations broke off on this demand, which has been characterised as equally barbarous and impolitic.† This result is charged on the duke of Marlborough. With respect to his alleged motives of ambition and avarice (both ruling passions with him), according to some — of personal resentment, because his overtures at the siege of Lille had been slighted, and he was not now applied to by the French king, according to others ‡ — a passing mention of them will suffice.§

\* Voltaire, *Siècle de Louis XIV.* Bolingbroke, letter viii., On the Study and Use of History.

† Bolingbroke, *ibid.*

‡ The particulars circumstantially put forth respecting Louis and his ministers, in the fabricated "Notes" of Mesnager, may be true ; but are, of course, unworthy of the notice they have so often received.

§ Bolingbroke is not an unbiassed authority ; but the opinions of such a man in an abstract treatise, after the lapse of several years, must be interesting and instructive. He writes as follows in the letter above cited : —

"The particular motives of private men, as well as of princes and states, to protract the war, are partly known and partly guessed, at this time. But whenever that time comes — and I am persuaded it will come — when their secret motives, their secret designs, and intrigues can be laid open, I presume to say to your lordship, that the most confused scene of iniquity and folly that it is possible to imagine will appear. . . . If you consider the famous preliminaries of 1709, which we made a mock show of ratifying, though we knew that they would not be accepted, — for so the marquis of Torcy had told the pensionary before he left the Hague, as the said marquis has assured me very often since that time ; if you inquire into the anecdotes of Gertruydenberg, and if you consult other authentic papers that are extant ; your lordship will see the policy of the new plan, I think, in this light. . . . Read the preliminaries of 1709, which were made the foundation of this treaty. Inform yourself of what passed there, and observe what followed. Your lordship will remain astonished. I remain so every time I reflect upon them ; though I saw these things at no very great distance, even while they were in transaction ; and though I know most certainly, that France lost, two years before, by the little skill and address of her principal minister, in answering overtures made during the siege of Lisle by a principal person among the allies, such an opportunity, and such a correspondence, as would have removed some of the obstacles that lay now in her way, have prevented others, and have procured her peace. . . . Marlborough, as Buys himself told me, took immediately the lead,

Whilst the conferences, if they deserve the name, were held at Gertruydenberg, military operations were proceeding on both sides. The confederates were under the joint command of Marlborough and Eugene; and the French under that of the ablest captain remaining to Louis XIV. — marshal Villars. The allied generals opened the campaign, in April, with 60,000 men, and moved from Tournay in four divisions upon Douay, — capturing some minor places in their way. Marshal Montesquieu having abandoned the defence of the canal, they pushed on to the Scarpe — behind which was posted the main French army under Villars — and invested Douay. The siege was opened, about the middle of May, with a battering train of 200 guns. Villars indicated by his movements the purpose of throwing reinforcements into the place, or attacking the besiegers; came within musket-shot of the covering army; fell back; and left the garrison to capitulate as prisoners of war. The next object of Eugene and Marlborough was the frontier fortress of Arras. Villars anticipated this design; and the allies found that he had secured Arras beyond the reach of attack. The French marshal was reproached

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and congratulated the assembly on the near approach of a peace; said that since the French were in this disposition, it was time to consider what further demands should be made upon them, according to the liberty reserved in the preliminaries; and exhorted all the ministers of the allies to adjust their several ulterior pretensions, and to prepare their demands. This proceeding, and what followed, put me in mind of that of the Romans with the Carthaginians. The former were resolved to consent to no peace till Carthage was laid in ruins. They set a treaty, however, on foot at the request of their old enemy, imposed some terms, and referred them to their generals for the rest. Their generals pursued the same method; and by reserving still a right of making ulterior demands, they reduced the Carthaginians at last to the necessity of abandoning their city, or of continuing the war, after they had given up their arms, their machines, and their fleet, in hopes of peace. France saw the snare, and resolved to run any risk rather than to be caught in it. . . . . 'France,' it was said, 'was not sincere: she meant nothing more than to amuse and divide.' This reason was given at the time; but some of those who gave it then, I have seen ashamed to insist on it since. France was not in a condition to act the part she had acted in former treaties; and her distress was no bad pledge of her sincerity on this occasion. But there was a better still. The strong places that she must have put into the hands of the allies would have exposed her, on the least breach of faith, to see, not her frontier alone, but even the provinces that lie behind it, desolated; and prince Eugene might have had the satisfaction, it is said, 'I know not how truly, he desired, of marching with the torch in his hand to Versailles.' — *Bolingbroke*, iv. 99. 104, 105. 107.

with the want of enterprise ; he was doubtless influenced by the consideration that France was so weak as not to survive a defeat. He even abandoned Bethune to the allies ; and thought only of guarding the interior of France. The campaign closed with the capture of St. Venant and Aire.

These were considerable successes ; but they fell short of the united genius and renown of two such captains as Marlborough and Eugene, and, it has been said, of their opportunities. His loss of favour with the queen ; the humiliation of being sacrificed to a court menial ; the fear of a reverse, which would be a cause of triumph to his enemies ;—seem to have unstrung Marlborough. He declined an attack upon Boulogne, which might open the way to Paris. Godolphin advised this enterprise from home, and lord. Stair urged it in the camp. His first disaster since the beginning of the war occurred during this campaign—the surprise of a large convoy on its way to him from Ghent. “ Till within these three days,” he despondingly writes to the duchess, “ during this nine years’ war, I have never had occasion of sending away ill news. Our powder, and other stores for the campaign, left Gand last Thursday, under the convoy of 1200 foot and 450 horse ; they were attacked by the enemy and beaten, so that they blew up the powder, and sunk the other store-boats.”

France was safe, if not strong, on her other frontiers. The elector of Hanover signalised his command on the Rhine by the nullity of his operations. His successor, the German general Gronsfeldt, took care not to eclipse a prince elector of the empire. The duke of Berwick, who commanded on the side of the Alps, established a line of defence from the Mediterranean to the lake of Geneva, which the duke of Savoy made no attempt to force. Spain was, during this year, the most interesting scene of war. General Stanhope, after having signalised himself as a manager in the impeachment of Sacheverel, returned with a considerable reinforcement to his command in Spain. He joined the German general Sta-

remberg in Catalonia, at the close of May. King Philip, at the same time, was in Aragon with a formidable force. This incompetent prince had left the reins of government at Madrid in the hands of one better qualified to manage them—his young queen; and submitted to hold only a nominal command of the army, with the Spanish general Villadarias for his director. His own necessities, or perhaps the hope of peace, had prevented Louis from succouring his grandson: he had even recalled the few French troops in Spain; and Philip's army was wholly Spanish. The first shock was at Almenara, a village within the border of Aragon. It was chiefly an affair of cavalry; and in half an hour—all that remained from the first charge to sunset—the Spaniards were put to flight. The honour of the day—or rather of the half-hour—belonged to general Stanhope, who led the English, Dutch, and German cavalry, and slew in single combat the Spanish general Amesaga.

Philip retreated on Zaragoza—took up a position under its walls—and was soon confronted there by Staremberg and Stanhope. The numbers appear to have been nearly equal—from 24,000 to 25,000 men. The Spaniards were commanded, under Philip, not by Villadarias—a Spaniard of courage, talent, and patriotism; but by the marquis of Bay—an unfortunate, if not incapable, commander. On the morning of the 20th of August, the guns on both sides played at a distance for some time without any material effect; while the allied columns manœuvred for attack. It was led by general Stanhope, who commanded the left wing. After the usual wavering of the fortune of war, where there are courage and ability on both sides, the Spanish right gave way; their centre and left, pressed vigorously by Staremberg, also fell back; retreat soon became rout, and king Philip abandoned Aragon to his rival. Both princes—Charles no less than Philip—justified by their absence the contemptuous sarcasm of lord Peterborough.\* The victory was com-

\* See page 205. *antè*.

plete. It repaired the honour lost in the defeat of Al-  
manza ; but that only. The effects of that defeat,  
material and moral, after three years' lapse, were per-  
haps irreparable.

Charles, or rather Stanhope and Staremburg, pursued  
Philip to his capital. He abandoned it at their approach,  
with his queen, his court, the chief nobles, the consti-  
tuted authorities, and several thousands of the inhabit-  
ants ; and took refuge at Valladolid. Those who remained,  
gave, at their departure, touching proofs of their faith  
and sympathy. Charles soon entered Madrid in royal  
state, and was received only with ill-boding silence by  
the few people who appeared as he passed. He asked,  
according to some, " Was the city deserted ? " — accord-  
ing to others, " Were the people asleep or dead ? "

After a few weeks' occupation of mere parade, which  
only made their cause and their claimant still more  
hated, the allies evacuated Madrid in their turn ; moved  
on Toledo, with the view to maintain a strong hold in  
Castile ; abandoned that city under circumstances of  
dishonour to their humanity, as well as to their arms\* ;  
and fell back upon Aragon. The titular king himself  
fled, with a large escort of cavalry, to a greater distance  
and surer refuge, in Catalonia.

The allies staid too long at Madrid ; or, perhaps, never  
should have gone there. Want of provisions obliged  
them to move, in three parallel lines, over a poor or  
exhausted country ; — the English and Dutch, under  
Stanhope, on the left ; the Germans, under Staremburg,  
in the centre ; the Portuguese on the right. Mean-  
while a favourable change had come over the fortunes  
of Philip. The Castilians once more rallied round him ;  
he was again at the head of an army ; he wanted only  
a general, and Louis sent him Vendôme. That able  
captain joined him at Valladolid ; re-organised the army ;

\* The commander of the confederate garrison, a Portuguese, when about  
to evacuate the place, set fire to such stores as he could not carry away ;  
and the fire, through the hostile carelessness or national malice of the  
commander, extended to the palace of Toledo, — one of the noblest edifices  
of Spain.



obtained the signatures of the grandees of Spain to a new recognition of Philip as their sovereign\*; conducted him back to Madrid, which Philip entered in state amidst the acclamations of the people; remained there but three days; pursued the confederates by forced marches; swam with his cavalry across the Henares†; and came up to the left wing or division of the confederates — about 5000 English, under general Stanhope — at Brihuega. Stanhope had not the most distant notion of the approach of Vendôme; and, in point of fact, the Spaniards had marched from Valladolid to Brihuega with surprising rapidity. He thought himself only in the presence of a body of partisan cavalry, which had hung upon his march. On the 8th of December, the Spanish infantry and cavalry poured upon him and around him in overwhelming force. The town was invested on the side of Aragon as well as of Castile; and his retreat upon the centre, under Staremberg, cut off. He sent to apprise that general of his position; and passed the night of the 8th in putting the town in the best state of defence. The enemy's batteries opened on the town from every side, on the morning of the 9th, at daybreak: the attack was sustained at great disadvantage, with valour and vigour, by the besieged, until seven in the evening — when their ammunition was nearly exhausted; and general Stanhope, with the whole force under him, surrendered as prisoners of war.

Stanhope was censured for omitting, in his security, the precaution of scouts and outposts.‡ There appear

\* He conciliated their Castilian pride by his engaging manners and forbearance. It would appear from two anecdotes, that his temper was put to the proof. He was the grandson of Henry IV., and they refused him precedence. "I am come," said he, "not to dispute precedence with you, but to save your king: let me rank where you will." The grandees wrote after their signatures to the declaration, "Noble as the king." Vendôme bore this until one wrote after his name, "Noble as the king, and something more;" upon which his patience was exhausted. "How," said he, "dare you claim to be more noble than the Bourbons?"—"You forget," rejoined the Spaniard, "that they are Frenchmen, we are Castilians."

† Voltaire says the Tagus; but this river did not cross his route from Madrid to Brihuega.

‡ Lord Mahon has defended his ancestor with moderation in his "History of the War of Succession in Spain;" a work which cannot be read, and

better grounds of censure against Staremburg, who was within five hours' march; might have come up in time to his relief\*; and thus prevented not only the disaster of Brihuega, but that of Villa-Viciosa, which immediately followed. Vendôme next morning continued his advance — met Staremburg at the last named place, and attacked him. The left wing of the imperialists was defeated by the Spaniards, whilst their left was defeated in its turn; night put an end to the carnage, and both sides claimed the victory. Staremburg took some guns, and kept possession of the field; but retreated with so much precipitation next morning, as to leave his own guns and those which he had taken spiked behind him. He passed Zaragoza, and never stopped till he reached Barcelona. Thus Charles, again, had no footing in Spain but among the Catalans; and never after had a reasonable chance of the Spanish throne. Philip personally, also, had the advantage over his rival. He appeared at the head of the Spanish right wing; and his presence contributed to its success. After the battle, there was no bed for him to lie on. "I will get you,"

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should not be cited, without expressing regret that he did not extend his researches and his history over the whole theatre of that famous war. His words are: — "He had no suspicion whatever that any enemy, besides Vallejo's partisan horsemen, was within several marches; and relying for information on the great rewards he had promised the peasants who should bring any, he did not place on the neighbouring heights any outposts, or advanced guards, which might have given notice of Vendôme's approach. Nor does this omission appear to me at all negligent or blameable in Stanhope; since, with a body of twelve hundred partisan cavalry hovering around him, he could scarcely in any case have stationed such outposts with advantage or with safety; if stationed near the town, they would see little or nothing to report; if at a distance, they would be attacked and cut off by Vallejo."—P. 333, 334.

There was something in the character and habits of Vendôme, which, if it does not excuse, at least accounts for, Stanhope's want of information. A volume professing to be translated from the MS. of the French minister D'Argenson, and published in London in 1789, says of him: "The greatest advantage he had over prince Eugene, was in defeating his calculations by making none himself. As he never took his departure from any place at the time he had previously fixed upon, no spy could give intelligence of his motions. He held no councils with his general officers, so that nobody ever knew what he meant to do: he began a campaign without any settled plan, and gave himself but little trouble about those sent him by the court: therefore his designs might well be said to be impenetrable. His audacity and penetration in great operations repaired all his faults." P. 182, 183.

\* Burnet, vi. 19. The bishop is authority only as to the prevailing opinion at the time in England.

said Vendôme, “the noblest bed that king ever lay on;” and he ordered one to be made for him of the standards and colours taken from the imperialists.\*

From Villa-Viciosa, Vendôme advanced into Aragon, took possession of Tarragona, pushed into Catalonia, and took Balaguer; whilst the French marshal Noailles, operating from the side of Roussillon, took Gerona. On the side of Estremadura and Portugal, there was nothing to merit the name of a campaign. Lord Galway was succeeded by lord Portmore; and the Spaniards were commanded by the marquis of Bay. The first and last, habitually unsuccessful, may be presumed incapable; the second, from want of capacity or opportunity, did nothing.

Such was the course of affairs abroad, when the new parliament met on the 25th of November. Onslow, the late speaker, lost his election; and Bromley, member for the university of Oxford, and chief mover of the bill against occasional conformity, was elected without opposition.† The queen’s speech attracted particular notice only by a single but ominous phrase. Instead of toleration to dissenters, which implied law and right, she promised “indulgence”—the term used by Sacheverel.‡ The address of the lords was cold and dry; that of the commons was all effusion.§ The ascendant of toryism and the high church was decisive in that house; but the whig minority appeared formidable; the most prominent managers in Sacheverel’s case were returned, in spite of a systematic endeavour to exclude them; and the tories adopted a system still more unscrupulous, of petitioning against returns. A hundred whigs were petitioned against as unduly elected; and there

\* Voltaire, Siècle de Louis XIV. It is also recorded that Louis XIV., upon the intelligence of this battle, called in France a great victory, exclaimed in the presence of his courtiers, that is, of Vendôme’s enemies:—“Voilà ce que c’est qu’un homme de plus.”

† There is, in Swift’s Journal to Stella, a whimsical and characteristic entry on this election:—

“Bromley is chosen speaker *nemine contradicente*. Do you understand those two words? And Pompey, colonel Hill’s black, designs to stand speaker for the footmen. I am engaged to use my interest for him, and have spoken to Patrick to get him some votes.”

‡ Burnet, vi. 22.

§ Id. *ibid.*

was not even the chance of a whig committee; for the question was then decided by the majority of the house.\*

This session affords one of the most instructive ex-1711. amples of what is called a factious majority. The duke of Marlborough arrived from Flanders early in January. He found that the usual motion of thanks to him, made by lord Scarsdale, had been dropped, from an apprehension of its being negatived. His reception by the queen was such, that he intimated to the duchess the necessity of resigning her court offices. She threw her gold key on the floor, and bade him do what he would with it †: he took it up; brought it submissively to the queen; and continued, as commander of the army, to transact business with her tory ministers,—who repelled and humiliated him. With a different reputation and stamp of character, this might be the patriotism, the ambition, the deep reach of a great mind;—in the duke of Marlborough it appears to have been avarice. ‡ The duchess's court places were divided between her rival Mrs. Masham, and the duchess of Somerset. This distribution would be unworthy of mention under a government of a different sort; but it is not so where the sovereign mind was advised remotely by a Godolphin and Marlborough, or a Harley and St. John, but immediately and directly by a mistress of the robes and a bedchamber woman.

The shock of parties—or rather, the oppression of the minority by the majority §—began in the house of lords, where the late ministers had most strength. The recent disasters in Spain afforded an occasion. The actual ministers did not scruple to wound those whom they had displaced through the sides of the officers who commanded there; and they found lord Peterborough ready to serve their purposes. That celebrated and singular person's

\* Burnet, vi. 23.

† Note of lord Dartmouth, Burnet, vi. 33.

‡ The official salaries of the duke and duchess are stated at 90,000*l.* a year. — *Id.* *Ibid.*

§ The duke of Buckingham, if bishop Burnet may be credited, said in plain terms, "they had the majority, and would use it, as he had observed done by others when they had it on their side."

prodigality of his life and fortune\* is not easily reconciled with his vindictive and unscrupulous resentments. An inquiry was instituted into the conduct of the war in Spain — particularly as to the loss of the battle of Almanza ; and Peterborough threw the whole blame upon a council of war, in which his opinion had been overruled by lord Galway, general Stanhope, and lord Tyrrawley. Peterborough advised defensive, the latter offensive, operations, and a march upon Madrid. There are reasons to suppose that he judged rightly. When a man who combines sagacity with daring gives cautious counsels, the probability is in his favour ; and his opinion appears to have been that of the duke of Savoy and prince Eugene.† The event, also, was on his side ; but that is rarely the guide of the wise. If the inefficiency of the commander were redeemable by the courage of the soldier, lord Galway would be blameless. He delivered in two statements‡ ; but certainly left unshaken

\* Horace Walpole's character of him (Catalogue of Royal and Noble Authors) is perhaps flattering : —

“ Charles Mordaunt, third earl of Peterborough, one of those men of careless wit and negligent grace, who scatter a thousand bon-mots and idle verses, which we painful compilers gather and hoard, till the owners stare to find themselves authors. Such was this lord : of an advantageous figure, and enterprising spirit : as gallant as Amadis, and as brave, but a little more expeditious in his journeys ; for he is said to have seen more kings and more postillions than any man in Europe. His enmity to the duke of Marlborough, and his friendship with Pope, will preserve his name, when his genius, too romantic to have laid a solid foundation for fame, and his politics, too disinterested for his age and country, shall be equally forgotten. He was a man, as Pope said, who would neither live nor die like any other mortal. Yet even particularities were becoming in him, as he had a natural ease that immediately adopted and saved them from the air of affectation.”

