

DIVISION OF THE HUMANITIES AND SOCIAL SCIENCES

CALIFORNIA INSTITUTE OF TECHNOLOGY

PASADENA, CALIFORNIA 91125

PROTESTANTS IN MASQUERADE

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HUMANITIES WORKING PAPER 156

March 1994



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Abstract

"Protestants in Masquerade" is the twelfth chapter of my biography of Thomas, 5th Baron, 1st Earl, and 1st Marquess of Wharton. It deals with the emergence of the Whig party, of which Wharton was to become a famous leader, and the attempt to exclude James, Duke of York, from the throne of England. My story covers the period from the parliamentary elections of August 1679 to the dissolution of the "Second Exclusion Parliament" in January 1681. It is an installment in the political education of then-young Tom Wharton as well as an account of a great crisis in English government. The narrative will be more meaningful to readers familiar with Restoration politics and with the chapters which have preceded this one (particularly Chapters IX, X, and XI), but I hope it can be followed by anyone interested in English history and characters. For interpreting the (voluminous) notes, I have included my general table of abbreviations and short titles.

PROTESTANTS IN MASQUERADE

J. Kent Clark

In August 1679 when Tom Wharton and young John Hampden stood for re-election as Knights of the Shire for Bucks, political positions had hardened significantly and the level of vituperation had risen several decibels. For Tom Wharton and his party the failure of their first offensive was not only frustrating in itself but ominous for the future. The King's dismissal of the first Exclusion Parliament had demonstrated once again the power of the Crown and the limitations of parliamentary pressure. It had also gravely wounded a convenient fiction, that the King was misled by evil popishly inclined counsellors. With the removal of Danby¹ it had become more and more difficult to disguise the fact that the Exclusionist majority in the Commons was in direct opposition to Charles II, not to his ministers. In effect, Country MPs found themselves trying to bully the King into removing his brother from the succession.

Almost equally ominous was the fact that Charles was gradually re-collecting a party. The snake had been slashed, not killed, and the pieces showed signs of reknitting. The Court, after all, had mustered 128 votes at the second reading of the Exclusion Bill, and though it was easy enough to denounce the voters against the Bill as "placemen," "pensioners," or "Protestants in masquerade,"² it was hard to dismiss the nagging possibility that some of them, at least, might be honest Englishmen genuinely devoted to hereditary right and fearful that a break in the succession might lead to another revolution--afraid that 1641 might come again. The additional fact that such former Country stalwarts as Essex, Cavendish, and Halifax had declared themselves in favor of limitations was especially maddening; and when Essex and Halifax as Privy Counsellors actually advised Charles to dissolve the prorogued Parliament, their erstwhile allies were furious. Shaftesbury threatened to have their heads.

In the interval between the dissolution and the August elections the Exclusionists received still another shock. On 18 July, Sir George Wakeman, the Queen's physician, whom Titus Oates had named as the man assigned to poison the King, was acquitted of the charges against him.³ Chief Justice Sir William Scroggs, who only a month before had accepted the testimonies of Oates and Bedloe in the trials and conviction of five Jesuits and a Catholic lawyer,⁴ now found some of the evidence given by the great informers unconvincing. While he did not actually

direct a verdict of "not guilty," he left little doubt of his opinion in the matter; whereupon the jury obediently freed Wakeman and the three Benedictines who had been tried along with him.

The unexpected blow to the gospel of Titus Oates, struck by the man who had been most relentless in sending papists to the gallows, alarmed the Exclusionists. Recognizing the verdict as a threat to their power, which depended heavily upon fear of popery, they shrilly accused Scroggs of having been bribed and of attempting to protect the Queen by discrediting her accusers; and they tried feverishly to explain away the implausibilities Scroggs had found in Oates's testimony against Wakeman. But they could never totally repair the damage. Reviling Scroggs or throwing dead dogs into his coach could not fully restore the level of faith and hysteria that had once greeted Oates's revelations.

