OUTRAGES

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Abstract

_Outrages_ is Chapter XIV of my biography of Thomas Wharton, 5th Baron, 1st Earl, and 1st Marquess of Wharton (Tom Wharton to his friends, his present biographer, and the English political world of the Revolution period). The story covers the events between November 1681 and February 1683—between the trial of the Earl of Shaftesbury and the Rye House Plot. It covers the most forgettable episode in Wharton’s personal life—one that may be charitably described as disgraceful; and it deals with the tortured, serio-comic romance between Wharton’s wife Anne and his brother Goodwin. Politically, the story traces some of the stages in the decline of the Whig party before the disasters of 1683.

I am sure that the scandalous episodes will be understandable to any literate adult; and I hope the political episodes will be understandable as well. In any event, they include some crucial developments in English history. For the benefit of specialists I have printed my lists of abbreviations and short titles; the lists pertain to the whole book, not merely to this chapter.
OUTRAGES

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On 17 November 1681 John Dryden published his famous poem "Absalom and Achitophel." A memorable attack upon Shaftesbury, Monmouth, and their abettors, it would presently become the voice of the Tory reaction; it would help to render the Plot obsolete and to bring loyalty into fashion. Immediately, however, Dryden's brilliance earned him the nickname of Towser the Second and a sharp reminder that he had begun his writing career with a poem in praise of Oliver Cromwell. And if one of Dryden's objectives was to help the government behead Shaftesbury, who would go on trial for treason a week later, the poem was at least a partial failure.

Also on 17 November came a blast of Whig propaganda—another pope-burning pageant sponsored by the Green Ribbon Club. This elaborate ritual, the third such production staged by the Club, was "celebrated with more than usual solemnity" and "attended with many thousands of people." Unfortunately for the Whigs, the intervening years had diminished the freshness and the passion of the event. Solemnity was a poor substitute for anti-popish hysteria. The pageant had become a thrice-told tale—a horror story that had lost its horror. Even without government interference, the parade was on its way off the political stage.

The Whig pageant, nevertheless, proved to be a more accurate prologue to the Shaftesbury trial, set for 24 November, than the Tory poem. Among the marchers who followed the effigies of Sir Edmond Berry Godfrey and the Observator (alias Roger L'Estrange, alias Towser) was a knot of "suborned persons"—the effigies, that is, of the witnesses allegedly hired by the government to swear away the life of the Whig Earl. The false witnesses were placed immediately after a column of popish clerics and immediately before the splendid effigy of the pope. Their presence in the parade indicated clearly what London Whigs thought of the King's evidence; it also reminded knowledgeable viewers that as long as Whig sheriffs appointed London grand juries, there was little danger that the present jury would return an indictment against Shaftesbury.

And so it proved. On 24 November at the Old Bailey, the London grand jury, which included Michael Godfrey (brother of Sir Edmund Berry Godfrey), simply refused to believe that the wily Earl of Shaftesbury had communicated his treasonous plans to a motley collection of Irish papists, or that he had attempted to raise fifty men in London to kidnap the King at Oxford, or that a copy of a proposed association found among his papers (but not in his handwriting) was necessarily composed (or even read) by him or that it was any more treasonous than the proposed association for the exclusion of James that the Commons had debated in 1680. At the end of a hectic trial, then, to the dismay of the Crown's prosecutors and the delight of the spectators, the
jurors returned their famous verdict: *Ignoramus*. In the language of another time and country, they declared themselves unable to find probable cause for an indictment.

The unsuccessful attempt to remove Shaftesbury’s head proved to be only a momentary check in the King’s attack on his Whig opponents—like a single road-block held against a multi-pronged offensive. Elsewhere most of the country was rallying behind the King and adopting the Tory position that Exclusion was at bottom a fanatic conspiracy against the Established Church and the Monarchy. Good Tories worked up a genuine enthusiasm for the Duke of York, who had resolutely opposed Exclusion from the first and whose notions of kingship were suitably exalted. The exclusion of a legitimate heir, James had written, "destroys the very being of monarchy, which, I thank God, yet has had no dependency upon parliaments nor on nothing but God alone." On 8 April 1682 when James, who had been in Scotland, returned with Charles from Newmarket to Whitehall, the celebration in Westminster rivalled that which had once greeted the return of Monmouth. Church bells rang, and bonfires were lighted from the borders of the City to Chelsea. One inhabitant of the Strand declared that "in his life he never in one day saw so many people go toward Charing Cross". Whitehall was jammed with well wishers. Within the walls of the City, of course, the enthusiasm was a good deal more restrained, but even the City had acquired a strong Tory presence.

In the new climate of opinion and the revulsion against what many feared might be another civil war, some men talked (to Burnet’s disgust) as if a Catholic king might be a "special blessing" to a Protestant nation. Less high flying Anglicans simply trusted that God, who loved legitimate monarchies, would take care of the matter. He would either take James away before he succeeded to the throne or impel him after he succeeded to protect the Established Church against its non-conforming enemies. Meanwhile the Tories were happy to cooperate with the King in enforcing the laws against Dissent and renewing the attack upon conventicles. They also supported Charles in his *Quo Warranto* proceedings—his campaign to recall and revise the charters of dissident towns and boroughs, including the charter of the City of London. It did not worry Tory gentlemen that they were strengthening the Crown immensely by conceding it the right to remodel corporations and remove its opponents. Loyal Tories did not doubt that Charles would give them a monopoly of power in their districts. And once the process of remodeling was completed, Tories could look forward to a solid majority in the Commons, if Charles ever got around to calling a parliament.