Parke, in his edition, gives, or rather repeats, the following particulars : —

“ This facetious nobleman was once taken by the mob for the duke of Marlborough, who was then in disgrace with them ; and being about to be roughly treated by these friends to summary justice, he addressed them in these words : — ‘ Gentlemen, I can convince you by two reasons that I am not the duke. In the first place, I have only five guineas in my pocket ; and, in the second, they are heartily at your service.’ So throwing his purse among them, he pursued his way amid loud acclamations and huzzas.

“ Dr. Freind, in his account of lord Peterborough's conduct in Spain, says he never ordered off a detachment of a hundred men without going with them himself.’ Of his own courage, his lordship used to say, that it proceeded from his not knowing his danger ; agreeing in opinion with Turenne, that a coward had only one of the three faculties of the mind — apprehension.”

† Parl. Hist. vi. ; answers of Lord Peterborough.

‡ Parl. Hist. vi. 936. 995.

the antagonist statements of lord Peterborough. That lord gave no high notion of his party principles, by accepting from the tories the embassy to Vienna. They passed a vote in his favour; they censured lord Galway; and, finally, they censured the late ministers as the prime movers of the disasters in Spain.\* The whigs had no resource against these votes but their protests.

The tory majority was still less scrupulous, where it was more powerful—in the house of commons. There they inculpated Godolphin's conduct as treasurer, and voted a criminatory address to the queen; but the defence made for him was so conclusive, that, though the commons passed resolutions, they took no proceeding against him. The object was to put such a brand upon the late ministry as would warrant its dismissal.† The lords followed up their inquiry into the conduct of the war in Spain with an elaborate representation to the queen. The commons, without inquiry, voted a similar representation; charged the late ministry with having preferred profligates and blasphemers to the friends of the church; and declared that the kingdom would have been ruined, if her majesty, in her great goodness and superior wisdom, had not removed them.

One of the earliest measures of this session was the Parliamentary Qualification Act—requiring the members for counties and boroughs to possess, respectively, real estates in land of 600*l.* and 300*l.* a year. The object professed, was the exclusion of military and naval officers; the real design, to give preponderance to the landed interest—that is, to toryism and the high church—in the house of commons. The Hanover tories, or those who desired the protestant succession according to the Act of Settlement, soon after designated the “whimsicals,” sought no more; the jacobite tories supported it as favourable to the cause of the pretender. It was a blow aimed at the whigs; yet, so far as it appears, they offered no serious resistance to it. The great body of whigs,

\* Parl. Hist. vi. 993.

† She privately heard the principal debates in the house of lords.

possessed this qualification ; and the selfish feeling of individual monopoly overcame, perhaps, their principles and interest as a party. It excluded not only men without property, real or personal, but wealthy traders and capitalists, who would not qualify at the sacrifice of purchasing land to yield them 3, when the funds would return them 6 per cent., and the employment of their capital in trade still more. At the same time, it admitted many who had no qualification but that of acres and the act of parliament.\* No one seems to have contemplated its ever introducing chicanery and perjury to the table of the house of commons.

Harley, it has been observed, was disinclined, from the beginning, to commit himself implicitly with the tories.† His prudence was now alarmed by their want of moderation. They suspected him, in their turn, of a disposition to keep terms with the whigs ; and a division of the party was arrayed against him by lord Nottingham. At the same time St. John, with the superiority of his genius and the ardour of his temper, became impatient of his subordination to Harley's mediocrity. Nottingham prepared to oppose him ; St. John had already begun to intrigue against him.‡ The force of the whigs — the influence of Nottingham — the talents and intrigues of St. John, — would probably have cut short his ministry at this stage, if a desperate assassin had not attempted his life.

A Frenchman, calling himself the marquis de Guiscard — and variously described as a huguenot refugee, a military deserter, and a malefactor fled from justice — came to England some years before ; recommended himself by his relations, real or pretended, with the insurgents of the Cevennes ; became an English spy and commissioned officer ; served with the confederates ; and was now a retired colonel with a pension of 500*l.* a year, for

\* Oldmixon, ii. 459. His remarks on this act are shrewd and just, without the party violence, bad faith, and scurrility in which he too frequently indulges.

† Burnet, vi. 41, 42. ; and notes of speaker Onslow and lord Dartmouth, *ibid.* 31. 41, 42.

which he was indebted to his share in the dissipations and intimacy of St. John. Harley retrenched the amount, or threatened the discontinuance of his pension, or refused a further supply to his wants, vices, and extravagance; and, to avenge or supply himself, he became the spy of France. His letters were intercepted, and he was brought in custody as a traitor before the council. He refused to answer, but desired to speak privately with St. John. The secretary told him, that in his position he could be heard only before the council board. This refusal, and his being fortunately not within the immediate reach of Guiscard, saved his life. The assassin took up and secreted a penknife which lay on the table, and watched his opportunity to strike Harley with it in the breast. The blade snapped near its handle against the bone; he repeated the blow with desperate fury; St. John and others attacked and wounded him with their swords; and it required the aid of the messengers in waiting to overpower him. Despairing of pardon, he refused to make disclosures; and died of his wounds in the Tower.\*

\* Lord Dartmouth, then secretary of state, and an eye-witness, has given the following account of his conduct:—

“If Guiscard had any design upon the queen’s life, his heart failed him: for he had been with her the evening before; and nobody in the outer room but Mrs. Fielding, or within call but Mrs. Kirk, who was commonly asleep. The queen told me he was very pressing for an augmentation of his pension, and complained that he was ill paid. He behaved himself with great confidence before the council; and denied every thing, till he was shown one of his own letters, which he endeavoured to snatch out of lord Harcourt’s hand. Having thrust himself between the duke of Ormond and Mr. Harley, in such a manner that he could easily have drawn the duke’s sword, if he had not depended on the other tool (as the bishop calls it), when Mr. St. John refused to speak with him, he bent down as if he would have whispered with Mr. Harley, and gave him two or three violent blows upon the breast before any body could stop him. When Bucier, the surgeon, came, Mr. Harley asked him if he were in immediate danger (the penknife having been broken in his body), that he might settle his affairs, for he did not fear death: which was visible by his countenance, which was not in the least altered. After Guiscard was carried into another room, he desired to speak with the duke of Ormond; which he refused unless I would go with him, which I did. He lamented Mr. Harley, who, he said, was truly a great man, and to whom he had many obligations; and several times repeated that the duke of Marlborough was a lucky man. We asked him what he meant by that. He said he had often designed to have done as much for him, and now it was fallen upon a man that he would be glad to be rid of. After he was in Newgate, the lords went to examine him. He said it was to no purpose for him to confess any thing, for he could not expect a pardon. Two days after, he desired to speak with some of the council: he began a story of a man, who,



Both houses immediately addressed the queen respecting "the barbarous attempt on the life of a minister whose fidelity and zeal had exposed him to the daggers of popery and faction." A proclamation was issued for the removal of all papists from London and Westminster. Harley was purified of all suspicion of favour towards France, popery, and the pretender, by the desperate attempt of a French papist to assassinate him,—which not only did all this, but rallied round him all the better feelings of the nation. His wound was slight; but, from his particular constitution, or the unskilfulness of his surgeon, his recovery was slow.\* On his first appearance in the house of commons, he was congratulated by the speaker, in the name of the house, on his escape and recovery, in a somewhat fulsome speech; he made his acknowledgments in a few modest and well-turned sentences. The death of lord Rochester happened at this moment, most opportunely for him. It removed from his path a formidable rival, who divided with him the support of the tories and the church; and might supplant him, by means of the affinities of kindred and party, in the favour of the queen.†

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he said, had ill designs, but would not name him; and stopped short, and said it would make against himself; and rambled like a man that was light-headed: upon which we left him. His correspondence with France seemed to be but of a late date; and the intelligence that he gave was of a matter few of the cabinet had any knowledge of before they had read his letters; and he was never asked who he had it from,—the answer being evident"—*Burnet*, vi. 43, 44. note.

The "evident answer," doubtless, would have been, that he had it from St. John; but it is not to be supposed that lord Dartmouth's suggestion amounts to a charge against St. John, of giving the information to Guiscard for his purposes as a French spy.

\* Swift says in his *Journal*, under the date of April 10.—"He (Harley) has had an ill surgeon, through the caprice of that puppy, doctor Radcliffe, which has kept him back so long."

† The duke of Buckingham succeeded him as president of the council, and was succeeded as lord steward by lord Paulet. The most remarkable appointment was that of the bishop of Bristol to succeed, as lord privy seal, the duke of Newcastle, killed by a fall from his horse. This introduction of a churchman into the government, as a cabinet minister, may be regarded as a step towards the fatal policy of Charles I. and archbishop Laud. It yet appears to have caused no sensation; perhaps from his having been previously diplomatic resident at the court of Sweden. There was an unusual number of candidates, or rather disputants, for the office. Among them lord Somers is named. The duke and duchess of Somerset recommended him strongly to the queen; and if any doubt could be entertained of his cognisance of their solicitations and readiness to take office with the tories, it is removed by the duchess of Marlborough's account of his behaviour after the change of ministry. (See her *Correspondence*, &c. vol. ii.)

His good fortune was completed by his elevation to the lord treasurership and the peerage, with the title of earl of Oxford and Mortimer. The lord keeper Harcourt, when administering the oaths to him as lord treasurer, said, in reference to his title, "Nor is that title less suited to you, as it carries in it a relation to one of the chief seats of learning; for even your enemies, my lord, if any such there still are, must own that the love of letters and the encouragement of those who excel in them is one distinguishing part of your character." His assumption of the proud titles of Oxford and Mortimer gave offence, from the mediocrity of his family and fortune. An oblique censure of lord Godolphin, as treasurer, in his patent, was more deeply and justly resented. He was complimented, in the preamble reciting his services, as well as in the lord keeper's speech, as "the great instrument of restoring public credit;" and this immediately followed his adoption of a project, cast aside by Godolphin, for chartering a South Sea company—which may be regarded as the origin of the remarkable chimera, some years later, under that name. Supplies to the amount of six millions and a half were voted without difficulty in the early part of the session; and the queen prorogued the parliament on the 12th of June.

The duke of Marlborough had resumed his command in Flanders early in the year. It was his last campaign. He entered upon it under circumstances ominous of peril to his glory. The ambition, policy, intrigues, and bias of the ministry, the court, and the public at home; the course of events abroad;—all ran in the direction of a peace, and adverse to him. However humanity may shrink from the horrors of war, the reader will contemplate with unmixed pleasure this great captain's last opportunity of sustaining his reputation and signalling his genius. He did so without the melancholy attestation of a carnage like that of Blenheim or of Ramilies.

Prince Eugene had joined him; but was soon called

away to the Upper Rhine, by French menaces and movements against the empire. Marshal Villars had established, from Bouchain to Canché, along the Sanset and Scarpe, lines which he considered impregnable, and denominated the *ne plus ultra* of the English general. Marlborough made a demonstration of attacking them on the side of Aire; called the attention of Villars to that quarter; moved with his whole force during the night upon Arleux; entered the "impregnable" lines without the loss of a man, in spite of the activity of Villars; invested Bouchain; and, in presence of the enemy, took one of the most strongly garrisoned and fortified places on the frontier, after twenty days' siege.

Meanwhile the military operations in Spain, directed by the duke of Argyle, successor of general Stanhope, left the cause of Charles hopeless. That prince himself, on the death of his brother the emperor Joseph, succeeded him, not only in his hereditary dominions, but in the empire, under the name of Charles VI. All went most auspiciously for the design of the English tory ministry to paralise Marlborough and the whigs, by making peace with France; and a secret negotiation had been on foot since the beginning of the year.

The first overture now came from lord Oxford; and the person through whom he made it was the abbé Gaultier—one of those nondescript French adventurers who introduced themselves at foreign courts as spies of the court of France, in the character of chaplain, confessor, pander in intrigues of gallantry or diplomacy—or all in one. This abbé had come over in the suite of marshal Tallard, during the negotiation of the first partition treaty; next attached himself to the chapel of the imperial embassy; and finally, or at the same time, obtained the direction of the catholic conscience of a tory minister's wife—lady Jersey. It may appear extraordinary that the English ministers should employ a person whose character was obscure and equivocal, in a matter of such importance. He was selected for his character. Such a person, if the overture recoiled,

might be disavowed in a tone of contemptuous dignity and scorn.

The abbé Gaultier, thus qualified and instructed, proceeded secretly to Paris; obtained an audience of the French minister Torcy; and asked him, without preface, "Sir, do you wish to make peace?" Torcy replied, "Ask a dying man, does he wish to recover?"\* The negotiation made little progress during the spring and summer; and in autumn the secret exploded. The next agent employed was Prior — now remembered only as one of the minor English poets, but more worthy to be remembered as a man of wit, scholarship, and business. Prior landed from France without a passport; was arrested and examined; and was released only upon his being recognised, or avowing himself. He had been private secretary of lord Portland, during that lord's special embassy — his close relations, official and personal, with the government were notorious — he was accompanied by Mesnager, an expert French subaltern in administration and diplomacy; — and not only politicians, but the public, saw that a negotiation was on foot.

Preliminary or provisional articles between England and France were signed in London in the beginning of November, and formally communicated to the imperial and Dutch ministers. The former repudiated them as vague generalities, intended to deceive; made them public through a London newspaper; and was forbidden the court. The states general were, or affected to be, no less dissatisfied; but consented to a congress, which should meet on the 1st of January, at Utrecht. It would be inconsistent to mention those preliminaries in pages which admit the provisions of the treaty only in general terms; but it may be observed, in passing, that such articles, at the threshold of a negotiation, must be, for the most part, generalities to be settled afterwards

\* It is so common a practice in historical memoirs, not only to dramatise but to invent, that this might and ought to be doubted, if it were not recorded in the Memoirs of Torcy himself. It is scarcely necessary to put the reader on his guard against the version in the fabricated "Minutes," &c. of Mesnager, which has been echoed in so many histories.

specifically and in detail. To insist upon essentials in the first instance would bar all negotiation.\* Parliament was not yet sitting; and the whigs, in the absence of that engine which may be worked even by a minority, resorted to the emperor and the elector of Hanover. The emperor addressed a circular to the princes of the empire, calling upon them to persist in the objects of the grand alliance; and the elector remonstrated through his minister Bothmar, by a memorial, to the queen, against the preliminaries.†

The session was opened on the 7th of December. "I am glad," said the queen, "I can now tell you, that, notwithstanding the arts of those who delight in war, both place and time are appointed for opening the treaty of a general peace." Having cast this ungracious reflection on Marlborough, who was present, she retired from the throne, and remained privately to hear the debate. The ministers were prepared for a majority against them in the house of lords. They were deserted and opposed by Nottingham — out of jealousy, it was said, of the elevation of Harley.‡ He made a long

\* One of the preliminary articles was a renunciation by Philip of his right of succession to the throne of France, which implied his continuing king of Spain.

† Bishop Burnet, by his account, was closeted with the queen, and gave her his opinion against the preliminaries, not as "a false prophet" (Swift's note on it), but as a shallow and conceited partisan:—

"Among others she spoke to myself; she said, she hoped the bishops would not be against peace. I said a good peace was what we prayed daily for; but the preliminaries offered by France gave no hopes of such an one; and the trusting to the king of France's faith, after all that had passed, would seem a strange thing. She said, we were not to regard the preliminaries; we should have a peace upon such a bottom, that we should not at all rely on the king of France's word; but we ought to suspend our opinions till she acquainted us with the whole matter. I asked leave to speak my mind plainly; which she granted. I said, any treaty by which Spain and the West Indies were left to king Philip, must, in a little while, deliver up all Europe into the hands of France; and if any such peace should be made, she was betrayed, and we were all ruined; in less than three years' time she would be murdered, and the fires would be again raised in Smithfield. I pursued this long, till I saw she grew uneasy; so I withdrew."—*Burnet*, vi. 77, 78.

The queen, according to lord Dartmouth, was tired and disgusted with his absurdity and impertinence.

‡ Note of speaker Onslow, Burnet, vi. 79.

Swift says in his *Journal*, two days before the opening of the session:—  
"The whig lords are doing their utmost for a majority against Friday; and design, if they can, to address the queen against the peace. Lord Nottingham, a famous tory and speech-maker, is gone over to the whig side:

and laboured speech against the ministerial address ; and moved an additional clause, that, in the opinion of the house, no peace could be safe or honourable which allotted Spain and the Indies to any prince of the house of Bourbon.\* He was opposed by his brother, lord Guernsey ; and supported by the duke of Marlborough and the whigs. Marlborough defended himself against the reflection on him in the speech from the throne ; and appealed to the queen, “ who knew and then heard him ” — to God, “ before whom, in the course of nature, he must soon appear ” — in a strain which might be called touching and sincere, if he had not given so many proofs of duplicity with equal solemnity of asseveration. The amendment was carried against the ministers, on a division of 62 to 54. This result spread consternation among the tories. They reproached Oxford with neglect, and had surmises of perfidy both on his part and the queen’s. †

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they toast him daily ; and lord Wharton says, ‘ It is *Dismal* ’ (so they call him from his looks) ‘ will save England at last.’”

It would appear from a note of lord Dartmouth, in Burnet, already cited, that Nottingham deserted the tory ministry to join the whigs, upon finding that the former would not go with him the length of impeaching their whig predecessors.

\* Lord Nottingham had the folly to complain, in his place, of a ballad ascribed to Swift, but unworthy of him. Swift writes in his Journal : —

“ There was printed a Grub Street speech of lord Nottingham ; and he was such an owl as to complain of it in the house of lords, who would have taken up the printer for it. I heard at court that Walpole, a great whig member, said that I and my whimsical club writ it at one of our meetings, and that I should pay for it. He will find he lies ; and I shall let him know by a third hand my thoughts of him.”