In August, nevertheless, as the elections were to show, the Exclusionists still held the balance of paranoia and a significant advantage in name calling. As the King soon learned, his chances of getting a "loyal" House of Commons were as bad in August as they had been in February. He had bought time, not a majority.

Tom Wharton, of course, was a beneficiary of the prevailing anxieties, and the Bucks election of 21 August shows as much about the rise in political temperatures as it does about the increase of Tom's influence. In the February election, the campaign in Bucks was not overtly ideological. Nothing was said about excluding the Duke, and when Lord Wharton asked Bridgwater to support Tom, the Earl asked no questions about Tom's politics. It was enough that Tom and Hampden were honest country gentlemen who could be counted upon to protect the King and Country against popery. It was not yet clear that protecting England meant sending Danby to the Tower and James to Brussels--or excluding James from the succession.

By August, events had clarified the issues, and election literature had sharpened them still more. Opposition writers, no longer restricted by the licensing act (which the Exclusion Parliament had allowed to expire), let loose a volley of propaganda. To the list of government-subsidized MPs that Andrew Marvell had compiled for his anti-Court pamphlets of 1677 one Exclusionist pamphleteer now added the names of the "pensioners" cited in the parliamentary investigations of May 1679. The resulting publication, *A List of One Unanimous Club of Voters in His Majesties Long Parliament*, constituted a dishonor roll of men whom the Exclusionists hoped to purge in the August elections. It was one of several pamphlets that warned freeholders to choose men who could not be bought or intimidated by the Court.⁵

On the other side, Roger L'Estrange, royalist pamphleteer par excellence, launched a strong counterattack. Charges that the government was arbitrary and popishly inclined, he argued, were really attacks upon monarchy and the Established Church. In 1678, before the Plot had deranged politics, L'Estrange had answered Marvell's pamphlet *An Account of the Growth of Popery* with a pamphlet called *An Account of the Growth of Knavery*. Now he reissued his pamphlet with a more descriptive title: *The Parallel [to the revolutionary events of 1641], Or, An Account of the Growth of Knavery under the Pretext of Arbitrary Government and Popery*. The real plot, L'Estrange contended, was another Presbyterian conspiracy against Church and King. Unluckily for L'Estrange, the tide was presently running against such arguments. He and his fellow Protestant pamphleteers in masquerade could not make enough converts to sway the electorate. They could only raise the blood pressure of their enemies.⁶

It was in this political context that Tom Wharton, John Hampden, several other Exclusionist MPs, the Duke of Buckingham, Lord Paget, Sir Ralph Verney, about four thousand horsemen, and an unnumbered crowd of other supporters assembled in Aylesbury on 20 August for the County election--only to find that High-Sheriff Edgerley had cancelled the arrangements proclaimed earlier by Under-Sheriff Barnewell and had rescheduled the election for eight o'clock the next morning at Buckingham. By this maneuver, which had been circumvented in the February election,⁷ the Sheriff and his allies hoped to disperse some of the Wharton-Hampden army and thus give themselves a chance to elect candidates less hostile to the Court. They intended to propose Sir Anthony Chester and Sir Ralph Verney, although Sir Ralph himself was actively supporting Tom and young Hampden.⁸ Secondly, the Court Party hoped to enrich the innkeepers and tradesmen of Buckingham while they advanced the town's claim to be the true capital of the Shire.

The stratagem did not work. After a council of war, Tom and his prominent associates "agreed unanimously" to keep their forces together, to provide wagons for horseless freeholders unable to walk the sixteen miles between towns, and to entertain all their followers at the inns of Aylesbury before setting out to thwart their opponents. They decided further that since, on 9 August, the borough of Buckingham had demonstrated execrable judgment by electing the "pensioner" Sir Richard ("Timber") Temple and Danby's son Lord Latimer to the Commons, they would neither stay in the town nor spend money there.⁹ They would quarter their followers for the night at Winslow, a village five or six miles from Buckingham, and if the small town could not provide shelter, they would camp out, "one and all," leaders as well as followers, in the fields.