To Whigs like Tom Wharton, of course, the Tory attitude was something less than half witted. With their absurd loyalty the Tories were not only promoting a popish succession but endowing the successor with a frightening increase of power. In the face of a clear and present danger, they were resolutely burying their heads in the sand. The Anglican clergy seemed even more determined to commit institutional suicide. Their doctrines of divine hereditary right and non-resistance to monarchs constituted a perfect formula for producing popery and absolutism. In their eagerness to crush Dissent, they were willing to make a papist head of church and state and trust him to leave their power intact. They not only refused to fight an approaching fire; they refused to pray for rain.
It was in this political context that Tom and Henry Wharton, along with a covey of drunken companions, perpetrated what one of their friends called "a foolish rude frolic" and one of their enemies euphemistically termed an "outrage." One night in June 1682, Tom and Henry and two or three friends were entertained by a gentleman named Bray in the village of Great Barrington, Gloucestershire. After several hours of drinking, the "frolicsome" group broke into St. Mary, the parish church. There they rang the bells backward (or at least "confusedly"), after which they cut the bell ropes, broke the cover of the font and the "desk of the pulpit," and ripped the church Bible. As one thing led to another, as the actions (to paraphrase Tom's later apology) grew worse "in the execution" than they had been in the "designs," the revelers—so the famous story goes—were inspired to relieve themselves in the church. They might have contrived other "grievous pranks" if the clangor of the bells had not alarmed the village and brought out an unamused crowd, who chased them back to the Bray house.

While Tom was drunk, the trashing of the church may have struck him as a brilliant political statement—a graphic rendering of his contempt for the clerical idiots who were handing England over to France and Rome. He may have considered his message rather understated than overstated. When he sobered up, however, his dimly remembered offense looked not only rank but stupid. In the unforgiving daylight, he could hardly help seeing that besides committing sacrilege he had perpetrated an indelible political error. He had made himself a permanent target for Tory pamphleteers.

If Tom and Henry hoped to stifle scandal or avoid official action, they were disappointed. Though their servants had remained sober and removed the most damning evidence and though the Vicar seemed willing to forgive and forget rather than antagonize his "great neighbor" at Barrington Park, it was simply impossible to suppress reports of an event at once so public and so disgraceful. Within days, letters on the subject were flying about—usually wrong about the place of the outrage and often embroidered with erroneous details but essentially right on the gravity of the offense.

By mid-August it was clear to Tom that official action could not be delayed much longer—that the Bishop of Gloucester, Robert Frampton, could not ignore the widespread scandal. It behooved him, therefore, to write an apology and to throw himself upon the Bishop's mercy before he was summoned to appear before a court. This he did in a still extant letter of 15 August. He was not quite sure, he said in effect, what "follies" he and his friends were guilty of, since they were not very "sensible" at the time; but he was confident that the "real faults" could not have been as gross as they appeared in "the prodigious story" that had grown up since the event. Nevertheless, he said, he would not deny the truth of any particular allegation, nor would he try to extenuate faults for which he would always be sorry. His present concern was to confess to the Bishop how sensible he was of his errors and to submit himself entirely to the Bishop's judgment. He hoped, he concluded, to prove the sincerity of his repentance by the improvement in his conduct.
Tom’s letter was carried to the Bishop by the eminently respectable John Cary, who was well qualified to serve as a general character reference for Tom and to vouch for Tom’s shame and embarrassment. Cary went on to remind Frampton that Tom was the son of the pious Lord Wharton, whom Frampton knew, and to explain that Tom himself was "a man of very considerable parts [abilities] as well as estates"—a report that Frampton had received from other sources.20

Tom’s letter and Cary’s deputation arrived in time to prevent Frampton from initiating drastic action. He would have died, as he explained to Archbishop Sancroft, rather than allow church discipline to be shamed and "religion itself exposed to dishonor"; and he would have taken the matter to the King if the offenders had not offered their submission. With Tom’s apology, however, the situation changed. It seemed to Frampton, both on Christian and prudential grounds, that the rich and prominent Tom Wharton should not be turned into "a downright enemy" but allowed to redeem himself with a suitable penance.21 Accordingly, he wrote a letter to Tom and Henry pointing out "the horrid guilt" of their offense, its folly, and its "little consistency with their birth, parts, and relations, much less with their religion"22; and he summoned the brothers to appear before him.

Frampton first intended to have Tom and Henry return to Barrington to confess their sins and make reparations, but fearing "that by meeting their old company there they might harden one another and turn all to ridicule," he changed the place of penance to Stow-on-the-Wold. From the sinners Frampton demanded a formal letter of apology, a public confession, a fine of fifty guineas in commutation of penance, and payment for the damages at Barrington.

Tom and Henry made no difficulty. Tom wrote the required letter, and the brothers duly appeared at Stow, where they begged pardon for their crime before three clergymen and three laymen. They said nothing about Anglican politics. Their malefactions, they declared, had not stemmed from atheism, popery, or fanaticism,23 but from mere drunkenness—of which they were heartily ashamed. They would try, they promised, to mend their ways.