The following is the introduction to the pretended speech : —

“ An orator *dismal* of Nottinghamshire,  
 Who had forty years let out his conscience to hire,  
 Out of zeal for his country, and want of a place,  
 Is come up *vi et armis* to break the queen’s peace.  
 He has vamped an old speech ; and the court, to their sorrow,  
 Shall hear him harangue against Prior to-morrow.  
 When once he begins, he never will flinch,  
 But repeats the same note a whole day like a Finch.  
 I have heard all the speech repeated by Hoppy,  
 And, ‘ mistakes to prevent, I’ve obtained a copy.’”

† “ It seems,” says Swift, “ lord treasurer had been so negligent that he was with the queen while the question was put in the house. I immediately told Mrs. Masham, that either she and lord treasurer had joined with the queen to betray us, or that they two were betrayed by the queen. She protested solemnly it was not the former, and I believed her ; but she gave me some lights to suspect the queen is changed : for yesterday, when the queen was going from the house, where she sat to hear the debate, the duke of Shrewsbury, lord chamberlain, asked her whether he or the great

A similar amendment, moved in the house of commons, was rejected by a majority of 232 to 106. The mover of it was Walpole — become, from a subaltern minister, an opposition leader.\* The same ministerial inspiration which reflected on Marlborough from the lips of the queen, pervaded the address of the commons ; — they promise, among other things, “ to disappoint the desires and arts of those who for private ends delighted in war.” The queen’s answer to the commons was all confidence and kindness ; her answer to the lords was not only cold, but almost a rebuke. “ I am sorry,” said she, “ any one could think I would not do my utmost to recover Spain and the Indies from the house of Bourbon.” It is to be remembered that the queen and her ministers had now fully resolved to acquiesce in the continuance of Philip on the throne of Spain. It may appear strange that the conscience of this pious queen should be thus flexible in the hands of her ministers ;

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chamberlain, Lindsay, ought to lead her out : she answered short, ‘ Neither of you ; ’ and gave her hand to the duke of Somerset, who was louder than any in the house for the clause against peace. She gave me one or two more instances of this sort, which convince me that the queen is false, or at least very much wavering. . . . . He (Oxford) came, and appeared in good humour as usual, but I thought his countenance was much cast down. I rallied him, and desired him to give me his staff; which he did : I told him, if he would secure it me a week, I would set all right : he asked how ? I said, ‘ I would immediately turn lord Marlborough, his two daughters, the duke and duchess of Somerset, and lord Cholmondeley out of all their employments; and I believe he had not a friend but was of my opinion. Arbuthnot asked, how he came not to secure a majority ? He could answer nothing, but that he could not help it, if people would lie and forswear. A poor answer from a great minister. . . . . The whigs are all in triumph ; they foretold how all this would be, but we thought it boasting ! Nay, they said the parliament should be dissolved before Christmas ; and perhaps it may ; — this is all your d—d duchess of Somerset’s doings. I warned them of it nine months ago, and a hundred times since : the secretary always dreaded it. I told lord treasurer I should have the advantage of him ; for he would lose his head, and I should only be hanged, and so carry my body entire to the grave.’

\* Swift speaks of his impudence and obscurity with a lofty contempt, which proves in him a gross want of good faith, even when he professes to write history. “ Walpole,” says he, in his *History of the Four Last Years of Queen Anne*, “ was a person much caressed by the opposers of the queen and ministry — having been first drawn into their party by his indifference to any principles, and afterwards kept steady by the loss of his place. His bold, forward countenance — altogether a stranger to that infirmity which makes men bashful — joined to a readiness of speaking in public, hath justly entitled him, among those of his faction, to be a sort of leader of the second form. The reader must excuse me for being so particular about one who is otherwise altogether obscure.”

but it is only one of the many instances of the affinity between bad faith and bigoted devotion.

The proceedings of both houses exhibit a selfish struggle of party interests and passions, with a reckless disregard of public business and the interests of the nation. The government could carry every thing in the tory house of commons, whilst the whigs were strong in the house of lords. The bill against occasional conformity, after three rejections by the house of lords, was now revived, after a lapse of some years, by lord Nottingham, and carried through both houses without resistance. The provisions were somewhat mitigated; but it was not this mitigation that disarmed its opponents. Nottingham told the whigs that their concurrence would enable him to detach a host of tories from the minister; but that, "without it, he was as one man." They had the selfishness to acquiesce; and met with a just retribution. Nottingham deceived them, and, perhaps, himself; and they gave deep offence to the dissenters.\*

The Scotch representative peers were elected for each parliament like the commoners; and the tories carried the last election in Scotland. A compact body, though not numerous, in the house of lords, affected the balance of votes and parties with so much force, that the English peers, not only of the opposition, but of the court †, viewed the Scotch peers with the antipathies of party, and the jealous spirit of an order. An English peerage had been recently conferred on the duke of Hamilton, with the English ducal title of Brandon; and he claimed to sit as an English peer. This would add one to the Scotch peers in the house; — his claim was resisted as

\* Burnet, vi. 84. notes of speaker Onslow; and note of lord Dartmouth (*ibid.*), who says:—"Lord Nottingham fancied he could work wonders with it, and make the world believe that he governed the whigs, who only laughed at him, but hoped he might be of some use to annoy the enemy. Lord Halifax told me he thought they paid too dear for him, by disobliging many of their real friends, to please a man that joined them in spite, and would be sure to leave them whenever he found it for his advantage. The court were glad to be rid of a bill they knew would signify nothing when passed; though often trumped up to make divisions and uneasiness. Lord Nottingham had the mortification afterwards to see his bill repealed with some scorn, and himself not much better treated."—*Burnet*, vi. 85.

† Burnet, vi. 89. note.



inconsistent with the limitation of Scotch peers in the Act of Union. The Scotch peers, on their side, were provoked to fierce resentment, national and personal, by what they treated as a violation of the Act of Union, and a stigma on the whole peerage of their country. Counsel were heard at the bar in support of the duke's patent. The fair construction of the Act of Union, and the precedent of the Scotch duke of Queensberry, who sat as duke of Dover in England\*, were in his favour. His claim was negatived, after a warm debate, by a majority of five. The Scotch peers, upon this, addressed a remonstrance to the queen; seceded in a body; and were soon persuaded to resume their places, upon a promise of satisfaction from the court. If a historian of their country † may be relied on, the promised reparation was made them secretly in money.

1712. The new year opened with the dismissal of the duke of Marlborough from all his offices, and the turning of the scale in favour of the ministry by the creation of twelve peers. A report was made by the commissioners of public accounts at the close of December. Among the undue practices in the army, the duke of Marlborough was charged with having appropriated above 500,000*l.* of the public money, of which he took 63,000*l.* from the contractors to supply the army with bread; the rest by keeping  $2\frac{1}{2}$  per cent. out of the pay of the foreign troops maintained by England. He was further charged with having permitted his secretary, Cardonnel, to receive from the contractor 500 gold ducats on the signing of each contract. Marlborough and his friends pleaded established usage respecting "perquisites," and the queen's warrant. The question is doubtful ‡, and has been too rashly and peremptorily determined both for and against him; but of his rapacity and meanness on every occasion where he had a pretence of right there cannot be a doubt.

\* Notes of speaker Onslow, in Burnet, vi. 89.

† Smollett, *sub ann.* 1711.

‡ See the report, and his defence, in Parl. Hist. vi. 1043. 1079.

The queen deprived him of all his employments\* by a letter in her own hand. She complained of having received ill-usage, by way of justifying herself. Marlborough, in reply, professed not to understand this allusion to the conduct of his wife. If personal resentment was the queen's motive for sacrificing Marlborough, it only proves that in this reign individual reputation and the public service were at the mercy of a weak and vulgar-minded woman.

The commons came to a vote, that the deducted  $2\frac{1}{2}$  per cent., amounting to 437,000*l.*, was public money, which the duke of Marlborough should account for; and proceedings were commenced accordingly by the law officers of the crown.

The commissioners reported at the same time an undue appropriation of a thousand guineas by Robert Walpole, esq., when he was secretary at war. Walpole had in his favour a common but improper practice; and he compromised himself to serve a friend's interest, not his own.† He was, however, not only expelled the house, but committed to the Tower.‡ Cardonnel, the inculpated secretary of the duke of Marlborough, also a member of the house, was expelled.

The creation of twelve peers was not only a blow to the whigs, but a distasteful surprise to some of the

\* The following curious rather than credible story is told by the author of "Transactions," &c. before cited, on the authority of "MS. authentic anecdotes." The author, it will be remembered, was grandson of the duke of Hamilton, and a virulent reviler of Marlborough:—

"In a convocation of incendiaries, at which count Gallas assisted, it was determined, that the duke of Marlborough's commission being under the great seal, it could not be dissolved by her majesty's declaration: that, therefore, by his authority as commander-in-chief, he should immediately assemble all the troops in London, march to St. James's, and take possession of the queen's person. Plunket, lord Oxford's familiar, flew to him with this momentous intelligence: an extraordinary council was instantaneously summoned; Marlborough's commission was superseded; the great seal affixed to his dismissal; the instrument solemnly delivered to him; and orders in consequence issued to the troops."—*Hamilton's Trans.* p. 229, 230.

† Note of lord Hardwicke, in Burnet, vi. 92.

‡ It would appear that some, at least, of the whigs were as severe upon him as the tories, if it be true that sir Peter King said he deserved hanging, as well as imprisonment and expulsion. (*Parl. Hist.* vi. 1075.) It appears from archdeacon Coxe's *Memoirs*, flattering and faithless as they are, that he was still suspected by the whigs and tampered with by the tories. He, however, continued steady.

court Tories, and to one of the ministers. Lord Dartmouth asked lord Oxford what could be the motive for a measure so odious; to which the lord treasurer replied, it was necessary to make the Scotch peers feel their votes could be dispensed with.\* There was, doubtless, in the antipathy to the creation of peers—as to the claim of the duke of Hamilton—not only party interest, but the jealous spirit of monopoly in a constituted order. The use and abuse of the power and passions of such an order in legislation and government, and of the only control upon it—the prerogative of the crown—would afford matter for wide, deep, and delicate speculation, which in these compendious pages cannot even be touched. Lord Wharton humorously asked one of the twelve, whether they voted by their foreman. Nine of the number were plain commoners; among whom was Samuel Masham, a colonel in the army, who had no recommendation of military service or personal merit, but who was husband of the favourite bed-chamber woman.† The queen did not consent without

\* The following is lord Dartmouth's curious and instructive note in Burnet, vi. 94, 95:—

“I was never so much surprised as when the queen drew a list of twelve lords out of her pocket, and ordered me to bring warrants for them; there not having been the least intimation before it was to be put in execution. I asked her if she designed to have them all made at once. She asked me if I had any exceptions to the legality of it: I said no, but doubted very much of the expediency; for I feared it would have a very ill effect in the house of lords, and no good one in the kingdom. She said, she had made fewer lords than any of her predecessors; and I saw the duke of Marlborough and the whigs were resolved to distress her as much as they could, and she must do what she could to help herself. I told her I wished it proved a remedy to what she so justly complained of; but I thought it my duty to tell her my apprehensions, as well as to execute her commands. She thanked me, and said she liked it as little as I did, but did not find that any body could propose a better expedient. I asked lord Oxford afterwards, what was the real inducement for taking so odious a course, when there were less shocking means to have acquired the same end. He said the Scotch lords were grown so extravagant in their demands, that it was high time to let them see they were not so much wanted as they imagined; for they were now come to expect a reward for every vote they gave.” — *Burnet*, vi. 94, 95.

† The following is the whole list:—

“James lord Compton, eldest son to the earl of Northampton; Charles lord Bruce, eldest son to the earl of Aylesbury; George Hay, or lord Duplin, of the kingdom of Scotland; the lord treasurer's son-in-law, baron Hay, of Bedwarden, in the county of Hereford; the lord viscount Windsor, of Ireland; baron Mountjoy, of the Isle of Wight, in the county of Southampton; Henry Paget, son to the lord Paget, baron Burton, of Burton, in

reluctance to make him a lord. The favourite bed-chamber woman had rendered herself agreeable by sycophant humility; and queen Anne had the good sense, or selfishness, to reflect that the upstart peeress might forget herself.\*

The progress of the treaty, and the fall of Marlborough, were heavy blows to the allies. Buys, the Dutch envoy in London, negotiated and intrigued in vain. The emperor sent over prince Eugene, to try the effect of his presence, his renown, and a new scheme for conducting the war at greater cost to the empire. It may be presumed that personal regard for Marlborough was also among the motives of his visit. These two great captains co-operated with a rare unison, never interrupted by difference of opinion or jealous feeling. He found Marlborough in court disgrace; but treated him with no less distinction, or, rather, courted him with no less assiduity. It is said that, upon being complimented by Lord Oxford as the first captain of the age, he replied, that, "if it were so, he was indebted for it to his lordship."

His presence was embarrassing to the tories, the ministry, and the queen. The reckless violence of party spirit imputed to him criminal intrigues, and wild projects of riot and murder, wholly inconsistent

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the county of Stafford; sir Thomas Mansel, baron Mansel, of Margam, in the county of Glamorgan; sir Thomas Willoughby, baron Middleton, of Middleton, in the county of Warwick; sir Thomas Trevor, baron Trevor, of Bromham, in the county of Bedford; George Granville, baron Lansdowne, of Biddeford, in the county of Devon; Samuel Masham, baron Masham, of Oates, in the county of Essex; Thomas Foley, baron Foley, of Kidderminster, in the county of Worcester; and Allen Bathurst, baron Bathurst, of Battlesden, in the county of Bedford."—*Parl. Hist.* vi. 1060.

Sir Miles Wharton, among others, refused to be ennobled on such terms. "Formerly," he said, "men were made lords for services performed; now, for services to be performed." The husband of the favourite was created in his room.—*Burnet*, vi. 94.

\* Lord Dartmouth (note in *Burnet*, vi. 36, 37.) says, "I was desired to propose her husband's being made a lord; which I found was not very acceptable. The queen told me she never had any design to make a great lady of her, and should lose a useful servant about her person; for it would give offence to have a peeress lie upon the floor, and do several other inferior offices; but at last consented, upon a condition she remained a dresser, and did as she used to do. She was exceeding mean and vulgar in her manners, of a very unequal temper, childishly exceptionable, and passionate."

and incredible.\* All that appears probable, if not certain, is that he held private consultations with Marlborough, the whig leaders, and the Dutch and Hanoverian ministers; that he was worshipped by one mob, and insulted by another; that some equivocal adventures in the life of his mother, Olympia Mancini, niece of cardinal Mazarin, were made the subject of a street ballad during his visit; that the queen presented him with a valuable sword; and that, having failed in the objects of his mission, he took leave about the middle of March.

The ministers, with their overwhelming numbers in the house of commons, and the reinforcement of twelve votes in the house of lords, continued with new vigour the attack upon their predecessors. Lord Townshend's barrier treaty was now assailed. By that treaty, a chain of barrier fortresses was secured to the states against France; and the protestant succession in the house of Hanover was guaranteed to England, or rather to the whigs. It was now declared injurious to the interests of England, and to the honour of the queen †; and lord Townshend, with all other persons engaged in advising or signing it, were declared enemies to the queen and kingdom. This was a double advantage to the tories; it branded the opposition with the censure of parliament, and smoothed the way to peace.

Negotiations for peace were proceeding meanwhile in the city of Utrecht. Robinson, bishop of Bristol, lord privy seal, and lord Strafford, who had some experience in diplomacy, were the English; Buys and Vanderdussen, the Dutch; Zinzendorf, the imperial; D'Uxelles and Polignac, who acted at Gertruydenberg, and Mesnager, who had been recently in England, were the French negotiators. The bishop of Bristol opened the

\* The only pretence for these charges was, that a number of dissolute and drunken young men scoured the streets at night and committed various outrages. They were called Mohawks. The government issued a proclamation against them; not so much, it was said, from regard to the public peace, as to give importance and a political character to their riotous excesses.

† See in Parl. Hist. vi. 1095. a representation to the queen concerning the barrier treaty and the state of the nation, ascribed by Swift to sir Thomas Hanmer, and very ably as well as elaborately drawn up.

conferences with an exhortation to rectitude and good faith. They were not the less conducted with dissimulation and obliquity. The bishop himself was not in the confidence of his own court; he was kept in ignorance of the secret articles already signed between the courts of England and France, and was instructed to proceed upon the propositions of Mesnager as the basis of negotiation.

The French diplomatists displayed the same adroitness as at Gertruydenberg, but not with the same humility. The abbé Polignac, who then ventured to meet the arrogance of the Dutch only with a polished epigram, now rebuked and defied them. They proceeded like men sure of their game.

New difficulties, however, arose from deaths in the family of Louis XIV. The dauphin, his son, died in the preceding year; the dauphin's son, the duke of Burgundy, who took that title, died in the spring of this year, and was soon followed to the tomb by his eldest son, a child of six years. There remained only the infant duke of Anjou, a sickly child two years old, afterwards Louis XV., between Philip king of Spain and the throne of France.

Both Louis and his grandson were unwilling to renounce the contingent right of the latter to the French throne, whilst the queen and her ministers required peremptorily such a renunciation as would prevent the crowns of France and Spain from being worn by the same person. This renunciation, after much discussion, was at last agreed to.

The treaty and the campaign soon proceeded concurrently; and the English parliament, sitting at the same time, kept its eye keenly and constantly on both. The duke of Ormond succeeded the duke of Marlborough in the half only of his command — that of the English and the auxiliaries in English pay. The states general gave the command of their troops to prince Eugene — a proof of their little confidence in the ministry and the queen.

Their distrust was soon justified by the result. Ormond, a man of unquestioned intrepidity and honour, joined Eugene ; entered into his design of passing the Scheldt to attack Villars, or invest Quesnoy ; and was suddenly restrained from acting on the offensive by secret orders from secretary St. John. Marshal Villars, apprised from Paris of the orders to the British general, wrote him a letter of compliment on their being no longer enemies. The allies declared openly that the cause was betrayed. Ormond wrote home to the ministers his complaints of the equivocal and painful situation in which he was placed.