These decisions, announced to the assembled throng by the Duke, were received with "great shouts" of enthusiasm. The freeholders vowed to follow Tom Wharton and John Hampden anywhere in the Shire--or to York, if necessary--rather than lose the Members who had served "faithfully in the last Parliament." Accordingly, after refreshing themselves (at the expense of the candidates) at Aylesbury, the multitude set out for Winslow in military style--first the "foot and wagons," then the four thousand "horse." The cavalry, led by the Duke, rode out of town "with drums beating and trumpets sounding."¹⁰

At Winslow, the freeholders again demonstrated their devotion to the cause by paying for their own entertainment ("every man cheerfully bearing his own charge") and by rising at five the next morning to finish the march on Buckingham. En route they were joined "from several parts of the County" by two thousand more horsemen, all shouting (according to a friendly pamphleteer): "A Wharton and a Hampden." The combined forces then paraded through Buckingham to chants of "No Timber Temple, No Traitor's Son, No Pensioner, No Papist, No Betrayers of their Country." Finally they drew up "in a great field" while Tom, Hampden, and Under-Sheriff Barnewell waited in town for the Sheriff.

When Edgerley failed to appear by eight o'clock, the officially scheduled time, Barnewell adjourned the Court to the field and proceeded with the election. Again, as in February, there was no contest. Tom and John Hampden (as Sir Ralph Verney observed) were "unanimously chosen without opposition."¹¹ This time, however, the election was followed by some unscheduled low comedy. When Sheriff Edgerley arrived in Buckingham, with Sir Richard

Temple and a small band of followers, he was thrown from his horse.¹² Then, although the results of the election had already been proclaimed and although the size of the Wharton-Hampden host made any contest ridiculous, the Sheriff sent his son to ask about a poll.¹³ When that young man, who had earlier congratulated Tom on his election, was asked for whom he wanted the poll, he answered "for whom I please." This insolent response brought another "great shout" from the Wharton forces and triggered a chase scene. When young Edgerley turned to ride away, he was pursued by Sir Richard Ingoldsby and several freeholders, who "whipped him out of the fields."¹⁴

The Exclusionist army remained in place until the formal indentures were completed and there was no danger of further trickery. Then they paraded back through Buckingham crying, "No Timber Temple, No Pensioners." True to their earlier agreement, they did not stop to enrich the Buckingham tavern keepers. Though (in the estimation of Sir Ralph Verney) there could not have been fewer than five thousand marchers, "scarce twopence was spent in the town."

The Wharton-Hampden triumph was so complete that an exultant Exclusionist pamphleteer professed to believe that the attempt to defeat the candidates had not been serious. The Sheriff, the writer asserted, had shifted the site of the election merely to curry favor in Buckingham and to saddle the two young candidates with additional expense.¹⁵ Opposition writers had good reason to exult. Tom's spectacular victory at Buckingham was only one of many Exclusionist triumphs. These included the election, at East Grinstead, of Tom's brother Goodwin and of William Jephson, Tom's long-time friend;¹⁶ and they presaged a clear Exclusionist majority for the next Parliament.

One man who did not rejoice at the outcome of the Bucks election was Charles II. When the Duke of Buckingham, fresh from his adventures with Tom and Hampden, appeared at Windsor, the King refused to see him. The Duke, he explained, "had stood for two men in Buckinghamshire who would cut his throat." Charles would not elaborate when the Earl of Rochester asked why he held such an opinion of the young men; he only "pouted and nodded his head at him."¹⁷

The King had political reasons to fume. At a time when his partisans were being branded as papists, traitors, and mercenaries--and soundly beaten at the polls--he could hardly be blamed for transforming opponents like Tom into villains. (Tom, for his part, probably considered the King's annoyance an unwilling tribute to the importance of his victory.) Charles also had physical reasons for ill temper. He was coming down with the heavy cold which turned next day, 22 August, into a violent intermittent fever and "put the whole nation into a fright."¹⁸