Pleased with the cooperation of the brothers, Bishop Frampton returned to them ten guineas of the fifty they laid down by way of penance. The other forty he gave, "in their presence," toward the renovation of Stow church, which he was rescuing from decay.24 Frampton was also pleased at the promptness with which they advanced money for the repairs at Barrington.25 At the end of the session at Stow-on-the-Wold, then, he dismissed Tom and Henry "with many wholesome admonitions" and assured them that he would remind them of their promises. This he did not fail to do. On 7 November 1682 Frampton wrote Tom, admonishing him to ask God's pardon frequently for his "great offence" and to remember his promise to reform.26 In reply, Tom thanked the Bishop for his kindness and his wholesome advice. The "particular respect and veneration" that Frampton had inspired, he said, would help to make the good counsel unforgettable. He hoped "always to be the better for it."27
Before Bishop Frampton could wind up the Barrington affair, he was obliged to send follow-up reports for review by Archbishop Sancroft. In these he was concerned to show that he had not been too lenient with the Whartons. "They that censure me for what I have done," he wrote, "would certainly retract it if they considered either my poverty or Mr. Wharton's riches, or his living out of my diocese and command, or the sourness of the time when it happened." He had despaired at first, Frampton said, of doing as much as he actually did, and if his critics had been in his place at that sour time, they could not have hoped to do more.28

Along with his report of 27 January 1683, Frampton sent the three letters he had received from Tom—the one Tom had written on 15 August; the one in which the Wharton brothers had agreed to appear at Stow, acknowledge their faults, and pay a fine;29 and the one Tom had written on 25 November in reply to the Bishop's admonitions. These had helped to convince Frampton that Tom was "a true penitent for his great wickedness," and he hoped that Sancroft would receive the same apprehension.30

If Your Grace distrusts the sincerity of what he writes [Frampton said], I dare say, and will undertake for him, that he shall wait upon Your Grace and personally avow what he hath written to me.31

Whether or not the Archbishop was entirely convinced of Tom's sincerity, he was willing to back Frampton's handling of the case. Frampton reassured him after another "diligent inquiry" in February 1683 that the physical damage at Barrington had consisted only of cut bell ropes, a torn Bible, a broken font cover, and a broken pulpit desk. The Whartons were paying for the repairs, as they had agreed to do at Stow. Part of the work, Frampton said, "is done already, nor is it their fault that the rest is not done also."32

Officially, with Frampton's reports and Sancroft's acceptance, the Barrington case was closed. Actually, however, Tom's punishment had only begun. Over the years he would be "damnably mauled" for his grotesque offense. The story, outrageous without embroidery, grew more outrageous still with retelling. The next year in a satirical poem it was alleged that Tom and Henry had forced their servants to help with the desecration.33 In January 1711 Jonathan Swift, writing for the Tory Examiner, moved the episode from St. Mary, Barrington, to Gloucester Cathedral and raised the fine from fifty guineas to one thousand pounds.34

Perhaps the sharpest of the barbs Tom received for his delinquency was delivered in the House of Lords by his sometime enemy the Duke of Leeds (formerly Earl of Danby). In 1705 after Queen Anne had dismissed her high-Tory ministers and the bill against Occasional Conformity had been defeated, the Tories contended mightily that the Anglican Church was in danger. It could not be safe, they argued, in the hands of a low-church government. During a formal debate on the subject, Tom (then Lord Wharton) began baiting the Tories about their obviously synthetic fears.
As recalled later by the Tory Lord Dartmouth, he asked "what their real apprehensions were from." Did they fear the Queen? The Duke of Leeds, angered by the question, answered tartly, "No, but if deer-stealers were got into his park, he should think his deer in danger though he had no suspicion of his keeper." Tom then asked, unwisely, if Leeds would name the rogues "that had got within the pale of the Church." Leeds replied with devastating bluntness: "If there were any that had pissed against a communion table or done his other occasions in a pulpit, he should not think the Church safe in such hands." After this answer, Dartmouth remembered, Tom "was very silent for the rest of the day, and desired no more explanations."

Paradoxically, Tom might have suffered more for his sins if they had been less outrageous. The Barrington episode, even when recounted without embellishment, sounded like a Tory libel. It was hard to imagine anything so stupid proceeding from someone as bright and politically astute as Tom Wharton. Then too, the reputation of the brothers for outlandish escapades helped to make this event another prank to be pardoned rather than an unspeakable act of sacrilege—a prank more serious, to be sure, than breaking Madame Willis's gate ornaments, but certainly less bloody than running a sword through Nell Gwyn's horse.

For these reasons, and because many Whigs would have agreed that the Anglican stance on the succession and Dissent deserved an obscene comment, Tom's friends were inclined to ignore the seaborous episode altogether or dismiss it as an unfortunate "fit of drunkenness." Sir Ralph Verney, for example, found Tom readily forgivable. Explaining to his steward William Coleman why he supported Tom in the 1685 election for Knight of the Shire, Sir Ralph declared: "I am confident that he will serve the King and the country faithfully, though he is wild enough in drink and I am troubled at it, but who lives without great faults?"

And so it happened that an episode that would have driven most men out of public life and perhaps out of society altogether hardly dented Tom Wharton's political career. It earned him some satirical barbs (perhaps half as many as he deserved), but it seems never to have cost him an election. Nor did it affect his right as lay patron of several parish churches to present Anglican clergymen to church livings.