The Dutch and imperial ministers remonstrated with the government. Prince Eugene wrote to one or more of the whig leaders. Lord Halifax brought the matter before the house of lords — Pulteney, before the house of commons. In the latter house, the ministers had a triumphant majority. A vote of censure on them for their orders to the duke of Ormond was negatived by a majority of 203 to 73, and followed by a vote of entire confidence in the queen and her ministers. St. John, the ministerial leader in the house of commons, defied and menaced the opposition. It was observed by Hampden, that, between a lazy campaign and a trifling negotiation, they were amused by ministers at home and tricked by enemies abroad. The secretary replied, that it was a reflection on the queen ; that persons had been sent to the Tower for less ; but that some members, who were ambitious of that honour, should be disappointed.\*

In the house of lords, the opposition, instead of moving a censure, demanded explanations — specifically as to the fact whether restraining orders had been sent. The lord treasurer Oxford, in reply to Halifax, substantially admitted the fact ; justified it by saying “ it was prudence not to hazard a battle upon the point of concluding a good peace † ; promised that in a few days the

\* Parl. Hist. vi. 1130, 1131.

† Parl. Hist. vi. 1136, 1138. Oxford was censured for his openness, and St. John commended for his reserve, by their party or their friends. “ I

conditions would be laid before parliament; and disclaimed a separate peace as "a base, knavish, and villainous thing." He added, that though the duke of Ormond would not hazard a battle, he would join the allies in a siege.

This modification of the original orders had been recently sent out as some satisfaction to the Dutch. It was treated with ridicule by the duke of Marlborough, as a solecism in the art of war, — for a siege implied the hazard of a battle. Lord Paulet replied, "that no one could doubt the courage of the duke of Ormond; he was not like a certain general, who led troops to the slaughter, and got officers knocked on the head, in order to fill his pockets by the sale of their commissions." A motion for the production of the orders was negatived by a majority of 65 to 40; the minority protested on the journals; and the duke of Marlborough sent lord Paulet a challenge. That lord, it is said, could not conceal his emotion, and the challenge, from his wife; and lord Dartmouth, the secretary of state, placed him in arrest, with two sentries at his door. The secretary at the same time carried to the duke of Marlborough the queen's commands that the affair should proceed no further, and received his word of honour to that effect.

On the 6th of June, the queen communicated to both houses, in a long and laboured speech, the terms upon which peace could be made with France. They were in substance, as set forth in her speech, — "That the French king should acknowledge the protestant succession, and remove the pretender out of his dominions: that the crowns of France and Spain were never to be united on one head; that the respective kings were to

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believe," says Swift in his Journal, "the news of the duke of Ormond producing letters in the council of war, with orders not to fight, will surprise you in Ireland. Lord treasurer said in the house of lords, that in a few days the treaty of peace should be laid before them; and our court thought it wrong to hazard a battle, and sacrifice many lives in such a juncture. If the peace hold, all will do well; otherwise I know not how we shall weather it. And it was reckoned as a wrong step in politics for lord treasurer to open himself so much. The secretary would not go so far to satisfy the whigs in the house of commons; but all there went swimmingly."



make renunciations for themselves and their heirs : that Newfoundland, St. Christopher's, Hudson's Bay, and Nova Scotia, were to be yielded to the English ; as also Gibraltar and the island of Minorca : that Naples, Sardinia, and Milan should be yielded to the emperor ; and a barrier be established in Flanders, on the Rhine, and in Savoy : that Dunkirk should be demolished.

The funds rose 4 per cent. in expectation of this disclosure. It was no sooner made than they immediately relapsed.\* Few treaties have been more debated, but always in the spirit of party. Hardly one prediction against it was ultimately verified. The ties of blood are so feeble between courts, that the continuance of Philip on the throne of Spain — especially at the advanced age of Louis XIV. — was fraught with no permanent or serious danger. The main point was gained, — that the vast resources of France and Spain should not be held in the same hand. It is further to be observed, that, if the emperor were also king of Spain, nothing but his mediocrity, and that of his councils, guaranteed Europe from a disturbing power and pre-eminence as formidable as could be exercised by France. That kingdom had the prospect of a long minority ; and minorities are periods, not of foreign conquest, aggression, or ambition, but of domestic strife between parties and party leaders, or of reform in domestic government.

The house of commons voted without difficulty, and presented, in a body, to the queen, an address of confidence and thanks. Lord Wharton moved an additional clause to the address in the house of lords, having for its object to guard against a separate peace. It was supported by Marlborough, who said the proceedings of the last year sullied the glories of the queen's reign ; by Godolphin, who said the trade with Spain, in peace, would not be half that with Portugal in war. Lord Strafford had arrived from Utrecht to defend the negotiation. He charged Marlborough with preventing

\* Parl. Hist. vi. 1144.

concert between her majesty and her allies, by clandestine promises of party support if they continued the war. The fact appears to have been admitted by lord Cowper. He vindicated the right; and retaliated upon the ministers that they treated clandestinely with the common enemy. It would appear that lord Strafford, from affectation, or the effect of foreign residence, expressed himself in a manner not consistent with English idiom. — “The noble lord,” said lord Cowper, “has been so long abroad, that he has forgotten, not only the language, but the constitution of his country. According to our laws, it could never be suggested as a crime in the meanest subject — much less in any member of this august assembly — to hold correspondence with our allies. But it would be a hard matter to justify and reconcile, either with our laws, or the laws of honour and justice, the conduct of some persons in treating clandestinely with the common enemy, without the participation of our allies.”\* It would, perhaps, be more easy to justify the latter than the former. The separate and secret articles existing between England and France might be a breach of good faith to confederates, but was no violation of the laws of England; and even the authority of lord Cowper will hardly bear out the dictum, that a private subject had the warrant of law to throw secret impediments in the way of a pending treaty, and foment discord between his sovereign and her allies. The opinion of lord Cowper seems not so much that of a constitutional lawyer, as one of those plausible fallacies which may be hazarded by a mere pleader in a cause.†

The additional clause was rejected by a majority of 81 to 36; and the whig minority entered on the journals a protest so violent or so vigorous that the majority carried a vote to expunge it. It would appear from the numbers on the division, that this question was

\* Parl. Hist. vi. 1146.

† Swift describes him as a mere practising lawyer, ignorant of politics, “a piece of a scholar,” and “a good logical reasoner, if that were not often alloyed by a fallacious way of managing an argument, which made him apt to deceive the unwary, and sometimes to deceive himself.”

considered more important than that of the treaty itself. The motion for expunging was carried by 90 to 64, — a much larger attendance. The protest, however, was circulated in print, at home and abroad, in defiance of the standing orders and express menaces of the house of lords; and the minority attained their end.\*

The queen's communication of the terms of a treaty not yet concluded, to both houses, from the throne, was obviously premature, and could have been suggested only by the fears or foresight of the ministers. They sought to throw over themselves the protection of a vote of parliament before they signed and sealed. The queen ended this session by adjournment, on the 21st of June, with a speech in which it was artfully set forth that both houses had approved the terms of the treaty. They had only expressed their confidence and thanks.

There is observable in the queen's speeches, since the tories came into office; a marked superiority of style. This speech is a masterpiece of combined elegance, ease, and simplicity. The close of the session by adjournment, not prorogation, was supposed to be designed to keep Walpole in the Tower, upon his refusal to make any submission. A prorogation took place on the 8th of July, and he was liberated.

The solicitations of the Dutch, the remonstrances of the duke of Ormond, and a secret purpose of the ministry, produced a qualification of the restraining orders. Ormond accordingly covered, whilst prince Eugene directed, the siege of Quesnoy. His reputation and conduct were now compromised on both sides. Villars,

\* This protest, signed by twenty-three peers, of whom four were lords spiritual, may be found in the Parliamentary History, vi. 1141. Lord Wharton, according to Swift, went out of town in a rage, swearing that he would meddle no more in that reign; he being then in his sixty-sixth year, and the queen twenty years younger. (*Journal to Stella*, 17 June.) Hampden soon after moved, in the house of commons, an address to the queen, desiring that the protestant succession, as settled by law, should be guaranteed in the treaty by the allies. It was negatived by 133 to 38; and an address of confidence in the queen, as well as of censure on those who would create jealousies between her and her subjects, carried in its stead.

like Eugene and the Dutch, complained of perfidy. This has been charged upon lord Oxford's want of decision and purpose. Secretary St. John wrote to Ormond, for the information of Villars, that the queen insisted on the execution of the article relating to Spain, and the occupation of Dunkirk by British troops, as previous conditions of an unqualified armistice in the Low Countries. These conditions were put in train of performance; and the duke of Ormond, in person, communicated to prince Eugene and the Dutch field deputies that he could no longer cover the siege or act against the French. The latter expressed indignation — less real than pretended. It was a result for which they were not unprepared. They had even secretly, and not very honourably, taken their measures.

Ormond had under him German mercenaries as well as native troops. The Germans, having been tampered with, refused to march with him, and continued with the confederates.\* Ormond sent a detachment to occupy Dunkirk. They were refused entrance into any of the fortress towns on their way, by order from prince Eugene and the Dutch.

The refusal of those mercenaries put the treaty to some hazard. Ormond was pledged to a suspension of arms by all the troops in British pay. But peace was necessary to France; there was a good understanding between Louis and the queen's ministers; and after a moment's hesitation he delivered up Dunkirk. The

\* The English ministers, or at least secretary St. John, resented this with indignation and menace. He writes to Ormond, "We are very much at a loss to imagine what the princes can mean or propose to themselves to whom these troops belong. A beggarly German general commands the troops which have been so many years paid by her majesty, and which are actually so at this time, to desert from the queen, and to leave her subject forces, for aught they knew, exposed to be attacked by the enemy. This, I confess, is surprising, and what very few instances can be produced to parallel. I assure you that the matter will be carried high here. I think the queen, and all who serve her, are determined to resent this insult offered to the British nation by our mercenaries. We shall have money to spare; and, I believe, shall employ it to make those fear our force, who have not been gained over by our kindness. The northern ministers begin already to be alarmed at the equipment of a very strong squadron for the Baltic: they will soon discover that the states, who were to invade us, cannot fit one fleet to cope with our Channel guard."

suspension of hostilities was now proclaimed by sound of trumpet, on both sides, between England and France; and Ormond returned with his troops to England.

The restraining orders sent out to the English general, and the suspension of arms which ensued, have been more severely and more justly condemned than the peace of Utrecht. They brought discredit upon Ormond and the ministry. The former was obviously blameless; and there is reason to believe that the latter were reproachable only with a weak and culpable acquiescence. Lord Hardwicke, in a short introduction to his papers relating to the treaty of Utrecht, says, "Queen Anne frequently attended her councils; and lord Bolingbroke assured a late great minister, from whom the editor\* had it, that she herself proposed the famous restraining orders to the duke of Ormond, which his lordship solemnly declared he had not been apprised of, and in the first emotion was going to object to them; but after the queen had delivered her pleasure to the lords [of the council], she made a sign with her fan at her mouth, which lord Bolingbroke knew she never did but when she was determined on a measure. He therefore, unhappily for himself and his country, acquiesced; and insinuated, when he told the story, that the advice was solely suggested by his rival, lord Oxford."† The insinuation, under the circumstances, is of little or no weight; and this submission of their personal judgment and opinion by the ministers to the mere pleasure of the sovereign, whether in the case of Somers and king William, or Bolingbroke and queen Anne, proves not so much the blameable complaisance of the ministry, as the backwardness of constitutional doctrine in practice and effect.

Prince Eugene, upon the secession of the duke of Ormond and the British, made war with the resolution of one who had the ambition and the opportunity to gain undivided glory. With the imperialists, the Dutch,

\* Lord Hardwicke.

† Hard. Pap. ii. 482.

and the refractory Germans in English pay, his forces were far more numerous than those of Villars. The fall of Quesnoy inspired him and the states with disproportionate confidence. The bishop of Bristol, who continued at Utrecht, and lord Strafford, who had recently gone back to his post from England, called formally upon the allies to join the queen in suspending hostilities. Zinzendorf, the imperial minister, refused with disdain; and told the Dutch that prince Eugene should leave them defenceless at the mercy of the French, if they acceded to the proposal of the English ministers. The Dutch, who appeared so eager for peace, were decided by this menace; and continued to act, both in the congress and in the field, in concert with the imperialists.

The next operation of Eugene, after the capture of Quesnoy, was the siege of Landrecy. He made incursions by detachments to the gates of Rheims. Villars was not in a condition to check him, and the court of France was once more in consternation. The death of so many members of the royal family of France filled the imagination both of the court and the multitude with an ominous presentiment of calamity.\* The worst disasters were apprehended from the enterprising genius and superior force of Eugene. It is said that the council deliberated whether Louis should not retire for security beyond the Loire; upon which he declared, that, in case of any new disaster, he would summon the nobility of his kingdom, and, though in his seventy-fourth year, would lead them against the enemy, to die at their head.†

The talents of Villars, and a fatal error in the dispositions of Eugene, saved France. It is charged upon the prince, that his line of operations was too extended; his magazines at Marchiennes too remote; and the post of lord Albemarle, at Denain, not within reach of succour. According to one account, he made Marchiennes his

\* Voltaire — from his own recollection — *Siècle de Louis XIV.*

† Voltaire, *Siècle de Louis XIV.*

depôt, because his mistress, a beautiful Italian, was in that town; from another, it would appear that a priest and a burges of Douay, whilst walking for their recreation in the neighbourhood of Marchiennes and Denain, were struck with the facility of carrying those places by a surprise, and communicated their observations to marshal Villars.

In point of fact, that marshal made a feint-advance, as if to attack the camp of Eugene; directed, under cover of it, his main force against lord Albemarle at Denain; forced his lines; killed or made prisoners seventeen battalions, with their commander and other superior officers; whilst prince Eugene came up only in time to witness this terrible mishap. The French marshal pushed on along the scarpe upon Marchiennes, and took that place, with its magazines and a garrison of 4000 men, after a siege of only three or four days. The siege of Landrecy was raised by Eugene.

Douay was next invested by Villars. After a few weeks' siege, and a languid defence, the garrison surrendered prisoners of war. Prince Eugene, it is said, would have attempted to relieve it, but the Dutch field deputies would not run the hazard of an engagement. If his army had lost fifty battalions in killed and prisoners at the close of the campaign\*, which was now very near, the discretion exercised by the deputies may have been in this instance a sound one. Bouchain, one of the last conquests of Marlborough; Quesnoy, with the capture of which prince Eugene had opened the present campaign; were successively retaken. The French frontier, the very capital and heart of France, so lately menaced, were now secure. Louis ordered *Te Deum* to be sung in the cathedral of Nôtre Dame; but, in his letter to the archbishop of Paris, spoke not of conquest or of glory. His words were only of peace; and the treaty of Utrecht was hastened by Villars's successes.

\* Voltaire, Siècle de Louis XIV.

The negotiations, however, proceeded slowly at Utrecht. St. John, who had been created viscount Bolingbroke some months before, proceeded to the court of France, in order to expedite the conclusion of the treaty. It appears that the conduct of the negotiation was confided wholly to him ; and his letters on the subject are masterpieces of their kind for clearness and completeness of development.\* The French king and court received him with distinction. He removed the chief difficulties, and returned to England ; leaving Prior at Paris to settle the remaining details, relating chiefly to matters of trade. Peace, however, was not yet signed at Utrecht ; and a further cessation of hostilities for four months was proclaimed between England and France, by land and sea.

The disasters of the campaign in Flanders inclined 1713. the Dutch to peace. Tournay was added to their barrier ; and they signed the preliminaries with the English ministers. All the confederates but the emperor had signed in the beginning of April. At the same time two parties protested against it, — the emperor and the pretender ; — the latter very idly ; the former, as it proved, very injuriously to his interests.

The chief articles of this famous treaty, as ultimately signed, were — the acknowledgment of the queen's title, and the protestant succession by France ; the removal of the pretender from the French dominions ; the renunciation of the crown of France by Philip, of the crown of Spain by the dukes of Berri and Orleans, and the contingent succession of that crown secured to the duke of Savoy ; the cession of Hudson's Bay, Newfoundland, Nova Scotia, Gibraltar, and Minorca to England ; the demolition of Dunkirk ; barriers respectively secured to the states, the emperor, and the duke of Savoy, on the sides of Flanders, the Rhine, and the Alps ; the restoration of Lille, Aire, Bethune, and St. Venant to France ; the proffered cession of Naples, Milan, Sardinia, and the

\* See his letters, and those of Prior, in his Correspondence, and in the second volume of the Hardwicke Papers.



Spanish Netherlands to the emperor ; the cession of Sicily, with the style of king, to the duke of Savoy ; certain arrangements of trade between England, France, and Spain, which proved unsatisfactory when submitted to parliament, and were carried only into partial effect. Another article of this treaty between England and France does honour to queen Anne — the engagement of Louis to liberate, on condition of voluntary exile, such of his subjects as were suffering in prison or on board the galleys for their religious faith.\*

\* It would appear, from an expression said to have been used by one of the Dutch negotiators to the abbé Polignac, that the states shared with the queen the credit of this article. Upon the Dutchman's urging on the abbé the liberation of the French protestants, the latter asked him in reply, whether he would consent to liberate the convict malefactors of his country. " Yes," rejoined the Hollander, " provided you acknowledge them for your brethren."

## CHAP. VII.

1713.

MEETING OF PARLIAMENT. — STATE OF PARTIES AND THE COURT. — APPOINTMENT AND DEATH OF THE DUKE OF HAMILTON. — DEATH OF GODOLPHIN. — MARLBOROUGH'S RETIREMENT FROM THE KINGDOM. — HIS MOTIVES — AND CONDUCT. — OXFORD AND BOLINGBROKE. — THE TORIES AND WHIGS. — PEACE OF UTRECHT. — COMMERCIAL TREATY. — THE PRETENDER. — DISCONTENT OF THE SCOTS LORDS AND COMMONERS. — MOTION TO DISSOLVE THE UNION. — PERSONAL CHANGES IN CHURCH AND STATE. — TREATY WITH SPAIN. — THE CATALANS. — TREATY OF RASTADT. — MEETING OF A NEW PARLIAMENT. — SWIFT. — EXPULSION OF STEELE. — THE PRETENDER. — THE ELECTORAL PRINCE OF HANOVER. — DEATH OF THE ELECTRESS SOPHIA. — SCHISM BILL. — PROROGATION. — DISGRACE OF THE LORD TREASURER OXFORD. — ILLNESS AND DEATH OF QUEEN ANNE.