The King's sudden and severe "ague," judged by his physicians to be dangerous,¹⁹ caused a crisis bordering upon panic. All Englishmen faced the imminent possibility of a popish succession, or a civil war over the Crown.²⁰ And for Halifax and Essex, now the King's counsellors, the crisis seemed especially grave. They had opposed Exclusion, approved the dissolution of Parliament, and enraged their old friends. Now they saw a horrifying possibility. If the King suddenly died, his death (whatever his physicians might say) would probably be attributed by most of his subjects to poison and the Plot. The Duke of Monmouth, who was in London, commanded the King's forces. Earlier in the summer he had put down a rebellion of Scots Covenanters and markedly increased his popularity. Now with his Uncle James in

Brussels, he would have an opportunity to seize control without immediate opposition. If Monmouth came to power, Essex and Halifax feared, his friend Shaftesbury (still Lord President of the King's Council) might very well carry out his threat to have their heads.²¹ The two men urged the King to recall his brother as quickly and secretly as possible, and Charles agreed.²²

Fortunately, the King's "fits of ague" decreased rapidly. By 25 August Goodwin could report to Tom that Charles was "well recovered,"²³ and by 2 September when the Duke suddenly arrived in England all serious danger had vanished. The consequences of the panic, however, did not disappear. Although Monmouth had made no move to seize power,²⁴ the sudden perception that he had been in a position to do so alarmed the King and his party; it helped convince Charles that the young man must be dismissed from his army command and removed from the London scene. On the other side, the reappearance of James and the crowd of well-wishers who flocked to greet him at Windsor dismayed the Exclusionists. It was clear that the King had no intention of excluding his brother and that the Duke, as the "natural" heir to the throne, had a strong nucleus of supporters; it was also evident that many politicians were eager to hedge their bets on the succession.²⁵ More basically still, the King's dangerous illness had shown that even without the hazards posed by assassins Charles was mortal and unlikely to outlive his younger brother. The problem of succession had become more difficult to ignore; the voices had become more strident than ever.

The King's illness and its nerve racking results took some of the gloss from Tom's victory in Bucks, and the King's subsequent policies took still more. Tom and his allies had won a solid parliamentary majority in the elections, but they could not compel Charles to convoke a session. Once again, as in 1674, the disbanding of several regiments and the economies that the Treasury could effect enabled the King to subsist for a time on his income and postpone the evil hour when he would have to meet his tormentors. The Parliament elected in the autumn of 1679 was originally scheduled to convene on 17 October, but more than a year would elapse before it actually met to conduct business. Meanwhile, the Exclusionists existed in a state of chronic frustration. Convinced that the salvation of England depended upon passing a law to exclude the Duke of York, they could not even achieve the first step--a parliamentary session. For months they attempted to exert pressures upon the king, and for months their stratagems failed. The most famous of these was a massive campaign in December 1679 and January 1680 to petition Charles for a meeting of Parliament. In an impressive display of party organization, Shaftesbury and his allies collected thousands of signatures throughout the country in what turned out to be a futile exercise. Charles brushed off the petitions, explaining testily to his subjects that he was the sole judge of when sessions were necessary,²⁶ and on 12 December he issued a proclamation "forbidding the joining in tumultuous petitions to the King."²⁷ His partisans then organized what amounted to a counter-campaign of loyal addresses, "abhorring" the attempt to sway the royal judgment.

The famous controversy had one effect that became permanent. Among the names that the combatants called each other were two that stuck: *Whig* and *Tory* (*Whig* originally denoting a Scots-Presbyterian Covenanter and *Tory* denoting an Irish-Catholic bandit). Within a year or two they would displace other opprobrious names, and eventually they would be adopted by the parties they were designed to slander. Immediately, however, the petition campaign served only

to further polarize the country and to show that although the [Whig] "petitioners" obviously constituted a majority, the number of [Tory] "abhorers" was significant. And the shift in nomenclature did not diminish the frustration of the Exclusionists. Whig "petitioners" were as little able to bend the King as Country "patriots" had been.