About the time Tom was creating a public scandal, Anne, his wife, was engaged in a private intrigue with her brother-in-law Goodwin. As explained by Goodwin, the affair was a resumption of the romance that had begun before Anne went to France—with two important differences. One was a change in Anne's attitude. The once-narrow gulf between her and Tom had widened since her return. Because of what Goodwin calls "mutual jealousies" the couple had parted "as to her bed," and Anne now felt free to pursue her affair with Goodwin to its passionate conclusion. She "would be content to be damned," she once said, "rather than not have her desires."

The second change was in Goodwin's principles, which had altered for the worse during Anne's absence. Perhaps influenced by a rascally alchemist named Broune, Goodwin had
temporarily lowered his high religious standards. Now, instead of praying as before to be saved from "lustful intention," he set about rationalizing away the Seventh Commandment and the church doctrine on incest. He could not yet work out a unified field theory on the subject of pardonable adultery, as he was to do later, but he could benumb or fatigue his conscience until it was virtually useless against Anne's advances.

After resisting Anne "once or twice," Goodwin yielded to overwhelming temptation. Fortunately for his later peace of mind, the excitement and tension proved too strong. Before he could consummate the act, he suffered what he later called an ejection of his seed, upon which he "grew incapable" of further action. Since the clandestine meeting was too brief to allow for his recovery, the couple found themselves saved in spite of themselves.

The next cluster of episodes took place at Wooburn, where Goodwin and Anne were guests at a time when Tom could not be present. There, away from the household servants and the responsibilities at Chelsea or Winchendon, they expected to find opportunities to make love. They reckoned, however, without the state of Goodwin's nerves, which seemed to freeze in the familiar atmosphere of his father's house. He plotted, as agreed, to arrange a tryst, but he maneuvered with a notable lack of enthusiasm. He allowed himself to be diverted by "company" and by his stepbrother William, and he did not inform Anne of the first safe opportunity until after it had passed. When he finally met Anne alone, he found himself more relieved than frustrated to learn that her menstrual period had just begun. "Out of kindness" to him, she suggested they should wait for another occasion. She had no wish to defile him. The proper occasion never occurred. Goodwin retreated from Wooburn in disorder, half pleased with himself for avoiding spiritual disaster, half disgusted with himself for his fears and his sudden "cold indifference," and wholly aware that he had seemed pusillanimous to Anne, who reproved him for leaving Wooburn before she did. Later he would attribute his narrow escape to divine providence, but at the time he could not be sure whether he had been saved by conscience or cowardice.

After this anti-climax the intrigue seems to have died a natural death. There may have been some half-hearted efforts to revive it, but the couple never again ventured so near the brink. One reason for this was Anne's health. In July 1682 she suffered from a recurrence of convulsive fits; in December she had headaches and another severe attack of sore throat. She gave Gilbert Burnet "dismal apprehensions" that she might be dying. By this time Anne was much more anxious to conceal her affair with Goodwin than to continue it. She persuaded Goodwin, who was an inveterate note-taker and diarist, to burn all his previous journals—an action, incidentally, which did grievous hurt to biographers of the Whartons.

Goodwin suggests that he helped to reduce the temperature of the affair by changing his principles once more, this time for the better, and by reawakening his once-benumbed conscience. Whether or not this change was significant, he soon did something much more effective. In March 1683 he took up with the remarkable Mary Parish, the alchemist, astrologer, spiritualist, and confidence woman who was to rule the rest of his life. He was soon too busy with projects for
wealth and fame to pursue his illicit passion for Anne. He could only remember it with a sense of guilt and loss.

What Tom knew or suspected about the intrigue is not quite clear. Goodwin, who was haunted by it, thought that Tom suspected the worst, and he knew for a fact that Tom would not be favorably impressed if he knew the truth. He would not look upon the narrow escapes from incest and adultery as faith-promoting incidents. For years, both in dreams and daydreams, Goodwin tried to justify himself to Tom. Meanwhile, he could hardly bear the sight of a brother who did not spontaneously exonerate him or apologize for unjust suspicions. Tom, for his part, was obviously less than happy to have Goodwin hanging about Chelsea. He once struck Goodwin and told him to stay away. He seems, however, to have considered Goodwin more of a nuisance than a threat, and he certainly did not brood about the matter.

The rift between Tom and Anne reached the gossip stage by late November 1682, and in early December Dr. Gilbert Burnet took it upon himself to intervene. Burnet, who was to become a staunch political ally of Tom Wharton and who was already a good friend, had begun corresponding with Anne in July. He prided himself upon having helped with the deathbed conversion of her beloved uncle the Earl of Rochester. He hoped to make a similar penitent of Anne. Anne had deviated into orthodox piety in her poem on Rochester; but her usual verse contained worrisome traces of Hobbist philosophy, and she showed a distressing tendency to regard her illnesses as absolute misfortunes rather than trials or disguised blessings. Burnet treated Anne to long disquisitions on the methods of achieving religious conviction. These included reading learned authors like Hugo Grotius and Bishop John Wilkins, avoiding "hurtful" company, performing charitable works, praying, and "following good rules." He interspersed his sermons with expressions of admiration, both for Anne's poetry and for Anne herself. He had "formed such a picture" of her, he once wrote, as he was sure "no pencil can equal." If she would only give the same care to religion that she gave to her poetry, he added later, he would consider her "the brightest piece of God's workmanship" he ever saw.