THE session of parliament was now about to open under circumstances of much anxiety and interest to the ministry, to parties, and to the nation. It is necessary to glance back at some preceding incidents, and the disappearance of some conspicuous persons from the scene. Harley, from the moment of his ascendancy, inspired the jacobites with hopes of his restoring the pretender. He even placed Mesnager, the French agent, in communication on the subject with the queen, through the medium of the favourite bedchamber woman.\* Queen Anne suffered the jacobites who approached her to call the pretender by the endearing name of her brother; and was supposed to wish he should succeed her, from natural affection. She had little kindness for one whom she was conscious of having wronged, and whom she

\* Macpherson's Papers.

had never seen — or seen only as an object of aversion, in his mother's arms.

Her hatred of the house of Hanover remained, and sufficed to dispose her in his favour; and, if she did not conspire with the French to force him upon the nation as her successor, it may be ascribed to the indecision or artifices of Harley, who perhaps only sought to conciliate and amuse the jacobites — to the defects of capacity and character in the jacobites who had access to her, and had not enough of fixed purpose, influence, and resolution to gain her confidence or overcome her natural timidity.

The duke of Hamilton was among the jacobites who secretly approached her even before the dismissal of the whigs.\* He, doubtless, like most of his contemporaries, had a keen regard to his ambition, interest, and safety; but his principles were jacobite; he kept up a correspondence with the court of St. Germain†; and at the close of the preceding year he was named ambassador to the court of France. It is difficult to resist the opinion, that a partizan so decided, and so deeply engaged, was not sent on his mission in the interests of jacobitism, with the full knowledge of the queen and her ministers. A private quarrel took place on the eve of his departure, between him and lord Mohun, and led to a duel in which both were killed. The person ap-

\* Hamilton's Transactions, &c.

† The duke of Hamilton writes as follows to lord Middleton, at St. Germain, in January, 1712.

“The possession of the crown has never been the object of the queen's wishes, nor does she consider it as her property; she looks upon it as a deposit placed in her hands, for which she thinks herself accountable. The prince's misfortunes affect her sensibly: she laments that they have been brought upon him by imbibing tenets repugnant to her people. For my part, I am hurt to see jacobite lords siding with Marlborough. The sight is odious, and gives offence to the queen. What can you mean by opposing her views? Are you not yet satisfied about the man's fallacy? It is time you should open your eyes, and cease to flatter yourselves or suffer yourselves to be amused with vain hopes. The country will never receive a king from France, nor will the English suffer themselves to be governed by a Roman catholic. I would rejoice to see the prince one day restored; but I declare against having any concern in civil wars: to be plain, you should lose no time in taking him away from France, and not wait till you be compelled by a public or private article in the treaty. Go with him to a protestant country, and marry him, as soon as possible, to a protestant. I wish you were safe in Sweden.”—*Hamilton's Transactions*, 243—245. From an original MS. letter of the duke of Hamilton.

pointed in his place was the duke of Shrewsbury, who had long ceased to have any relations with the court of St. Germain's.

About the same time died lord Godolphin, who had been the minister of four sovereigns ; whose life was far from stainless ; but who had administered the treasury many years without amassing wealth ; and whose administration contributed mainly to the glories of this reign.\* His friend Marlborough was also removed from the strife of parties—but not by death. He withdrew, or rather absconded, from the kingdom, which he had for eight years governed rather than served, and upon the annals of which his achievements shed imperishable lustre. The proximate cause of his retreat—whether a private understanding between him and lord Oxford that the proceedings against him for the recovery of the  $2\frac{1}{2}$  per cent., which he was charged with having unduly appropriated, should be stayed †—or Oxford's having ob-

\* Two other persons of name or note died this year ;—Richard Cromwell, who had nothing but private virtue and his name to make him worth mention, in the ninetieth, and the duke of Leeds, after his long, varied, and equivocal career, in the eighty-first years of their respective ages.

† The following observations are made on his departure by speaker Onslow and lord Hardwicke, in Burnet, vi. 146. ; and by Lockhart, in his "Commentaries."

"His going, his staying, and his return, afforded many observations not very favourable to him. The whole is a mystery, that time perhaps will never unfold. It is enough for us that he, who was the first man of this country, was confessedly the first man of the age."—*O.* "I have seen amongst Mr. Robethon's papers several letters from the duke of Marlborough, in his own hand, to the elector of Hanover, professing the strongest zeal and attachment to his interest, pointing out the methods by which his adversaries in England were endeavouring to undermine the protestant succession, offering to go whenever his (the elector's) service made it necessary ; and, in fact, the duke appears to have accepted a commission to command the army in case of the queen's sudden death ; and lord Cadogan was to act under him as his deputy. Particular care was to be taken about securing the garrison of Dunkirk. The court of Hanover was not very alert about securing the succession. The elector was not only very backward in sending over his son (though much pressed to it by all his friends in England), but declined borrowing a sum no larger than [sic in orig.] which his friends represented to him was absolutely necessary for secret services, pensions to lords, &c. I have likewise read, amongst the papers collected by Carte, draughts of letters from lord Middleton and king James's queen to the duke of Marlborough, in 1710, by which it appears that his grace had (when the ministry changed in England) made the strongest professions of his attachment to the Stewart family."—*H.* . . . . The duke's departure is accounted for in the following way by Lockhart :— "The process against the duke for stopping the percentage from the pay of the foreign troops was commenced at the instance of the house of commons ; but soon afterwards it dropped, occasioned, as was then said and reasonably believed, by an agreement betwixt the lord Oxford and the

tained possession of the infamous letter in which he betrayed the secret of the design on Brest \*, and that minister's threats to produce it to the peril of his head—has been called a mystery, and still continues nearly as much so as ever. It is difficult, perhaps impossible, to reconcile, not only with his superiorities of genius and ambition, but with ordinary judgment, his inveterate practice of duplicity and intrigue. It would seem as if he gratuitously exposed to hazard his fame and safety. Whilst pursuing his victories in Flanders, he professed to the court of St. Germain, by clandestine communications, his devoted attachment to the cause of the pretender, with the earnestness, if not the solemnity, of oaths†, and at the same time gave the elector of Hanover

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duke of Marlborough that the process should be let fall, on condition his grace would next summer go out of the kingdom, and give no further countenance to the whig party."

\* The most probable solution of the mystery is Dalrymple's, vol. iii. p. 45.—"I was told," says he, "by the late principal Gordon, of the Scots college at Paris, that, during the hostilities between the duke of Marlborough and lord Oxford, near the end of the queen's reign, lord Oxford, who had got intelligence of the duke's letter, and pretended, at that time to be in the interests of the exiled family, applied for and got an order for the original; and that his making the duke know that his life was in his hands was the cause of the duke's going into a voluntary exile to Brussels in the year 1712; and, indeed, so extraordinary a step as that exile must have had an extraordinary cause. It is known, too, from the history of the times, that there was a private meeting between the duke and lord Oxford, at Mr. Thomas Harley's house, to which the duke came by a back door; immediately after which he left England. I have also heard from the late archbishop of York, grandson to the earl of Oxford, that he had been informed that the duchess of Marlborough, after the death of those two persons, had contrived to get the letter from lord Oxford's papers, and destroyed it."

† In a series of letters to the court of St. Germain, while in Flanders, he expressed his unalienable attachment to the pretender, whom he called his king. "I regret," says he, "that I am not likely to be employed in concluding the peace, as, in that case, I might have done essential service to the old cause. I consider the payment of the dowry as a great point towards re-establishing the excluded line. The eyes of the people will be opened; they will see their interest in restoring their king. His cause has gained so much ground of late, that I solemnly swear it must come to a happy issue. Both sides will find themselves obliged to have recourse to the excluded prince, for solid peace and internal happiness,—not from any true principles of conscience and honesty, for I do not believe that either party is swayed by any."—Again, "The French king and his ministers will sacrifice every thing to their own views of peace. The earl of Oxford, and his associates in office, to take, as usual, the ground of their adversaries, will probably insist upon the king's retiring to Italy; but he must never consent. He must neither yield to the French king, nor to the fallacious insinuations of the British ministry, in a point which must inevitably ruin his cause. To retire to Italy, by the living God, is the same thing as to stab him to the heart. Let him take refuge in Germany—in

assurances no less earnest of his zeal for that prince's succession to the crown.\* The same course of deception, the same double game, was pursued by him in his exile.†

The ministry was by this time distracted by jealousies and intrigues. Bolingbroke disdained his subordination to Oxford. Their personal characters were not merely different, but opposed. Harley, politic, temporising, irresolute, had attained the summit of his ambition, and hardly knew what to do there; whilst Bolingbroke, with the ardour of youth and ambition, and a measureless superiority of genius, aspired to be not merely the first but the sole minister. Swift was their common friend; and he flattered himself at this time with having reconciled them. Reconciliation between them was impossible.

The tory party was itself divided—into those who

some country on this side of the Alps. He wants no security for his person; no one will touch a hair of his head. I perceive such a change in his favour, that I think it impossible but he must succeed. But when he shall succeed, let there be no retrospect towards the past; all that has been done since the revolution must be confirmed: his business is to gain all, by offending none. As for myself, I take God to witness, that what I have done for many years was neither from spleen to the royal family, nor ill-will to their cause, but to humble the power of France; a service as useful to the king as it is beneficial to his kingdom."—And again, "Peace must certainly happen. The people stand in need of tranquillity on both sides; the current of the nation now seconds the views of the minister. But peace, and all that has been done, favours the cause of the king. God, who rules above, seems visibly to dispose all for the best. \* \* \*

I know perfectly his sister's disposition of mind. She is a very honest person, easily won, and without difficulty swayed. She is extremely cautious, as she is to the last degree subject to fear. At bottom, she has no aversion to her brother's interests; but she is one that must not be frightened. An external force would terrify her, and alienate the minds of the nation. Leave us to ourselves, and all our hopes will be crowned with success."

\* See note, p. 289, 290.

† The pretender, his family, and his advisers, regarded Marlborough at last with suspicion and disgust. He yet sent a confidential agent to Bar-le-duc with letters to the pretender and the duke of Berwick, containing the most solemn protestations of his unshaken and decided attachment to the cause of the prince, whom he assured, with an emphatic oath, "that he would rather cut off his own right hand than oppose the views he had on the throne. He declared, that provided he himself could be rendered secure, he would not hesitate a moment to use all his credit, both privately and publicly, for his service. The duke of Berwick, he said, was instructed more largely on the subject, and he had reason to hope for an answer suitable to his sincerity and zeal."—*Macpherson's Stuart Papers*.

There is something melancholy and repellent in this sort of moral evisceration of one so famous for his genius, his achievements, and his services to his country.

thought the right of the pretender indefeasible and sacred—and a class still larger, whose fears for the church from a popish successor made them no less sincerely attached to the succession of the house of Hanover than the whigs.

This last party—the whigs—compact and single purposed, bent their whole mind to securing the protestant succession on the queen's death; and the result proved the sagacity with which they calculated the future. It would be idle to suppose that a party, of which the leaders were so ready to capitulate with the popery of James, could be actuated by principle or patriotism in the exclusion of his son; but they saw, that by making the succession Hanoverian, they should make the administration whig.

These elements of party strife were enough to have enlivened the session, without the treaty of Utrecht. Bolingbroke arrived at Whitehall, on the 3d of April, with the treaties of peace and commerce between England and France, signed by the respective ministers, and official news of the signature of their respective treaties by the ministers of Holland, Portugal, Prussia, and Savoy. The next step was to submit the ratification to a council at Whitehall. The lord keeper Harcourt having taken the oaths as lord chancellor, and the duke of Athol as a member of the council,—both decided tories,—the treaties were submitted for deliberation. Lord Cholmondeley made objections, and was removed from his office of treasurer of the household.\* Sir Richard Temple, a whig, was at the same time deprived of his regiment.† The ministers and their friends were still far from secure.‡ The session, never-

\* Swift's Journal, April 8.

† Id. *ibid.*

‡ The following entries in Swift's Journal will convey the best notion of the position of lord Oxford and his friends:—

“January 17th. I dined to day with lord treasurer. After dinner he was talking to the lords about the speech which the queen must make when the parliament meets. He asked me how I would make it. I was going to be serious, because it was seriously put; but I turned it to a jest; and, because they had been speaking of the duchess of Marlborough going to Flanders after the duke, I said the speech should begin thus:—‘My

theless, passed with comparative tameness. It was the third, and, under the Triennial Act, the last of this parliament — and parties reserved themselves for the issue of the election. It was thus a virtue of short parliaments to suspend the strife of parties, and subject them to the due arbitrament of the sense of the people.

The queen opened the session on the 9th of April, after seven prorogations since the commencement of the year. Besides the usual topics, she touched on the peace and its conditions in terms of congratulation, and called the attention of parliament to the licentiousness of the press. Both houses echoed the speech \*, and the peace was formally proclaimed on the 4th of May, eleven years exactly from the proclamation of war.

There were two treaties between France and England, — the one territorial, the other commercial. The former only received the approbation of both houses at the opening of the session ; the latter — or rather the eighth and ninth articles — were condemned violently within and without the walls of parliament. Those articles provided that the produce of each kingdom should be received in the other on the same terms respectively as to all duties, impositions, and privileges as the most favoured nations. They could not be carried into effect in England, without an act of parliament to alter and

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lords and gentlemen ; in order to my own quiet and that of my subjects, I have thought fit to send the duchess of Marlborough abroad after the duke.' This took well, and turned off the discourse. I must tell you I do not at all like the present situation of affairs ; and remember I tell you so. Things must be on another foot, or we are all undone : I hate this driving to an inch. . . . February 27. The whigs are forming great schemes against the meeting of parliament, which will be next Tuesday, I still think, without fail ; and we hope to hear, by then, that the peace is ready to sign. . . . March 8. Lord treasurer showed me some of the queen's speech, which I corrected in several places, and penned the vote of address of thanks for the speech. . . . March 21. Lord treasurer has been at a meeting with four principal whigs ; but he is resolved to begin a speech against them when the parliament sits ; and I have begged that the ministry may have a meeting on purpose to settle that matter, and let us be the attackers ; and I believe it will come to something, for the whigs intend to attack the ministers ; and if, instead of that, the ministers attack the whigs, it will be better ; and farther, I believe, we shall attack them on those very points they intend to attack us."

\* It appears from the foregoing note, that the speech was revised and the address of the lords written by Swift ; and they show the expressive and graceful simplicity of his style.



reduce the existing duties on imports from France. The traders of the chief towns in England, the minister of Portugal, the merchants trading to Portugal, Italy, and the Levant, clamoured against this reciprocity. They petitioned parliament, and were supported by tories as well as whigs. An impression prevailed, that the interests of English commerce was at stake; and several members sacrificed party to what they thought the public good. The greater facilities of labour and production in France, the balance of exchange against England, the allegation that the rival countries were the better customers, were urged against the bill in petitions, speeches, and evidence at the bar. The preamble to an act of Charles II. was cited by general Stanhope in his speech; the speaker denied its existence; — the act was referred to by Stanhope, and the preamble was read by the clerk at the table. It literally proscribed, in detail, the goods of France\*; it was received as the voice of an oracle; and the bill was rejected by a majority of 194 to 185.

Historians, tory as well as whig, have abandoned this treaty to censure, by common consent. It is said to have been imposed on Bolingbroke, without examination, and in haste, by Mr. Arthur Moore, who had risen from a footman to great wealth, and a certain weight of opinion with parties and the ministry, by his ability, his industry, and the want of delicacy in his means.† But Bolingbroke must have well understood what he has so well developed — particularly in one of his letters to Prior ‡: and it may be not only justice to Bolingbroke,

\* This preamble runs as follows: — “Forasmuch as it has been, by long experience, found that the importing of French wines, brandy, linen, silk, salt, and paper, and other commodities of the growth, product, or manufactures of the territories and dominions of the French king, has much exhausted the treasure of this nation, and lessened the value of the native commodities and manufactures thereof, and caused great detriment to this kingdom in general; be it therefore enacted,” &c.

† See a character of him by speaker Onslow, in Burnet, vi. 162, 163. note.

‡ In the Hardwicke Papers, ii. 507, &c. The following passage may be cited with advantage, not only as exposing the diplomatic chicanery of the French, but as developing the substance of the treaty: —

“If their view is, as you seem to take it, and several expressions in your letters lead me to believe, that they can only take off their duties as we shall take off ours, that the alteration of their edicts must go *pari*

but an instructive truth, to say that a mind, at once so comprehensive and sagacious, saw, and seized by anticipation, those principles of international trade, which only began to struggle into light after the lapse of a century.

The treaty of Utrecht made a wanderer of the unfortunate son of king James. Pending the negotiations, he

*passu* with that of our acts of parliament, and that all must be gradually and equally settled on both sides,—this is what we cannot consent to; which will in its consequence, as we apprehend, either put us under the necessity of changing the whole scheme of our book of rates—which is impracticable in our circumstances,—or of being deprived of the enjoyment of the tariff of 1664 till we do it. The foundation laid down and agreed to on both sides, is *Amicissima Gens*: thence we infer that the French shall grant no privilege or exemption to any foreign nation, which we shall not enjoy. This they in words consent to do. Then we offer to put their goods upon the same foot as those of the like nature from any foreign nation, and to take away all prohibitions made since the year 1664. Upon this they object that our duties are extremely high, that they do not bear a proportion to the tariff of 1664, and that they must be brought down to that standard, otherwise commerce cannot be fairly settled between the two nations. This is, in effect, to insist that we should make a new tariff on purpose for them, and treat them better than we do any other foreign nation at present; or that we cannot fairly and justly pretend to enjoy the tariff of 1664, as the Dutch are to do, who have laid few or no impositions on the goods and manufactures of France. This, you see, carries the dispute off from the first principle, and leads us to an intricate detail, and an endless discussion of the value of goods, and the proportion of duties on each side. These mazes we can never think of entering into. The position is plain, as it is stated in article No. 5., that we will not pretend to enjoy the tariff of 1664, till two months after the parliament have brought the duties, payable on French commodities, to a parity with those payable on the like goods, from any other foreign country, &c.; which we reckon will give an extreme great advantage to France, since it is well known how much more preferable their goods are here, than those of the same sort from other parts.