Tom Wharton, naturally, shared the irritations of his party. These were increased on 24 September 1679 when Monmouth, relieved of his command of the royal army, was set abroad and on 15 October when Shaftesbury was removed as Lord President of the Council. In late September, James had been sent back to Brussels, but he was allowed to return in early October and then sent by Charles to reside in Scotland. Though the reception accorded James during his progress through northern England was not uniformly favorable,²⁸ it was warm enough to concern his Whig enemies,²⁹ who were also less than happy to see him ensconced in Holyrood Palace sharing in the government of Scotland.

Meanwhile, the latter part of 1679 was bringing significant changes to Tom Wharton's private world. On 2 September³⁰ his youngest sister, Philadelphia, married the distinguished Scots jurist Sir George Lockhart. The marriage removed "Philly" from the households at St. Giles and Wooburn and took her to Scotland. There, next year, after Tom had tried to find her a suitable midwife from northern England, she produced a young George Lockhart,³¹ who would eventually become very important to his uncle and to historians.³² For the present the marriage gave Tom a prestigious Scots brother-in-law and a useful political connection in Scotland.

Shortly after Tom gained one brother-in-law, he lost another. On 27 September, as we have noted,³³ Major Dunch, husband of Tom's sister Margaret, died at Pusey. Margaret, who had already borne three children, was pregnant at the time--a fact which worried the Whartons until she was safely delivered of a boy, whom she named Major after his father. Margaret was named executrix of her husband's will, and Tom was named a co-trustee of the extensive properties that Dunch left for his younger children. Unlike her sister Mary, who had already found a husband, Sir Charles Kemeys,³⁴ to replace the one she had lost in 1677, Margaret would remain a widow for eight years.

While Tom's family was undergoing major alterations, Tom himself was experiencing a streak of bad luck and bad judgment. On 13 September his black gelding lost the gold plate at Campfield, Oxfordshire, in a race with a bay gelding owned by Nicholas Baynton.³⁵ On 22 November he involved himself in an episode that may be charitably described as adolescent. On that evening Tom and two raucous companions, probably drunk, broke down the white balls on the gateposts of the bawdy house operated by the well-known madam, Susan Willis, "and called her all to nought."³⁶

Mrs. Willis summoned the constable, but when the three young gentlemen identified themselves, the constable was reluctant to arrest them. Tom, of course, was an MP and the heir to a peerage; Jack Howe,³⁷ the second malefactor, was the son of an MP; and young George Porter, the third member of the trio, was the son of George Porter (a gentleman of the bedchamber) and of Lady Diana Porter, a daughter of the Earl of Norwich.³⁸ Under these circumstances, the constable was "so civil as not to secure" the disturbers of the peace; he contented himself with going next day to Lady Diana and asking her to guarantee the appearance

of her son before the justices in case he should be summoned. This precaution proved unnecessary. No further legal action was taken. The episode went unpunished.

Tom's escapade occurred between two public emotional orgies in the City of London--between a spectacular procession and pope-burning on November 17 and the return of Monmouth on November 27. The pope-burning had been sponsored by the Green Ribbon Club,³⁹ an organization formed the previous November to counter popish plots. This year on the anniversary of Queen Elizabeth's accession, the Club produced a spectacle that overshadowed the activities of Guy Fawkes day, as it would in 1680 and 1681. In the atmosphere of the Plot, the deliverance of Protestantism from Queen Mary seemed more significant to Londoners--especially to Whigs--than the frustration of the attempt to shatter it with gunpowder. The "birthday" of Queen Bess provided the Club and its "public-spirited" friends⁴⁰ with a perfect occasion for dramatizing popish villainy, both historic and current, and for contrasting by unsubtle implication the accession of a Protestant heroine with the possible accession of a Catholic menace.