In spite of Burnet's fervor, which made his often expressed admiration seem more romantic than platonic, Anne kept him arm's length. She showed no disposition to be converted or to believe that God had hung "weights" of illness upon her to prevent her "vivacity of thought" from leading her into damnable errors. She refused, moreover, to tell him her marital troubles. Her letters were brief and, except for passages about illness, impersonal. "I talk freely of all my concerns to you," he complained, "but hear nothing from you of yours, not so much as in those things which you know I so earnestly desire to be informed in."

At last, bursting with curiosity and theological advice, Burnet could restrain himself no longer. Tom had invited him into the country, in order, he supposed, to seek counsel on the ailing marriage, but Burnet did not wait to consult with Tom. On 8 December he treated Anne to a stern diatribe. He had heard, he said, that she was "upon parting from Mr. Wharton," and although he could hardly believe such a tale, he would nevertheless issue a preventive warning:
I look on all such things as both the wickedest and maddest things possible; it is a
downright rejecting the yoke of God, and rebelling against his providence. It is a
throwing off the cross he lays on us, and a preferring our foolish inclinations to his
wise appointments, after which we have no reason to expect the shelter of his
protection.... In a word, one must lay down both religion, virtue, and prudence, in
the moment that one takes up such a resolution, unless they are really in danger of
their lives, which I am sure is not your case.

If Anne yielded to such "impatient resolutions," Burnet concluded, he would never see her
again—except perhaps to admonish her once more.51

Anne gave Burnet's meddling and browbeating the treatment they deserved. Though the
letter of 10 December in which she replied is no longer extant, what it contained is clearly
deducible from Burnet's description of it and from his profuse apologies.52 In a highly "unusual"
style and with a pen "sharpened" by anger, Anne delivered a cold rebuke. She had no intention of
parting with Tom, she said, and the fact that Burnet could credit such gossip enough to repeat it
showed how little he knew her. Beyond that, she said in effect, he should save his sermons for
someone else and mind his own business.

Ordinarily, telling Gilbert Burnet to mind his own business was a waste of energy.
Perhaps the most renowned busybody of his age, he had reprimanded Charles II two years
previously, "in a very plain letter," for leading a scandalous life and for mistreating Jane Roberts,
one of the royal mistresses.53 But Anne Wharton succeeded where others failed. After making a
flurry of excuses, Burnet quit trying to intervene in Anne's marital problems. In his subsequent
letters to Anne, he never mentioned the subject again.54

The troubles between Tom and Anne, along with Tom's unconscionable gaffe at
Barrington, made 1682 the most forgettable year of Tom's personal life. It was also a bleak time in
the history of his party. In the summer and autumn of 1682, the Whigs lost London, the traditional
base of their power. In October 1681 the government had been able to secure the election of a
pliable Lord Mayor, and in 1682 by a combination of legal maneuver, coercion, and chicane the
Court succeeded in replacing the two Whig sheriffs with two loyal Tories and in electing an
avowed Tory for Lord Mayor.55 This meant, of course, that there would be no more Ignoramus
juries to protect Whigs against Crown accusers. After the new elections, Tory sheriffs selected
London jurors, and the government was able to pick off its enemies more or less at will. When the
King's triumph became certain, Shaftesbury wisely fled to Holland. Even London had grown
unsafe for once-powerful Exclusionists.

In a year of personal and political misadventures, Tom salvaged some triumphs on the race
track. His horses, at least, retained their customary form. One of the victories, which has passed
into legend, was scored in Tom's absence.56 This occurred while the Duke of Monmouth was
making a progress in Cheshire. As a centerpiece to the receptions, the Whigs scheduled horse races at Wallasey for 12 September. The Tories (the self-described “loyal gentry”), hoping to dilute local enthusiasm for Monmouth, arranged for races at nearby Delamere Forest on the same day. They neglected, however, to impose a political test on entries, and they did not prevent clever Whigs from entering one of Tom’s horses in the feature race. Before a crowd of “at least fourscore baronets, knights, esquires and gentlemen of good quality,” as well as about “two thousand of the vulgar.” Tom’s horse easily won the race and the Tory plate. Monmouth, meanwhile, riding his own horse, was winning the Whig plate at Wallasey—a triumph which touched off a riotous celebration in Chester.

Less publicized but very satisfactory was a victory at Burford in early November. There Tom and Monmouth won the feature races in performances which at least partially atoned for the defeats at Burford in 1681. These late-season triumphs were followed on 15 February 1683 by one of the most resounding victories in the history of the Wharton stables. On a race course near St. Germain en Laye in an event sponsored by Louis XIV and witnessed by the King, the Queen, and many members of the French court, Wharton’s Gelding defeated a select field of horses from "diverse nations" and won the King's plate, valued at one thousand pistoles. "Very much pleased" with the English horse, which had been entered by the Duke of Monmouth, Louis offered to buy it for another thousand pistoles. Tom, however, declined the offer. He would give Louis the horse as a present, he said, but he would not sell it. Louis, in turn, refused to accept a priceless gift. "And thus" (in the words of Tom’s memorialist) "through the gallantry of the French King and Mr. Wharton, the horse came back again" to England.