“From what I have here laid down, you will observe that neither what you say in the second article of your memorial of the 21st of December, “*Nous tacherons, &c., de manière que les conditions en seront égales de part et d'autre,*” nor what the French say in answer to it—much less what is proposed in the paper received from monsieur de Torcy, the 7th of January, (“*Lorsque, par acte du parlement de la Grande Bretagne, les droits sur les denrées du cru, manufactures et marchandises de France, seront réduits à la mesme proportion de ceux qui doivent se lever en France, sur les denrées du cru, manufactures et marchandises de la Grande Bretagne, suivant le tarif de l'année 1664, les sujets de la Grande Bretagne jouiront alors en France du tarif de la dite année de 1664,*”)—is conformable either to the article, No. 5., which the queen directed to be insisted upon, or to what I have said in explanation of that article, or to the sense my lords the plenipotentiaries understand the proposals of France in. I may take notice, that our offer of not enjoying the tariff of 1664 till two months after that we have brought down the excessive duties on the goods of France, to the same foot with those of other nations, and have taken off all prohibitions since 1664, removes entirely the objections of monsieur Desmarais, that we should immediately come into the benefit of the tariff of 1664; that we should throw a glut of goods into France, and that in the mean time the French would stand *les bras croisez*, and have nothing to do.”—*Hardwicke Papers*, ii. 507—509. In another letter he says: “By Heaven, they [the French] treat like pedlars, or what is worse, like attorneys.”

and his sister were seized with small-pox; of which the latter — described as a person of the greatest promise — died. The pretender having obtained an asylum from the duke of Lorraine, under the safe-conduct of the emperor, took up his residence at Bar-le-duc. Lord Wharton moved, in the house of lords, an address to the queen, desiring “her pressing instances” with the duke of Lorraine, and all other princes and states in amity with her, to exclude from their territories the pretender to her crown. The motion was unexpected; and a pause ensued. It was doubtless so thrown out to test the party inclinations of the tories, by surprise. Lord North and Grey said that most states and princes of Europe were in amity with the queen; and asked where they would allow the pretender to live? Lord Peterborough replied, that having begun his studies at Paris, he had better finish them at Rome. The address was carried unanimously; the example of the lords was followed by the commons; the queen promised compliance— but it would appear that “her instances” were of no avail, and it may be doubted whether they were really “pressing.”

The union with Scotland was the most important act of statesmanship which passed in this reign. It was a national settlement, second only to the revolution — a monument of the capacity and patriotism of Godolphin and Somers. Godolphin was now in the tomb; and the honour remains to his memory and name, unimpeached and entire. Somers, in an evil hour, threw away the credit due for it to his capacity, patriotism, labour, and influence; and left one of the most conclusive and melancholy proofs of the fact, that party leaders, with the good of the nation and the state in their mouths, have only party ambition and interest in their hearts.

The disqualification of the Scotch peers to sit and vote as English lords of parliament was deeply resented by them — and was clearly a wrong. They were now provoked anew by the extension of the malt tax to Scotland. A

meeting, or several meetings, of Scotch peers and commoners took place. They deputed Argyle and Mar, Lockhart and Cockburn, to remonstrate verbally with the queen against what they called "such a breach of the articles of union as prompted them to declare it dissolved." She replied, they were precipitate; and she wished they might not have reason to repent it. On the 1st of June, lord Findlater moved that the union be dissolved.\* The two great parties changed places on the question. The dissolution of the union was opposed by the tories, and advocated by the whigs.

Men who have resisted a settlement when first proposed, may adhere to it without reproach or inconsistency after it has been carried into effect; and after six years' experience, the tories found that the union added to the strength of their party, as well as of the interests of the kingdom. The whigs sacrificed the kingdom, their principles, and their consistency, to wound their adversaries, and avenge a party disappointment. Lord Somers's name does not appear in the record of the debate, but it is placed beyond doubt that he urged the motion privately; and the prudence which made him silent in the house only detracts still more from his character. The motion, supported by the great body of whig lords †, and by the Scotch peers, including Argyle, who had recently quarrelled with the tories, was negatived by only four votes.

The supplies of the year were but a million and a half; to which, however, was tacked a clause authorising the queen to raise 500,000*l.* to pay arrears of the civil

\* The form of his motion was for leave to bring in a bill of dissolution. He reduced the grievances of the Scotch nation to four heads, viz. 1. Their being deprived of a privy council; 2. The laws of England, in cases of treason, being extended to Scotland; 3. The Scotch peers being incapable of being made peers of Great Britain, as it was adjudged and declared in the case of the late duke of Hamilton; and, 4. The Scots being subjected to the malt tax. — (Parl. Hist. vi. 1211.)

† Speaker Onslow says (note in Burnet, vi. 160.), "How much to their honour I will not say. I believe they meant only the distressing of the ministry; but surely there was too much of party violence to make so tender a point an instrument of opposition. I had it from good authority (the late sir Robert Monroe, then of the house of commons), that at a meeting upon it at my lord Somers's house, where Monroe was, nobody pressed that motion more than that lord. Good God!"

list. This very important reduction from seven millions to a million and a half—or even calling it two millions—was a most important relief to be placed to the credit of the peace of Utrecht. The commissioners of public accounts, in their report of this year, set forth the whole expense of the war—the ordinary peace establishment not included—as forty-eight millions and a half \*, nineteen millions of which England had expended above her quota, in consequence of the failure of the Dutch and other allies to perform their engagements. † These sums will doubtless appear trifling to those whose imaginations are familiar with the loans and taxes of recent wars.

On the 16th of July, the session was closed by the queen, with a speech, which, according to bishop Burnet ‡, was “severely reflected on.” The objections to it seem to have been, that she rebuked the commons for their rejection of the commercial treaty with France, and said nothing of the protestant succession or the pretender. This parliament, designated by the epithet of “*pacific§*,” was dissolved on the following 8th of August.

The rising of parliament was followed by some personal changes both in church and state. Compton, bishop of London, who signed the invitation to the prince of Orange—who appeared in arms against king

\* Parl. Hist. vi. 1176, &c.

† Representation of the commons to the queen, Ibid. 1095.

‡ Bishop Burnet closes here his “history of above three and fifty years” with the following prayer:—“I pray God it may be read with the same candour and sincerity with which I have written it, and with such a degree of attention as may help those who read it to form just reflexions and sound principles of religion and virtue, of duty to our princes, and of love to our country, with a sincere and incorruptible zeal to preserve our religion, and to maintain our liberty and property.”

Lord Dartmouth, having completed the perusal of the history, dismisses the bishop with the following comment:—“Thus piously ends the most partial malicious heap of scandal and misrepresentation that was ever collected, for the laudable design of giving a false impression of persons and things to all future ages.”—*Burnet*, vi. 180.

§ On the day of the prorogation, gold medals, bearing on one side the queen's effigy with the words “*Anna Dei Gratia*,” on the other the words *compositis venerantur armis*,” were distributed to the members of both houses. It was one of the court artifices to impress the public mind, on the approach of the election, with the notion that the peace of Utrecht was a great national blessing, and dispose the constituencies in favour of those who had procured it.

James—who was called, by way of pre-eminence, “the protestant bishop,” for his whig-revolutionary zeal—who then became equally strenuous in supporting with his votes and speeches only, — for it does not appear that he preached, and there was no occasion to bear arms,—the high tory doctrines of non-resistance and passive obedience,— died on the 7th of July, in the eighty-first year of his age. He was succeeded by Robinson, bishop of Bristol, lord privy seal, and one of the negotiators of the peace of Utrecht. Atterbury was made bishop of Rochester on the death of Sprat. The queen would not be persuaded to let the mitre be worn and disgraced by Sacheverell, whose interdict now expired; but he had the honour of preaching to the house of commons, and was rewarded with the rectory of St. Andrew’s, Holborn.\* Lord Lansdowne succeeded lord Cholmondeley as treasurer of the household. The duke of Ormond was appointed governor of Dover castle, and lord warden of the Cinque Ports, on the death of lord Dorset. Lord Dartmouth was made lord privy seal; and Bromley, the tory leader, became joint secretary with Bolingbroke. The chancellor of the exchequer, Benson, after a short and undistinguished chancellorship, was created lord Bingley; was sent ambassador, in the room of lord Lexington, to Spain; and was succeeded by one who figured more conspicuously in the succeeding reign—sir William Windham. His appointment is a sign of the rising favour of Bolingbroke, who was his friend. The duke of Shrewsbury returned from his mission to the court of France, and was made lord lieutenant of Ireland.

Philip, not yet recognised as king of Spain by the allies, was not represented at Utrecht. Lord Lexington having been sent ambassador to his court, he fulfilled the engagements made for him by his grandfather, —

\* “I went,” says Swift in his Journal, April 2, “to lord treasurer’s at six, where I found Dr. Sacheverell, who told us that the bookseller had given him 100*l.* for his sermon, and intended to print 30,000. I believe he will be confoundedly bit, and will hardly sell above half.” It is described as remarkably tame — the preacher’s zeal having evaporated.



the chief of which were, the renunciation of his right of inheritance in France, and of the pretender; the acknowledgment of the queen's title, and of the protestant succession; the cession of Gibraltar and Minorca to England.

His own title having been recognised on the signature of the territorial treaty, he concluded commercial treaties with the several confederates in his own name and through his own ministers. By his treaty with England, he renewed or recognised the treaty of commerce and navigation of 1667, between England and Spain; granted to England the odious monopoly of supplying the Spanish West Indies with African slaves, under the name of "the assiento\*;" and engaged himself to grant full pardon, with the integrity of their estates and honours, to the brave and unfortunate Catalans.

The people of that ill-used province, — abandoned by the emperor, who was now making war single-handed, and obliged to employ all his forces on the Rhine, — deserted by the queen of England, who had encouraged their revolt, but now sacrificed not only them, but the interests of her kingdom, to the faith of treaties †, — continued a struggle alike horrible and hopeless.

It has been doubted whether Philip could have subdued them without French aid. ‡ The duke of Vendôme, disgusted with the formalities, or the decencies, of the court of Spain, retired from it to wallow in sensualities, on the sea-coast; died of indigestion, whilst his companions in debauchery and his valets plundered him in his last moments even to his bed-clothes; was translated from this scene of degradation and disgust to be entombed

\* The "assiento," or contract, stipulated, that from the 1st day of May, 1713, to the 1st of May, 1743, the English should transport into the West Indies 144,000 negroes, at the rate of 4800 negroes a year, and pay for each negro 33½ pieces of eight, in full for all royal duties. It is a sad proof of the slow progress of moral truth, that even in a country where discussion was free, a century should elapse before the light of reason and the breath of religion vindicated the humanity of the nation.

† "La reine d'Angleterre," says the author of the "Age of Louis XIV.," who by the way commends her for the peace of Utrecht, "plus fidèle à des traités, qu'aux intérêts de son pays, ne secourût point cette ville (Barcelona)." *Ibid.*

‡ *Ibid.*

with royal pomp at the Escorial, among the kings and princes of Spain ; and was succeeded in his command by the duke of Berwick.

The city of Barcelona, their capital, besieged by Berwick with a French and Spanish army, and blockaded by a French squadron, made a defence which rivalled, if it did not surpass, the classic sieges of Saguntum and Numantia. Priests and monks inspired the people with the fanaticism, not of religion, but of patriotism. Had they done no more, they might be open to reproach or suspicion. Above 500 ecclesiastics died, sword in hand, in the breach, or in sallies. A black banner was hung out by the besieged, as an emblem of death, in sight of the besiegers. After a series, signally horrible, of assaults and sallies, the remnant of the besieged capitulated with honour. They disputed not only the defences, but the town, inch by inch. They still demanded the preservation of their local privileges—absurd and mischievous if viewed by them as Spaniards, but associated, or rather identified with, independence and liberty by them as Catalans;—and they obtained the terms provided for them in the treaty of Utrecht, at the instance of the ministers of queen Anne.

It was long a sort of watchword to exclaim against the treaty of Utrecht. The whigs, it is true, could have obtained better terms at Gertruydenberg ; the Tories were justly condemned for having compromised the national faith and honour in treating separately and secretly with France, and in the restraining orders to the duke of Ormond ; but the clamour against the commercial part of the treaty is now admitted by all the world to have been the result of party malice, and universal ignorance of the true principles of trade ; and the hackneyed reproaches to which the whigs still cling, of “glory missed\*,” and “opportunity thrown away,” are as unjust and shallow. Was it the interest of England to transfer the crown of Spain from the house of Bourbon to that

\* See lord John Russell's History of Europe from the Peace of Utrecht, i. 335.



of Austria, after the Austrian pretender to the throne of Spain, on the death of his elder brother, became emperor of Germany? If it were politic, was it practicable? Was France to be dismembered or deprived of her frontier defences? It should be remembered that this was not attempted at a recent period, when confederate Europe occupied France by conquest with a million of armed men, and the conquerors bivouacked in the palace courts and gardens of the French capital.

But opportunity was really lost, glory missed, and faith broken in Catalonia. That province had all the elements, physical and moral \*, for an independent state — a new-created unit in the community of nations, — under the protection of England. If the affinities between England and Portugal have proved useful and fortunate, how much more might be expected from the same relation with Catalonia, skirting the Mediterranean, and opening on it by several seaports, — one of which might be the most valuable in Europe as a naval arsenal, — isolated from the rest of Spain, and yearning for independence.

The neglect, or rather the sacrifice, of the Catalans, is a reproach to the memory, not of Oxford, whose narrow compass of mind and ambition could not reach beyond the domestic circle of court and party intrigue, but of Bolingbroke, whose grasp of genius could embrace the widest sphere of political relations and interests, and who had the chief, if not the sole, conduct of the treaty of Utrecht.

The emperor, meanwhile, continued in arms, only to

\* The following is the graphic sketch given of Catalonia by Voltaire : —  
 “La Catalogne est un des pays les plus fertiles de la terre et des plus heureusement situés. Autant arrosée de belles rivières, de ruisseaux, et de fontaines que la vieille et la nouvelle Castille en sont dénuées, elle produit tout ce qui est nécessaire aux besoins de l’homme, et tout ce qui peut flatter ses désirs, en arbres, en blés, en fruits, en légumes de toute espèce. Barcelone est un des beaux ports de l’Europe, et le pays fournit tout pour la construction des navires. Ses montagnes sont remplies de carrières de marbre de jaspe, de cristal de roche ; on y trouve même beaucoup de pierres précieuses. Les mines de fer, d’étain, de plomb, d’alun, de vitriol, y sont abondantes : la côte orientale produit du corail. La Catalogne, enfin, peut se passer de l’univers entier, et ses voisins ne peuvent se passer d’elle.”  
*Siècle de Louis XIV.* ii. 262, 263.

prove his want of political counsel and military resource, and to accept worse terms than he might have had in concert with the queen of England and the states general at Utrecht. Marshal Villars pressed prince Eugene with rival if not equal capacity, and a greatly superior force. He began by securing that portion of Flanders which remained under the treaty to France; then moved upon the Rhine; made himself master of Spire, Worms, and the adjacent country; attacked the lines of Brisgau; defeated the imperialists under general Vaubonne; took Fribourg, the capital of that section of Austria; and negotiated with prince Eugene at Rastadt.

The first expression of the marshal to the prince is worth citing, not as a turn of phrase, but as a historic and moral truth. "Sir," said he, "you and I are no longer enemies. Your enemies are at Vienna — mine at Versailles." Marlborough, were he of the party, might have said as much, in his case, of London.

The emperor, in this treaty, ceded to France Strasburg and Landau, which were offered to him at Utrecht; the fortresses of Huninghen and New Brisac in their integrity, not dismantled, as formerly proposed; the sovereignty of Alsace, which Louis had been willing to renounce. He released the electors of Cologne and Bavaria from the ban of the empire, and reinstated them in the possession of their respective electorates.

Of the many parties advancing, opposing, or interested in this general pacification, two only viewed its progress in accordance with its consequences;—Louis XIV., who wanted and obtained repose; and the European masses of the people, who groaned within the theatre of war under that scourge of the human race. Both the hopes and fears of the other parties were mocked; and it may be said, the vanity of human judgments of the future were rebuked by the peace of Utrecht. The pretender saw in it the prospect of a settlement in his favour to succeed the queen; and it left him without help or hope from domestic parties or foreign force. The elector of Hanover deprecated and opposed it; and the

event only rendered his succession to the throne of England still more secure. His views and interests were identified with those of the whigs; they saw in it the ascendant of toryism with popery on the throne; and it constituted them a ministerial dynasty in the two succeeding reigns. Oxford and Bolingbroke made the peace of Utrecht to be "the solid foundation of a tory system," and "the basis of their strength." It is avowed and recorded by the latter, that it proved fatal both to toryism and to the ministry; that it was "in part demolished before their eyes;" and that they were "stoned with the ruins." \* When the calculations of human

\* See Bolingbroke's letter to sir William Windham, written in 1717,—perhaps the most eloquent of his writings: it is pervaded by a tone of good faith, which could hardly have been assumed; and has more of the sadness than the bitterness of exile and disappointment. The following extract from his account of the conduct and character of his colleague may be not only interesting but instructive to those who are uninitiated in courts and cabinets, but are rational and discerning enough to generalise and make applications:—

"The peace had been judged, with reason, to be the only solid foundation whereupon we could erect a tory system; and yet, when it was made, we found ourselves at a full stand. Nay, the very work, which ought to have been the basis of our strength, was in part demolished before our eyes, and we were stoned with the ruins of it. Whilst this was doing, Oxford looked on as if he had not been a party to all which had passed; broke now and then a jest, which savoured of the inns of court and the bad company in which he had been bred; and on those occasions, where his station obliged him to speak of business, was absolutely unintelligible. Whether this man ever had any determined view, besides that of raising his family, is, I believe, a problematical question in the world. My opinion is that he never had any other. The conduct of a minister, who proposes to himself a great and noble object, and who pursues it steadily, may seem for a while a riddle to the world; especially in a government like ours, where numbers of men, different in their characters and different in their interests, are at all times to be managed; where public affairs are exposed to more accidents and greater hazards than in other countries; and where, by consequence, he who is at the head of business will find himself often distracted by measures which have no relation to his purpose, and obliged to bind himself to things which are in some degree contrary to his main design. The ocean which environs us is an emblem of our government; and the pilot and the minister are in similar circumstances. It seldom happens that either of them can steer a direct course; and they both arrive at their port by means which frequently seem to carry them from it. But as the work advances, the conduct of him who leads it on with real abilities clears up, the appearing inconsistencies are reconciled; and when it is once consummated, the whole shows itself so uniform, so plain, and so natural, that every dabbler in politics will be apt to think he could do the same. But, on the other hand, a man who proposes no such object; who substitutes artifice in the place of ability; who, instead of leading parties and governing accidents, is eternally agitated backwards and forwards by both; who begins every day something new, and carries nothing on to perfection—may impose awhile on the world; but a little sooner or a little later the mystery will be revealed, and nothing will be found to be couched under it, but a thread of pitiful expedients, the ultimate end of which never extended farther than living from day to day. Which of these pictures resembles Oxford most, you will determine."—*Bolingbroke*, i. 22—24.

foresight are thus falsified by the event, it may be true wisdom to think only of the present, the past, and the morally right, and await the future with whatever aspect it shall come; but the human mind seeks to penetrate the future in the presumption of its faculties — as, in their weakness, it resorts to augury, sorcery, and the stars. Up to the present age it would have been little short of treason to speculate on the succession of the pretender, compared with that of the elector of Hanover, otherwise than as the greatest national calamity; and it is pronounced by living authority in political philosophy and statesmanship\*, “a result at which a friend of liberty must tremble” in imagination, even now. Surely this is to have an unworthy estimate of the reason, energy, courage, and character of the English nation, and a very limited one of the vast volume of inscrutable agencies and contingencies in the affairs of this world.