The "extraordinary representation" began with an elaborate torchlight parade--a parody on Catholic religious processions. Leading the pageant were six whistlers (to clear the way), a bellman crying "Remember Justice Godfrey," and a Jesuit on horseback supporting Godfrey's dead body (in its supposed journey from Somerset House to Primrose Hill). After this prologue came a parade of popish clerics, including a priest selling pardons for killing Protestants, six Jesuits with bloody knives, and an impressive array of friars, bishops, archbishops, patriarchs, and cardinals. At the end of the procession came the pope in a "gorgeous chair of state," preceded by a poisoner (clearly Sir George Wakeman) dispensing "Jesuit's powder." Accompanying the pope and whispering in his ear was his "privy counsellor" the Devil, who was obviously inciting him to murder the King and once more burn London.⁴¹

The "magnificent procession," accompanied by one hundred fifty hired torch bearers and "some thousands" of volunteers, began at Moorgate and made its way to Aldgate and then via Leadenhall, Cheapside, and Fleet Street to the statue of Queen Elizabeth at Temple Bar. It was seen by "no fewer than" two hundred thousand people, who thronged streets, windows and balconies; rich spectators paid as much as a guinea a seat for choice locations. Near Temple Bar, a few feet from the headquarters of the Green Ribbon Club, a great bonfire had been prepared for the pope's effigy. There the crowd was treated to free drinks and to a spectacular display of fireworks--to which it dutifully responded with cries of "No Popery" and "God Save the King, the Church, and Dissenting Protestants." Finally, after the pope had been taunted in formal verse⁴² and deserted by his false friend the Devil, his effigy was pitched into the flames.

Though obviously staged to make a political statement,⁴³ the elaborate event was carried off in orderly fashion--more like a celebration than a protest, much less a riot. "It was almost incredible," Sir Robert Southwell wrote to the Duke of Ormonde, "what multitudes of people met to celebrate Queen Elizabeth's night, and as strange that after all those squibs and bonfires they should all without confusion resort unto their beds."⁴⁴

On 17 November 1679, the Whigs still hoped that Charles might be influenced to summon a parliament; they did not yet feel obliged to use the parade to attack Tories. It would be another year before "Protestants in masquerade," "abhorrrers," and the Pope's dog "Towser" (alias Roger

L'Estrange) would appear in the processions as allies of the papists. For the present, the great pageant simply demonstrated to the King (who viewed it from a window of a goldsmith named Townes) and to the world in general the depth of anti-Catholic feeling in London.

If Tom Wharton contributed any money to the celebration (as he may have done), he did not do so as a member of the Green Ribbon Club. Neither his name nor that of his brother Henry appears on the official list of members,⁴⁵ nor among the names of those proposed and rejected for membership during the three years covered by the Club's "Journall." Goodwin, on the other hand, managed to get himself formally excluded. On 28 February 1679, about two and a half months after the Club was organized, the secretary noted:

A complaint being made against Mr. Goodwin Wharton, who frequently intrudes himself into this society, for bringing in one Mr. Chetwin contrary to order, it is declared that the said Mr. Wharton is no member of this society and further ordered that he shall not be admitted a member of the same without the consent of this society.⁴⁶

Why Tom did not become a member of the Green Ribbon Club, which included a number of his friends, is a matter for speculation. It is clear that he agreed with the Club's aim of excluding the Duke of York and that he approved of pope-burning ceremonies. Many years later, he and his friends of the famous Whig Kit-Cat Club planned to discomfit the Tory government by reviving the pageants of the Exclusion Crisis and burning the Pretender along with the Pope and the Devil. The government, threatened by the implied accusation that it favored a Catholic successor to Queen Anne, forbade the ceremonies and seized the effigies.⁴⁷ In 1679, perhaps Tom felt that the Green Ribbon Club was too heavily loaded with republicans--that it tended to replace fear of popery with fear of another revolution; perhaps he was influenced by the fact that the Club was composed primarily of City magnates and second-echelon country Whigs, not grandees like his father, Shaftesbury, Buckingham, Russell, and Monmouth. Perhaps, again, he had too many relatives and friends among his political enemies⁴⁸--an offense which could get one excluded or banished from the Club. In any case, he did not join the Green Ribbon Club nor any of the other Whig clubs that made the government nervous.⁴⁹

Tom worried the King's party on other scores. About ten o'clock on the night of 27 November, the Duke of Monmouth arrived secretly at the house of Tom's friend Charles Godfrey. There he stayed for three hours before going on to his own apartments at the Cockpit.⁵⁰ Monmouth had not received the King's permission to return from Holland; and when Charles, belatedly, learned of Monmouth's sudden arrival, he was unimpressed by Monmouth's excuse--that he had returned to defend himself against the false charges levelled against him by Elizabeth Cellier, Elizabeth, Lady Powis, and their accomplices in the so-called "Meal Tub Plot."