For Tom Wharton personally, the victory and gallantry in France marked the beginning of a better year. There would be no more outrages, public or private. His relationship with Anne would improve, and he would emerge unscathed from the furies of the Tory reaction. For Tom’s party and several of his friends, on the other hand, the year 1683 would bring bloody disaster.
Notes

1. See [Henry Care, attributed author], Towser the Second a Bull-Dog. Or a short Reply to Absalon [sic] and Achitophel (London, 1681). Narcissus Luttrell notes on his copy of the poem, now in the Bindley collection at HEH, that he acquired it on 10 Dec. 1681. Towser the First, of course, was Roger L'Estrange.


3. Luttrell, i, 144.

4. For "Proceedings...upon a Bill of Indictment for High Treason against Anthony Earl of Shaftesbury," see State Trials, viii, 759-821. The jurors, headed by Sir Samuel Barnardiston, are listed on p. 759.

5. "The people," says the account in State Trials (viii, 821), "fell a hallowing and shouting." At the verdict, says Luttrell (i, 146), "there was a very great shout, that made even the court shake."


7. John Verney to Sir Ralph Verney, 10 April 1682, BL, Verney, M 636/36. See also, John Verney to Edmund Verney, 11 April 1682, BL, Verney, M 636/36. John Verney, an eye witness, did not attempt to determine how much of the demonstration was for the King and how much for James. He noted, however, that the King's return to Whitehall seldom evoked a celebration. He also observed that the Covenant was burned at some bonfires.

8. Burnet, ii, 284.
9. On 9 Jan. 1681/2, Sir Ralph Verney observed prophetically: "There is a Quo Warranto sent to Worcester, which may be a president [precedent] to all the Wicked Corporations, that have sent ill Members to Parl[liament]." Letter to Edmund Verney, BL, Verney, M 636/36. For a good modern summary of the attack upon the charters, see Ogg, ii, 634-39.

10. To the Whigs, the Tory cooperation with the Crown in the revision of charters was unforgivable. After the Revolution, the Whig majority in the Commons tried to ban from political office anyone who had willingly surrendered a charter.

11. Sir Ralph Verney to John Verney, 26 June 1682, BL, Verney, M 636/36. A few days later, Dr. William Denton labelled the incident "a greivious prank." Denton to Sir Ralph Verney, 8 July 1682, BL, Verney, M 636/36.

12. Anonymous, The Life of Robert Frampton, Bishop of Gloucester, ed. T. Simpson Evans (London, 1876), p. 166. According to Evans (p. viii), the memoir (which he edited from the original MS) was written in the reign of George I, sometime after Jan. 1716 when William Wake became Archbishop of Canterbury. This was some eight or nine years after the death of Bishop Frampton (May, 1708), a year or two after Tom's death (April, 1715), and thirty-four or five years after the outrage at Barrington (June, 1682). Not surprisingly, the account given by the memorialist (probably a layman and certainly a Tory friend of Bishop Frampton) differs significantly from the accounts given in the primary documents which remain from the time of the event. Of these I have found eight: five letters from Bishop Frampton to Archbishop William Sancroft (24 Aug. 1682, 21 Oct. 1682, 27 Jan. 1682/3, and two undated, one probably written in early Feb. 1683 and the other a week or two later), one letter from Frampton to Tom Wharton (7 Nov. 1682), and two letters from Tom Wharton to Bishop Frampton (15 Aug. and 25 Nov. 1682). Four of the letters to Sancroft are found in Bodleian, Tanner MSS 35, fols. 73, 111, 172, 178. The first two were printed by David Royce, The History and Antiquities of Stow (Stow-on-the-Wold, 1861), pp. 34-36, and reprinted in Gloucestershire N & Q, ii (London, 1884), 68-70. I have been unable to find the MS for the fifth letter, the undated letter of about mid-Feb 1683. An excerpt, undoubtedly genuine, is printed in Royce, p. 36, and in N. & Q., ii, 76. The first letter of Tom Wharton to Bishop Frampton, 15 Aug. 1672 (Bodleian, Tanner MSS 35, fol. 168) is a true copy forwarded to Sancroft by Frampton on 27 Jan. 1683. The surviving letter of Frampton to Wharton (7 Nov. 1682) is found in Carte 103, fol 177; and Wharton's reply (25 Nov. 1682) is in Carte 103, fol. 279.

In reconstructing the story I have relied principally upon the Bishop rather than his memorialist, who is right in calling the incident an outrage but hopelessly confused about events in the aftermath. He grossly exaggerates the fierceness of Bishop Frampton (who was deprived as a non-juror in 1690) and the recalcitrance of the Wharton brothers. The fact that the memorialist does not date the outrage or place it at Barrington and that he calls Tom "Lord" rather than "Mr." Wharton has caused some confusion, but is relatively trivial.


16. There is a some chance that the story is false. Bishop Frampton does not mention it in his reports to Archbishop Sancroft, and Tom complains in his letter of apology that "there is very little truth in ye stories that goe abroad." The episode, he writes, has been exaggerated into "ye most prodigious story...that ever was heard of." The fact, however, that Tom does not categorically deny the allegation that he and his friends befouled the church—that he merely says, in effect, that he and his friends were too drunk to know, or remember distinctly, what they were doing—makes me think that the story is true. Bishop Frampton's language in his letters to Sancroft also suggests that the offense was something more flagrant than destroying church property—though that would be serious. Such phrases as "great scandal," "horrid guilt," and "great wickednesse" seem inappropriate to describe cut bell ropes and broken lecterns.