The new parliament was summoned for the 12th of November, but did not meet until the 16th of the following February. Meanwhile the dissensions between Oxford and Bolingbroke became notorious, and their animosity irreconcilable, — at least on the part of the latter.† Oxford complained that during his short absence from court, on his son’s marriage, he was undermined in the queen’s confidence by the intrigues of his colleague. Bolingbroke and his friends retorted on him perfidious tampering with the whigs.‡ The reproaches on both sides were most probably well founded. Inflammatory pamphlets were launched upon the public mind and popular passions. Among these were “The Crisis,” a whig pamphlet for the Hanover succession, by Steele; a jacobite tract on hereditary succession, for which a clergyman named Bedford, and described as the reputed

\* See Lord John Russell, *Hist. Eur. &c.* i. 282.

† Bolingbroke himself says the contrary — but in terms which refute him, — “If he (Oxford) would have exerted himself in concert with us, &c. I would have stifled my private animosity and acted under him,” &c. — *Ibid.*

‡ He was reproached with perfidy by Trevor in the presence of Ormond, Anglesey, Harcourt, and Bolingbroke, and, according to the last named, “did not so much as attempt an excuse.” — *Letter to Sir William Windham.*

author, was prosecuted and punished; the "History of the White Staff," by De Foe, in defence of the treasurer; "The Art of Restoring," written by Toland against him; "The Public Spirit of the Whigs," by Swift. Upon the whole, it appeared that Bolingbroke, supported by Windham, Bromley, and Harcourt in the cabinet, by the favourite bed-chamber woman, now lady Masham, in the queen's closet—above all, by his own superiorities of endowment and accomplishment—had a complete ascendant in the ministry and the court. Oxford manœuvred with the adroitness, and employed the arts, of a politician of his class. He acknowledged and magnified with studious ostentation the ascendant of Bolingbroke, in order to throw upon him the odium of every high tory measure of the government in his secret tamperings with the whigs. That party listened to his suggestions with seeming attention and secret derision; respected, feared, and hated the capacity and daring of Bolingbroke; and prepared to encounter him with increased strength in public opinion, and a slight accession of votes in the new parliament.

The jacobites appear imbecile or effete in this crisis of their fortunes. They were duped, or they duped themselves, in clandestine correspondence with the pretender or his agents, secret conclaves among themselves, or vague conversations with tory chiefs, which never proceeded beyond mere words. There appears a sort of political superstition in their party creed, which made them trust to Heaven and their cause rather than their own efforts. The truth seems to be, that in England the sense, energy, and pervading spirit of the community were arrayed against the jacobites. Country gentlemen, the giddy\* populace, infatuated partisans, bigoted or intriguing churchmen †, are not those who achieve revo-

\* "My friends the rabble," says Swift, "are at least grown trimmers, and the cry of trade and wool (about the commercial treaty), against Sacheverell and the church, hath cooled their zeal."

† Swift asserts as a fact more than once, that, of the high church tories, the non-jurors only were inclined to the pretender; and if he be admitted a faithful organ, their principles were perfectly consistent with the re-

lutions or restorations. It has been said that the two first princes of the house of Hanover were kings but of half their people. The assertion is very questionable or ambiguous. Jacobitism is not to be confounded with the national disgust for two princes who had not the language, manners, or character of their new subjects, or the capacity or inclination to acquire them. In Scotland only jacobitism had hope and strength. There the philosophy of popular and constitutional government

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volution, and the Hanover succession.—“I now proceed,” says he, “to deliver the sentiments of a church of England man with respect to government. He does not think the church of England so narrowly calculated, that it cannot fall in with any regular species of government; nor does he think any one regular species of government more acceptable to God than another. The three generally received in the schools have all of them their several perfections, and are subject to their several depravations. However, few states are ruined by any defect in their institution, but generally by the corruption of manners, against which the institution is no longer security, and without which a very ill one may subsist and flourish. Whereof there are two pregnant instances now in Europe. The first is the aristocracy of Venice, which founded upon the wisest maxims, and digested by a great length of time, hath in our age admitted so many abuses through the degeneracy of the nobles, that the period of its duration seems to approach. The other is the united republics of the States General, where a vein of temperance, industry, parsimony, and a public spirit running through the whole body of the people, hath preserved an infant commonwealth, of an untimely birth and sickly constitution, for above an hundred years, through so many dangers and difficulties as a much more healthy one could never have struggled against without those advantages.” . . .

“As to the second part of the objection, whether the people of England convened by their own authority upon king James’s precipitate departure, had power to alter the succession? In answer to this, I think it is manifest from the practice of the wisest nations, and who seem to have had the truest notions of freedom, that when a prince was laid aside for mal-administration, the nobles and people, if they thought it necessary for the public weal, did resume the administration of the supreme power (the power itself having been always in them), and did not only alter the succession, but often the very form of government too; because they believed there was no natural right in one man to govern another, but that all was by institution, force, or consent. Thus the cities of Greece, when they drove out their tyrannical kings, either chose others from a new family, or abolished the kingly government and became free states. Thus the Romans, upon the expulsion of Tarquin, found it was inconvenient for them to be subject any longer to the pride, the lust, the cruelty, and arbitrary will of single persons, and therefore, by general consent, entirely altered the whole frame of their government. Nor do I find the proceedings of either, in this point, to have been condemned by any historian of the succeeding ages. But a great deal hath been already said by other writers upon this invidious and beaten subject; therefore, I shall let it fall, though the point is commonly mistaken, especially by the lawyers; who, of all others, seem least to understand the nature of government in general; like under-workmen, who are expert enough at making a single wheel in a clock, but are utterly ignorant how to adjust the several parts, or regulate the movement.”

made less progress. National prepossession, the ambition and inclination of party leaders, the sentiments of independence, liberty, and patriotism, were arrayed on the side of the Stuarts. To give the proofs would be to anticipate events.

Queen Anne hoped that in giving peace to Europe she had consulted her own. \* She deceived herself. The cabals, intrigues, and projects of the jacobites and whigs, the discords, intrigues, and weakness of her ministry agitated and overpowered her mean faculties and distempered habit of body. Every effort was made to conceal her precarious tenure of life ; but in the winter of this year it could not be concealed that she was taken dangerously ill. The leading parties, in this emergency, show a strange want of resolution and enterprise. "The friends of the pretender," says a writer of the time, "believed that all was prepared for his restoration ;" and an alarm was given of an armament ready to invade England from the coast of France. The preparations to restore, and the armament to invade, were mere chimeras, and the jacobites, trusting to them, did not stir. The whigs had a few months before urged the electress Sophia to send over her grandson, with an armed force, to secure the protestant succession—in other words, to act the same part towards queen Anne which had been acted towards her father by king William. They were now so supine, that it may be suspected they previously intended nothing beyond a braggart show of zeal in mere words. Yet, so alarming was the crisis that the funds fell, the public in a panic made a run upon the bank, and a deputation of the directors called the lord treasurer to their relief.

An official letter or message from the queen to the lord mayor announced to her "good city of London," that she was recovered from a passing attack of ague and gout, and should open the session on the day ap-

\* Bolingbroke's Letter to Sir William Windham.

pointed. News came from Holland that there was no invading armament at Boulogne, and that the pretender had not left Bar-le-Duc. All such panics are in their nature transient — the alarm subsided — and the new parliament was opened on the 16th of February, by commissioners, not personally by the queen. Sir Thomas Hanmer was chosen speaker without opposition. He was a leading tory, but his speech against the commercial treaty had engrafted him with the whigs.\* Both houses, without further proceeding, adjourned over to the 2nd of March. In the interval the treaty of peace and commerce with Spain, having been duly ratified, was proclaimed with the usual formalities.

On the 2nd of March, the queen, not well enough to use a carriage, was brought in a sedan-chair to the house of lords, and opened the session of parliament for the last time. Her speech was conciliatory, with the usual graces of composition. After referring to the general peace and her recent illness, she rebuked the malicious rumours and insinuations that the succession of the house of Hanover was in danger, and deprecated any attempts to strengthen the protestant succession “by making the crown uneasy to her,” — that is, by bringing over the electoral prince. The addresses of both houses, proposed by ministers, were in the same tone and style.

Among the topics of the queen’s speech was the growing licentiousness of the press. She doubtless alluded to the writings of Steele and others against the government and the tories; but the initiative against the press was taken by the whigs in the house of lords. Lord Wharton complained to the house of “a scandalous libel,” entitled “The Public Spirit of the Whigs,” and the printer and publisher were brought in custody to the bar. This did not satisfy lord Wharton. “We

\* Steele, among other whigs, bore testimony to his merit: — “I rise,” said he, “to do him honour;” and this ambiguous or affected Latinism (*assurgere alicui*) was followed by cries of “The Tatler, the Tatler!”



have," said he, "nothing to do with the printer or publisher, but it highly concerns the honour of this august assembly to find out the villain who is the author of this false and scandalous libel, in order to do the Scottish nation justice." The insult to the Scottish nation was calling them "a fierce, poor, northern people," and the Scottish peers were so indignant, that on the appearance of the pamphlet they proceeded in a body to make complaint to the queen.\*

The pamphlet was published anonymously, like all the other writings of Swift; but his style and humour could not be mistaken, and the only question was, whether he wrote it alone, or with the aid of Bolingbroke. Swift had already provoked the resentment of the Scots by sarcastic and prejudiced reflections on them as a nation — that of lord Wharton, during his lieutenancy of Ireland, by a flaying and deadly satire on his person and government, written in his mock strain of gravity and moderation.† The lords dis-

\* Swift's Corresp.; Letter of Lord Orrery.

† It is entitled "A short Character of his Excellency, Thomas Earl of Wharton, Lord-lieutenant of Ireland." The spirit of the performance may be judged from the following sentences of the introduction to it: —

"But the third subject for history, which is arbitrary power and oppression, as it is that by which the people of Ireland have, for some time, been distinguished from all her majesty's subjects, so being now at its greatest height under his excellency Thomas earl of Wharton, a short account of his government may be of some use or entertainment to the present age, although, I hope, it will be incredible to the next: And, because this account may be judged rather an history of his excellency than of his government, I must here declare that I have not the least view to his person in any part of it. I have had the honour of much conversation with his lordship, and am thoroughly convinced how indifferent he is to applause, and how insensible of reproach: which is not a humour put on to serve a turn or keep a countenance, nor arising from the consciousness of innocence or any grandeur of mind, but the meer unaffected bent of his nature.

"He is without the sense of shame or glory, as some men are without the sense of smelling; and therefore a good name to him is no more than a precious ointment would be to these. Whoever, for the sake of others, were to describe the nature of a serpent, a wolf, a crocodile, or a fox, must be understood to do it without any personal love or hatred for the animals themselves.

"In the same manner his excellency is one whom I neither personally love nor hate. I see him at court, at his own house, and sometimes at mine (for I have the honour of his visits), and when these papers are public, it is odds but he will tell me, as he once did upon a like occasion, that he is damnably mauled; and then, with the easiest transition in the world, ask about the weather, or time of the day: so that I enter on the work with

charged the printer and publisher, on an undertaking that they should be prosecuted, and voted an address to the queen, beseeching her to offer a reward for the discovery of "so great a criminal as they took the author to be." A proclamation was issued accordingly, offering a reward of 300*l.*, to be paid by the lord treasurer, who was at the time living in the most intimate confidence and society with Swift, and doubtless laughed with him at lord Wharton, the Scots, and the proclamation.\*

In the house of commons, the ministry began with proposing a series of resolutions designed to render the qualification act more stringent†, and facilitate the success of the petitions under that act, by which they sought to thin the ranks of the whigs. Among the members petitioned against was Steele, now the chief writer on their side. The petition against him stood so low on the list, that it could not be tried in that session, and it was determined to unseat him by

more cheerfulness, because I am sure neither to make him angry, nor any way hurt his reputation; a pitch of happiness and security to which his excellency hath arrived, and which no philosopher before him could reach."

\* "Three hundred pounds," says lord John Russell (*Hist. of Eur. &c. i.* 263.), "were accordingly offered, but Swift, far from being discovered and punished, *secretly received 100*l.* from the lord treasurer for his performance.*" Whether this be consistent with common candour, or common fairness to the memory and character of Swift, the reader will judge, by the following account of the particulars from Swift's Correspondence. How lord John Russell could give from it a version so unjust and unworthy of him is really inconceivable:—

The lord treasurer, in a letter to Swift, says, "I have heard that some honest men, who are very innocent, are under trouble, touching a printed pamphlet. A friend of mine, an obscure person, but charitable, puts the enclosed bill in your hands, to answer such exigencies as their case may immediately require. And I find he will do more, this being only for the present." This letter is endorsed by Swift:—"Lord Treasurer Oxford's letter to me in a counterfeit hand, with the bill, when the printers were prosecuted by the House of Lords for a pamphlet. Letter, with a bill of 100*l.* Received, March 14, 1713—14." Thus Swift, instead of having "received 100*l.* from the lord treasurer for his performance," was merely made the medium of conveying it to the printers.

† These resolutions are substantially, if not literally, in force at the present day. Their object is, to oblige the member not merely to swear to his qualification, but give the particulars. In some recent discussions of this qualification act, it was described as having been passed for the greater security of the house of Hanover: it was, on the contrary, intended by its authors to promote the interests of the country gentlemen and the pretender.

means more expeditious and unscrupulous. Hungerford, a lawyer, bearing the brand of expulsion for having taken a private bribe for his vote in the late reign, called attention to certain scandalous and seditious papers published by Richard Steele, esq., a member of the house. Harley, brother of the lord treasurer, Foley his relative, sir William Windham, chancellor of the exchequer, followed up the attack; and Steele was put upon his defence, in his place, for two numbers of his paper called "The Englishman," and his pamphlet called "The Crisis." Steele requested a week's delay to prepare his defence, and obtained it by the humour and felicity with which he ridiculed Harley and Foley, both renegades from the conventicle to the high church. They insisted upon his defending himself on the following Monday, allowing him but three days to prepare himself. "I own," said Steele, with a sanctified countenance and whining tone, "in the meekness and contrition of my heart, that I am a very great sinner, and hope those members who spoke last, and who are so justly renowned for their exemplary piety and devotion, will not be accessory to accumulating the number of my transgressions, in obliging me to break the sabbath of the Lord by perusing such profane writings as shall serve for my defence." This humorous sally carried away the majority of the house.\*

Steele, on the day appointed, made a long and laboured defence. One of the charges against him was, his not being a churchman. "I cannot tell, sir," said he, "what they would have me do to prove myself a churchman; but I think I have appeared one even in so trifling a thing as a comedy; and, considering me as a comic poet, I have been a martyr and confessor for the church, for my play was damned for its piety." Addison had not the talent of debate to speak for his friend; but sat beside him, and "prompted him on occasion"† in the course of his speech. Walpole was

\* Parl. Hist. vi. 1267.

† Id. *ibid.* 1268.

the first who rose in defence of Steele, and signalled himself by his eloquence. "Why," he asked, "should an author be made answerable in parliament for his writings in his private capacity? If he be punishable by law, why is he not left to the law? By this mode of proceeding, parliament, which should be the scourge of evil ministers, is made by ministers the scourge of the subject. . . . In former reigns, the audacity of corruption extended itself only to judges and juries; the attempt to corrupt and degrade parliament has been unheard of till now.\* The liberty of the press is unrestrained; how, then, shall a part of the legislature dare to punish as a crime that which is not declared such by any law formed by the whole?"† Lord Finch, eldest son of lord Nottingham, inspired by a generous motive, and the equally generous sympathy and cheers of the house, defended Steele with a spontaneous flow and promptitude of eloquence which illustrate, by a curious incident‡, how much the success of an orator in a popu-

\* Yet this champion of parliamentary purity was the same sir Robert who afterwards carried parliamentary corruption to an extent unparalleled before or since.

† It would appear from the following passage in the autobiography of bishop Newton, that Walpole had the merit not only of his own speech but of Steele's defence:—

"When Steele was to be expelled the house of commons, Mr. Walpole, and Mr. Pultney, and Mr. Addison were commissioned to go to him by the noblemen and members of the Kit Kat club, with their positive order and determination, that Steele should not make his own speech, but Addison should make it for him, and he should recite it from the other's writing, without any insertion or addition of his own. Addison thought this a hard injunction, and said, that he must be like a school-boy, and desired the gentlemen to give him a little sense. Walpole said, that it was impossible to speak a speech in cold blood; but being pressed, he said he would try, and immediately spoke a very good speech of what he thought proper for Steele to say on the occasion; and the next day, in the house, made another speech, as good or better, on the same subject; but so totally different from the former, that there was scarce a single argument or thought the same; which particulars are mentioned as illustrious proofs of his uncommon eloquence."

‡ This incident is related as follows, in the Parliamentary History, vi. 1272. :—

"Steele, in a paper of his in the 'Guardian,' published a spirited defence of lady Charlotte Finch, daughter of the earl of Nottingham, and afterwards duchess of Somerset, who had been treated with rudeness in the 'Examiner,' for alleged misbehaviour in church, and won by this the heart of her brother. When the question about Steele's expulsion was agitated in the house of commons, lord Finch stepped forward, and made attempts to speak in Steele's behalf; but, being embarrassed by an ingenuous modesty, and over-deference to an assembly in which he had not yet been accustomed to speak, he sat down in visible confusion, saying, so as to be

lar assembly depends upon ingenuousness of manner and generosity of feeling. The inculcated writings were voted scandalous and seditious libels; and Steele expelled.