17. Who the Vicar of St. Mary was in 1682 I have been unable to find out. He is not identified in the Gloucester County History; he is not mentioned in Frampton's correspondence with Archbishop Sancroft; and he is mistakenly called "the Rector" and left unnamed by Frampton's anonymous biographer (p. 166), whom I have trusted (perhaps unwisely) for the account of the Vicar's reaction to the attack on his church. I have also trusted the memoir for the story (p. 165) of the servants' removal of the evidence.

18. John Verney, who derived his information from "a letter" and hoped it was false, heard that the event took place on the "Borders of Oxfordshire or Glostershire" and that before the "frolicksome" gentlemen attacked the church, they frightened their hostess into locking herself in her room. Letter to Sir Ralph Verney, 22 June 1682, BL, Verney M 636/36. Sir Ralph, who also hoped that the story was not true, learned about it from "several Letters," which placed the "foolish rude frolick" in Oxfordshire. Letter to John Verney, 26 June 1681, BL, Verney, M 636/36. Dr. William Denton, writing several days later, does not say where he got his information but he had heard that the "prank" took place "in Burford Church." Letter to Sir Ralph Verney, 8 July 1682, BL, Verney, M 636/36.

20. Bishop Frampton to Archbishop Sancroft, 24 Aug. 1682, Bodleian, Tanner MSS 35, fol. 73; Royce, History, p. 35; Gloucestershire N & Q, ii, 69. The allegation by Frampton's biographer (pp. 166-67) that Frampton had first tried vainly to "reclaim" Tom and had then frightened him into submission with threatening letters is pure fiction, as Frampton's first report to Sancroft makes clear. Communications between Tom and the Bishop were opened with Tom's letter of 15 Aug. The further allegation that Frampton gave John Cary (whom the biographer obviously did not know) a rough and contemptuous cross-examination and then issued more threats is equally fanciful. The Bishop found Cary (whom he calls "Mr Cary of Woodstock") very persuasive.


22. Bishop Frampton to Archbishop Sancroft, 21 Oct. 1682, Bodleian, Tanner MSS 35, fol. 111; Royce, History, p. 36; Gloucestershire N & Q, ii, 69. It is clear from Frampton's letter that Tom and Henry were the only offenders to appear at Stow.

23. Fortunately for the brothers, they had not ripped the Book of Common Prayer, as an early rumor had charged (John Verney to Sir Ralph Verney, 22 June 1682, BL, Verney, M 636/36); they had only ripped the church Bible (which they ultimately replaced). In this respect their sin was non-sectarian, as was their attack upon bell ropes, a font cover, and a lectern. Either drunkenly or wisely, or both, they refrained from breaking church ornaments (contrary to the mistaken allegation of Frampton's biographer, pp. 155-56)—a fact that Bishop Frampton makes clear in his undated letter to Sancroft of mid-February 1683 (Royce, History, p. 36; Gloucestershire N & Q, ii, 70). Thus the brothers could plausibly maintain that their "follies" had not been inspired by "fanaticism" (that is to say, Presbyterian or Independent bigotry).

24. Bishop Frampton to Archbishop Sancroft, 21 Oct. 1682, Bodleian, Tanner MSS 35, fol. 111; Royce, History, p. 36; Gloucestershire N & Q, ii, 70. Forty guineas, it should be pointed out, would be worth something like £4,000 in the currency of the 1990s.

25. Bishop Frampton to Archbishop Sancroft (c. 15 Feb. 1683), Royce, History, p. 36; Gloucestershire N & Q, ii, 70. The brothers agreed at Stow to finance the repairs at Barrington, Frampton told Sancroft.

27. Thomas Wharton to Bishop Frampton, 25 Nov. 1682, Carte 103, fol. 279.


29. I have not been able to find this letter.

30. Bishop Frampton to Archbishop Sancroft, [c. 1 Feb. 1683], Bodleian, Tanner MSS 35, fol. 178.


32. Bishop Frampton to Archbishop Sancroft (undated, c. 15 Feb 1683), Royce, History, p. 36; Gloucestershire N & Q, ii, 70.


34. Swift, Prose, iii, 57. Swift's invention of a thousand-pound fine has sometimes been taken seriously. The figure is given as fact in HC, 1660-90, iii, 699.

35. Dartmouth's note in Burnet, v, 242. Apparently the passage at arms occurred on 6 Dec. 1705, when, after a long and brisk debate, the House of Lords voted 61-30 that the Church was not in danger. Leeds was among the nineteen [Tory] Lords who protested. See Parl. Hist., vi, 479-508; HLJ, xviii, 43-44.

36. On 24 Feb. 1682, Henry had been "forbid ye Co[ur]t for running one of Madm Guin's coach horses thro wch drove too near him." Newdigate Newsletter, as quoted in Wilson, Court Satires, p. 293. In the summer of 1688, Mary Wharton Kemeys, the sister of Tom and Henry, reported that "Hary" had "certainly done the maddest thing that ever was done." She does not say what the prank was, or how it could be madder than desecrating a church. She implies that this prank might have serious repercussions if Lord Wharton were not around to protect Henry. Mary Kemeys to Sir Charles Kemeys, 30 June 1688, Kemeys-Tynte, fol. 640. My guess is that the prank was the famous (but hitherto undated) episode at the theater when, with King James in the audience, Harry dressed up as a strolling player and sang "Lillibulero."