These proceedings on the pamphlets of Swift in the house of lords, and Steele in the house of commons, are interesting as warnings against what has been often called privilege of parliament, when it was in reality but usurpation and abuse. Here, whiggism in the house of lords, toryism in the house of commons, usurped jurisdiction, under the pretence of privilege, for party interests and the gratification of personal and party vengeance. The house of commons had some show of right, for Steele was a member; and every member of that house holds his seat — and even his liberty for the session — at the mercy and discretion of the majority: but the vote of the house of lords, branding as false and malicious, factious and libellous, a publication of which they had not a shadow of right to take cognisance — for they did not even allege that it touched their privileges — bringing the printer and publisher in custody as culprits to their bar, and soliciting a price upon the person and freedom of the author as “a great criminal,” — was an iniquity still more flagrant.

The pretender and the protestant succession next occupied the house of lords. The whig lords Wharton, Sunderland, Cowper, Halifax, again urged the danger of the pretender's residence in Lorraine. Lord Oxford, affecting to enter into their views of securing the pro-

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overhead, ‘It is strange I can't speak for this man, though I could readily fight for him.’ His words being whispered from one to another, operated in an instant like electrical fire; and a sudden burst from all parts of the house of ‘hear him! hear him!’ with other marks of encouragement, brought lord Finch again on his legs, when, with astonishing recollection, and the utmost propriety, he made a speech in which, as it was remarked in the language of the theatre, ‘there was not a word which did not tell.’ The eyes of the whole company were upon him; and, though he appeared utterly to have forgot what he rose up to speak, yet the generous motive, which the whole company knew he acted upon, procured him such an acclamation of voices to hear him, that he expressed himself with a magnanimity, warmth, and clearness, proceeding from his heart, which made his very adversaries receive him as a man they wished their friend.”

testant succession, proposed to bring in a bill rendering it high treason to bring foreign troops into the kingdom. This bill was ostensibly designed against the pretender — really and secretly against the house of Hanover and the whigs. He well knew that the whig leaders in England, and probably knew that Marlborough, in his exile\*, encouraged the elector to send over his son with a body of troops. His purpose was seen through, and defeated. He was asked, whether his bill was intended only against the adherents of the pretender — declared that such was his intention — was told that the bill was unnecessary; for, in the pretender's case, such troops would be traitors or enemies; and dropped the bill. There was obviously in this measure more of shallow cunning than political dexterity; and it suggests a low estimate of the faculties of Oxford.

The question whether the protestant succession was or was not in danger, now came substantively before the house. The affirmative was moved by lord Wharton. Some of the class of tories called trimmers, perceiving that the ministry tottered, that the queen's life was precarious, and that the protestant succession might soon take place, voted with him against their party, and the protestant succession was voted safe by a majority of only twelve. Lord Wharton, thus encouraged, moved an address to the queen, requesting her to offer a reward by proclamation, for the seizure of the pretender's person, — dead or alive. There was full enough of party rancour and baseness in proscribing this unhappy prince from the common rights of society and hospitality, as if it were a crime in him to have been born and to live; and the barbarous proposition that his own sister should set a price upon his head, revolted the majority which

\* The duke of Marlborough and general Cadogan signified their inclinations to take the eventual command of their troops. They declared that a writing in French, without adherence to forms, would be sufficient. They urged that the authority of the duke of Marlborough was so great among the soldiers, that any piece of parchment was enough to ensure their obedience to his command. As for Cadogan, he wished only for a show of authority to take possession of the Tower, or to place himself in conjunction with the electoral prince, at the head of the British troops that still lay in garrison in some cities in Flanders. — *Macpherson's Papers*.

had voted that proscription. Lord Wharton's motion however passed, with the qualification subjoined, "in case of his landing or attempting to land in Great Britain or Ireland." It is not to be supposed that Wharton and the other whig lords who breathed this inhuman suggestion really thirsted for the pretender's blood. They sought only to keep up in the public mind the notion that whilst the ministry continued, protestantism was not safe, and make the phantoms of popery and the pretender constantly present to the popular imagination. But men who for party purposes were willing to pass for barbarous and inhuman, could not be far removed from the reality. The queen's answer was mild, but expressed her knowledge of the motives, and disgust at the feelings, which dictated the address. "It would," said she, "be a real strengthening to the succession of the house of Hanover that an end were put to those groundless fears and jealousies which have been so industriously promoted. I do not at this time see any occasion for such a proclamation. Whenever I judge it necessary, I shall give my orders to have it issued." An address of thanks to the queen, echoing the obnoxious words "industriously promoted," in her answer, was carried only by two votes. There was a defection from toryism and the court, not only among the trimmers, but the bishops. Of sixteen bishops present, two only voted with the court. This may be ascribed to the declining health of the queen—the visible disorganisation of the ministry—the growing strength and daring of the whigs, who, by a new party stroke, had just placed themselves in an attitude of open defiance of the queen, and wounded her feelings to the quick.

A meeting of whig leaders, at the house of lord Halifax, resolved that baron Schutz, the Hanoverian envoy, should demand in form from the chancellor the electoral prince's writ of summons, as duke of Cambridge, to take his seat as a peer. Lord Harcourt, the chancellor, delayed compliance, until he should consult the queen. A council was held, and the writ was issued; but the queen

forbade the envoy her presence. The envoy notified to secretary Bromley, that having incurred the queen's displeasure, he could no longer serve his master's interests in London, and proceeded to Hanover, — taking with him, it should be observed, the electoral prince's writ of summons.\* The treasurer had sent over Harley his kinsman to assure the elector of his zeal for the house of Hanover; and the elector placed in his hands a memorial to the queen, desiring that a member of his family should reside in England. This memorial appears the only link to connect the demand of the writ with the court of Hanover. It was carried with great difficulty in the Hanoverian council †; the electorate prince alone appeared desirous of going to England ‡; the queen wrote to the electress Sophia, and the electoral prince, her disapprobation and resentment; and the lord treasurer wrote to the elector, deprecating, as most prejudicial to the house of Hanover, any step personally offensive to the queen. The electress Sophia died suddenly in the eighty-fourth year of her age, whilst walking in the gardens of Herenhausen; and the business of the writ was prosecuted no farther.

The indifference and neglect shown by the electress and her son the elector, regarding the succession to the crown of England, has been uniformly noticed as strange and unaccountable. It will be remembered, that the former, in 1707, writing to Stepney, recommended "the poor prince of Wales," in preference to her son; and it is no less apparent, that the elector, in the very crisis of the fortunes of his house, showed no desire that his son should come to England, either as electoral prince, on the invitation of the whig leaders, or as duke of Cambridge, on his writ of summons. This has been ascribed, on the part of the electress, to her toryism; on that of the elector, to his phlegmatic unambitious prudence,

\* This is stated by Mr. Molyneux in a letter from Hanover to the duchess of Marlborough. — Corresp. ii. 102.

† Letter of Molyneux to the duchess of Marlborough.

‡ *Ib.* "All I can tell your grace is he is himself very desirous to go; and I wish every one else were as resolute in our favour."



and German predilections. The princess Sophia, with her foreign associations, liveliness, and Lutheran religion, must have been unfettered by English toryism; but she was too advanced in years to think of the crown for herself, and it may be conjectured, if not concluded, that her indifference to the succession was but indifference to the interests, and want of affection for the person, of her son — to whom, in his turn, his son was an object of personal dislike and distrust. The solution, then, may be found in that family idiosyncrasy of parental aversion, which has shown itself through three successive reigns in England.

The debates in the house of lords on the protestant succession were followed by some sharp but indecisive party skirmishing on the subject of the treaties of peace and commerce. Some ominous menaces were thrown out against Oxford. Anglesea, who had turned round upon the tories with surprising and suspicious suddenness, made as violent a transition in the tone of his speeches. On the 19th of March he defended the ministers as “ patriots ” attacked from motives of “ spleen and envy ” \* : on the 5th of April he asked pardon of God and his country for having voted with them, and declared himself ready to pursue an evil minister from the queen’s closet to the tower, from the tower to the scaffold. † Lord Nottingham compared the lord treasurer’s treaty to that of the duke of Suffolk in the reign of Henry VI. ; “ but,” he continued, “ I say no more of the man, because he came to an untimely end.”

The house of commons was the stronghold of toryism and the ministry ; but there was defection even there. The state of the protestant succession was debated there with the same keenness as in the house of lords. It was voted safe by a majority of 256 to 208. This serious diminution of votes for the ministry, and increased strength of the whigs, was caused by the defection of sir Thomas Hanmer, the speaker, whose authority carried other votes in his train.

\* Parl. Hist. vi. 1831.

† Id. *ibid.* 1835.

The high church tories now introduced the last and the worst of their party measures — the Schism Bill. Its object was to incapacitate dissenters for the business of education — even that of children of their own communion — and deliver up the growing mind of the nation, by exclusive patent, to be trained under the hands of the established church. This bill is said to have been a scheme of Bolingbroke to detach the high church tories wholly from Oxford; range them undivided beneath his banner; contrive means for the succession of the pretender, on the queen's death, which he knew was not distant; and, as the restorer and minister of a young and inexperienced prince, have full scope for his soaring genius and ambition. He was ambitious and daring enough for such a scheme, and his speech in the house of lords proves that he was unprincipled enough for it.

It was introduced\* in the house of commons by Bolingbroke's friend, sir William Windham, chancellor of the exchequer; and supported by the secretary Bromley, Hungerford, a branded lawyer, whose character has been before noticed, and Collier, a low attorney, who had become director of one of the theatres, without virtue, character, or fortune; whom Bolingbroke first admitted to the intimacy of his dissipations, and afterwards got returned to the house of commons. This person, in his zeal for the church, like other Swiss mercenaries of spiritual power, knew not where to stop; and seeking to cast odium upon the dissenters, charged upon them ribaldries so blasphemous or indecent that the tories disavowed and silenced him. The chief opponents of the Schism Bill were Walpole, who compared it to an edict of Julian the Apostate† against the primitive Christians; by Lechmere, who said the church was indebted to schism for two of its great champions, Ox-

\* The Act of Uniformity, passed at the restoration, and called, from its execution and its date, "the St. Bartholomew of the Presbyterians," was read very appropriately by way of prelude to the Schism Bill.

† Walpole should rather have said Dioclesian: he did Julian wrong; but he had not enough of knowledge or philosophy to distinguish historic convention from historic truth.

ford and Bolingbroke ; by Stanhope, in whose speech there is a gleam before its time of whig reason and liberality : " Instead of making," said he, " new laws to restrict domestic, and encourage foreign education, I could wish those against Jesuits mitigated, and allowance made to them to have a certain number of schools." So strong was the hold of intolerance and the high church upon the house of commons, and so just, however ungenerous, were the calculations of Bolingbroke on the commons and on human nature, that the Schism Bill was carried by a majority of 237 to 126.

The bill was now brought up to the lords by the mover of it, sir William Windham, and adopted in that house by lord Bolingbroke. That celebrated person vindicated it in a strain which has been charged upon his principles as a philosopher, and should be charged on his want of principles, moral or political, as a statesman. He disclaimed persecution, and admitted that indulgence should be granted to the errors and prejudices of education and habit ; but asserted the right of the state to check the propagation of those prejudices and errors " to come." He thus adopted the iron formula of persecution, upon which spiritual hierarchies stretched religious conscience in the worst times. He said with them, " Truth is ours, and all must bend to it," and thus chained down truth, reason, knowledge, and that license of philosophical speculation, in which he afterwards professed it his happiness to indulge. Several whigs spoke, and the whole party voted against the bill. " I am," said Wharton, " very agreeably surprised to see some men of pleasure, of a sudden, become so religious as to set up for patrons of the church." It was also opposed by Nottingham, who took occasion in his speech to avenge himself on Swift's pleasantries and personalities, with little credit to his candour or dignity. " My lords," said he, " I have many children, and I know not whether God Almighty will vouchsafe to let me live to give them the education I could wish they had : therefore, my lords, I own I tremble when I think that a certain divine, who is

hardly suspected of being a Christian, is in a fair way of being a bishop, and may one day give licence to those who shall be intrusted with the instruction of youth." It was carried by a majority of 5—the numbers being 77 to 72; protested against by 33 peers, of whom 5 were bishops; and made a dead letter by the demise of the crown, on the very day when it would have come into effect.

Lord Wharton would appear to have been haunted with the image of the pretender. His vigilance or his industry put him in possession of information that two Irish officers, named Hugh and William Kelly, were enlisting troops for the pretender in London and Westminster. He proceeded with his information to the lord chief justice Parker, who thereon issued his warrants; and the two Kellys were apprehended,—one at Gravesend, with five recruits,—the other at Deal, with a pass from the pretender's chief minister, lord Middleton. What became of the two Kellys and the five recruits does not appear: but this formidable array for the service of the pretender was made use of to extort a proclamation setting a price upon his head, from the queen, his unhappy sister. The house of commons, not satisfied with the price of 5000*l.* which she offered in her proclamation, proposed, in an address to her, to grant 100,000*l.* "as a further reward for so great a service." \* The chief result was an act passed, by which it was made high treason "to list or be enlisted for the service of any foreign prince, state, or potentate, without a licence under the royal sign manual;" the act to continue in force for three years.

On the 9th of July, queen Anne closed the session, with her last speech from the throne. "I hope," said she, "to meet you again early in the winter, and to find you in such a temper as is necessary for the real improvement of our commerce, and of all the other advantages of peace." That winter, for her, never came; and had she lived, she doubtless would have found the

\* Parl. Hist. vi. 1358.

actual temper which she reproved, not changed for the better. "My chief concern," she continued, "is to preserve to you and to your posterity our holy religion and the liberty of my subjects; and to secure the present and future tranquillity of my kingdoms. But I must tell you plainly, that these desirable ends can never be attained, unless you bring the same dispositions on your parts—unless all groundless jealousies, which create and foment divisions among you, be laid aside."

The rising of parliament appeared to be the signal for a final struggle between Oxford and Bolingbroke. Oxford tried to sustain himself by making advances to the whigs, through lords Cowper and Halifax, and to the duke of Marlborough, who now hovered at Ostend, being detained there by adverse winds or the course of his intrigues. His advances proved vain; whilst Bolingbroke's overtures were received in both quarters. Generals Cadogan and Stanhope,—one the trusted confidant and agent of Marlborough, the other his friend and a whig leader,—dined with Bolingbroke, in company with Windham and Craggs. The public expected a coalition to take place on the fall of Oxford, which occurred on the very day of this meeting. The queen was wholly alienated from Oxford to his rival. He had provoked the spite of lady Masham by disobliging her in a money affair; and a violent scene is said to have taken place between the favourite and the minister in the queen's presence. "I have been," said he, "abused by lies and misrepresentations; and I will leave some people as low as I found them." This menace proved vain. On the 27th of July he received orders to give up his staff of treasurer.

Either the queen was resolved to appoint no successor, or she was unable from the distractions of her councils and her mind. Her health was completely broken. She told one of her physicians she could not outlive the agitation into which she was thrown by the quarrels of those around her. A cabinet council sat for several hours in her presence, on the night after the removal of Oxford;

but concluded nothing, and adjourned to the next morning. The queen, meanwhile, between excitement and fatigue, was seized with lethargy and pains of the head; was slightly relieved by the care of her physicians; but again relapsed, and appeared in a state so dangerous, that the cabinet council then sitting at the Cockpit proceeded to Kensington.

In the midst of their deliberations, the dukes of Somerset and Argyle, unsummoned and unexpected, walked into the council chamber. They said that, considering the queen's state, they thought it their duty, as it was their right, to attend; and the duke of Shrewsbury, having thanked them, requested they would take their places.

The first question was to supply the place of the late lord treasurer; and Shrewsbury was named with one voice. A deputation of the council now proceeded to the queen's chamber, and communicated to her the proposed appointment. She approved it, gave Shrewsbury the treasurer's staff, and desired him to "use it for the good of her people." He proposed to resign that of lord chamberlain; but she desired him to hold that too; and he was thus, at the same time, lord treasurer, lord chamberlain, and lord lieutenant of Ireland.

On the morning of the 31st of July, her life was despaired of; and she expired at seven o'clock on Sunday morning, the 31st of August, in the fiftieth year of her age, and thirteenth of her reign. It would be idle to give a character of her; for it may be said she had none. She must have had kindness for the people, to have obtained the popular designation of "the good queen Anne." She disliked punishment; and her domestic government was bloodless. There were plots and treasons, but no traitors executed. Her piety was unenlightened and bigoted; but her bigotry was weak and ignorant—not malignant. In fine, she has been not ill described as "a good sort of woman."

How queen Anne would have acted respecting the succession, had she not been thus suddenly and critically

carried off, it were vain to speculate\* ; and the designs of Bolingbroke are as obscure and impenetrable. There is not, to this hour, any sufficient proof of his having taken steps for the pretender until his flight to France. Bolingbroke must have despised the tenets and attachments of jacobitism ; but there are in his letters some sallies of contempt for the petty sovereigns of Germany ; and it is most probable that, in deciding between the houses of Stuart and Hanover, he would have consulted only his ambition.

The whigs at this time filled the public ear with the intrigues of the jacobites, and the dangers of the protestant succession : but the pretender never left Lorraine ; the king of France did not, and would not, stir a finger for him ; and as to jacobitism in England, the only substantive fact was the existence of lord Wharton's jacobite army, consisting of two Irish captains and five recruits.

Immediately on the queen's death, the powers of government were assumed by a council, as provided in the Regency Act ; George I. was acknowledged, and proclaimed by heralds at arms in the usual form, whilst a messenger was on the way to call him to a throne which he scarcely seemed to prize ; the remains of queen Anne were deposited in Henry VII.'s chapel — and with them the fortunes of the house of Stuart.

\* A remarkable circumstance relating to the last moments of the queen is mentioned by Carte, in his papers preserved in the Bodleian library. "The queen," says he, "before she died, sent for the bishop of London (Robinson); made a sort of confession to him, particularly as to her brother, for it could not well relate" (by what here follows) "to any thing else ; when, as the bishop took leave of her to go out of the room, he said aloud, in the presence of the duchess of Ormond and other company,—' Madam, I'll obey your command, but it will cost me my head.' The queen proposed to receive the sacrament next day, but died first."— *Burnet*, vi. 231. note.—Carte, it should be remembered, was a credulous as well as honest partisan.

END OF THE NINTH VOLUME.



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