38. Autobiography, i, 308. Goodwin does not explain the "mutual jealousies." I would guess that Anne returned from France to find herself dealing with a serious rival, possibly Jane Dering, who was to be Tom's long-time mistress. As for the object of Tom's jealousy, Goodwin may be referring to Jack Howe, who had a brief affair with Anne, or he may be referring to himself.


40. See Goodwin Wharton, p. 197.


42. Goodwin says the episode occurred "in the country." I have confidently placed it at Wooburn rather than Winchendon because the account indicates that both Anne and Goodwin were visitors. The fact that Goodwin's half-brother William (Lord Wharton's favorite) was present during Goodwin's stay and that he was recovering from an illness also places the scene at Wooburn.


44. Gilbert Burnet to Anne Wharton, 19 Dec. 1682, Granger, p. 233.

45. It is hard to hold a grudge against Anne Wharton, who was a brave, witty, generous, and talented lady. I can readily forgive her for her love affairs and for her odd taste in lovers, and I can sympathize with her apparent desire, whether conscious or subconscious, to give Tom Wharton a generous dose of his own medicine. I regret, however, that she made Goodwin burn his papers, which among many other things would have dated Anne's return from France and the critical episodes in her "entreague" with Goodwin.

46. In dating his letters Burnet often fails to supply the year. J. P. Malcolm, editor of the Granger letter collection, seems to have added the year 1681 to the date of Burnet's first extant letter to Anne (Granger, p. 220), which the editors of Gentleman's Magazine (lxxxv, pt. i, 1815, 494) simply date 14 July. Helen C. Foxcroft, co-author of Burnet's Life, questions the date 1681; and the contents of the letter clearly indicate (as noted above, ch. XIII, n. 28) that the year was

47. Gilbert Burnet to Anne Wharton, 7 Sept. 1682, Granger, p. 224.

48. Gilbert Burnet to Anne Wharton, 8 Nov. [1682], *Gentleman's Magazine*, lxxxv, pt. 2 (1815), 498.

49. Gilbert Burnet to Anne Wharton, 20 Dec. 1682, Granger, p. 236.


51. Gilbert Burnet to Anne Wharton, 8 Dec. 1682, Granger, pp. 228-20. Burnet's letter, it should be added, furnishes a text-book illustration of the theological bullying to which seventeenth-century women were subjected. Had the sermonette been published in the late twentieth century, Burnet would have been "damnably mauled" by indignant feminists.

52. Gilbert Burnet to Anne Wharton, 11 Dec. 1682, Granger, pp. 229-30. Burnet's excuses show that he had more than half believed the rumors and that he had expected to discuss the matter with Tom.

53. Burnet, ii, 294. The fact that Burnet was so busy, so widely acquainted, and so expert in other people's affairs is one of the reasons that his *History* is invaluable.

54. The *DNB* article "Anne Wharton" contains three gross errors. It badly misdates Anne's birth (giving the conjectural date of 1632 instead of the real date, 20 July 1659); it describes Rochester as her father's cousin instead of her father's half-brother; and it makes the silly statement that "it was only the good counsel of Burnet that prevented her from leaving her husband"; whereas the only effect of the "good counsel" was to earn Burnet a chilly reprimand.

55. For a clear summary of a very complex set of maneuvers, see *Shaftesbury*, pp. 697-704.

56. There are many reports in the State Papers on Monmouth's progress in Cheshire, which worried the government a great deal. Tom Wharton's name does not appear in any of them. For a long list of the members of Monmouth's entourage, produced by a Tory informant, see PRO, SP 420/72.

58. Hore, iii, 166.


60. Luttrell, i, 250; *Memoirs*, pp. 97-98; *London Gazette*, No. 1801 (19-22 Feb. 1683). The author of the *Memoirs* (probably Oldmixon) mistakenly guesses the date of the race as "about 1678." It actually took place on 15/25 Feb. 1683. The pistole, or Louis d'or, was a gold coin valued at about seventeen shillings; hence Tom's prize was worth something like £850—about ten times the value of the average plate at Newmarket.

61. Monmouth himself was making a progress in the Chichester area at the time of the race.

Abbreviations

1. List of abbreviations commonly used in the citation of book titles and of manuscripts

Add.  Additional
BL    British Library
Corr.  Correspondence
CSPD  Calendar of State Papers, Domestic
CTB   Calendar of Treasury Books
HCJ   Journal of the House of Commons
HEH   Henry E. Huntington Library
HLJ   Journal of the House of Lords
HLRO  House of Lords Record Office
HMC   Historical Manuscript Commission
HS    Harleian Society
IHCJ  Journal of the House of Commons...Ireland
IHLJ  Journal of the House of Lords...Ireland
IRO   Irish Record Office, Dublin.
MS, MSS  Manuscript, manuscripts
NLW   National Library of Wales, Aberystwyth
OED   Oxford English Dictionary
PL    Pepys Library, Magdalene College, Cambridge
PR    Parish Register
PRO   Public Record Office
RCHM  Royal Commission on Historical Monuments
RO    Record Office
SP    State Papers
TCD   Trinity College, Dublin
VHC   Victoria History of the Counties of England

2. List of Books and Manuscripts cited by Short Titles

Anglesey Diary Diary of Arthur Annesley, 1st Earl of Anglesey—1675-1684, BL, Add. MS 18730. (The pages are unnumbered.)
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Kenyon  

Langley  

Lonsdale  
Cumbria RO, Carlisle, Lonsdale MSS.

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Macaulay  

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