Monmouth had indeed been named in the elaborate scheme to prove the existence of a "Presbyterian" plot against the King, but the falsehoods and forgeries had been detected by 1 November,⁵¹ and by late November there was no need for any further clearing of Monmouth's name. Nor was there any need for secrecy, If Monmouth had really intended to exonerate himself, he could have asked his father for permission to return. The fact that he had gone first

to the house of one of his Whig cronies, not to Whitehall, was also revealing--a clear indication that he had come home to consult with the Exclusionists, not with the King. He was obviously there to join the campaign for a parliamentary session and to advance his own pretensions.

As troubling to the King as Monmouth's disobedience and the transparent fact that he was consorting with the political enemy was the tremendous enthusiasm with which he was welcomed by Londoners.⁵² The report of Monmouth's arrival spread rapidly. By the time Monmouth left Charles Godfrey's house the celebration had begun. Before morning all the church bells were ringing "incessantly," and bonfires were kindled in many places. When darkness fell on Friday evening, 28 November, the illuminations began once more. Charles Hatton, an eye-witness to the proceedings, estimated that there were more than sixty bonfires between Temple Bar and Charing Cross--more bonfires than on any occasion since King Charles had been welcomed home at the Restoration.⁵³ The acclamations were also "prodigious." Enthusiastic London crowds were out in force. Coaches were stopped and passengers were made to join in prayers for "Protestant Duke James" and to drink the Duke's health. The Lord Chancellor himself was compelled to cry "God bless the Duke of Monmouth" before he was allowed to pass.

Understandably, Charles refused to see Monmouth or accept his explanations; he forbade Monmouth the Court and ordered him to leave England at once. Monmouth retreated to his house at the Blue Mews in Hedge Lane, but he refused to leave England. He would go to the Tower and answer any charges the government cared to bring, he said, but he would not accept banishment without a trial.⁵⁴ This defiance brought a quick response from Charles, who stripped him of all the lucrative offices he had retained when he had been removed as general of the King's forces. These included command of his regiment of guards; and his former subordinates were immediately warned that they must receive no orders from him.⁵⁵ Instead of arresting his disobedient son, Charles made the defiance exorbitantly expensive. The notoriously extravagant Monmouth was reduced to living on his wife's income.

The King's displeasure was known very shortly to political England. When Monmouth was ordered from the Court, the stream of courtiers, including Nell Gwynn, who had come to see him at the Cockpit, thinned significantly. At the Mews, his visitors consisted largely of people who were willing to risk annoying the King. Foremost among these--the only "noblemen" who appeared the day after Monmouth's removal from Court--were Shaftesbury and Lord Wharton.⁵⁶ The visit of the two Whig leaders helped to confirm what everyone suspected, that Monmouth's return, his excuses, and his refusal to leave had been orchestrated by Shaftesbury. It was another indication that Monmouth had gone over completely to his father's opponents. It was also a sign that Shaftesbury, the Whartons, and their allies were drawing closer to the Duke. If they had not made a solemn league and covenant to put Monmouth on the throne, they would at least help remove his Uncle James from the succession.⁵⁷ In August, the King had recognized Tom as an inveterate opponent--one who would "cut his throat." By December Tom, like his father and brothers, had become more formidable because he could trade upon the dangerous popularity of the Duke of Monmouth.

In retrospect, it should be added, the return of Monmouth proved to be a strategic and tactical blunder.⁵⁸ The Duke's defiance of the King cost him a great deal more than money and any official connection with the military. It cost him his father's favor and any chance of

influencing his father's decisions. Immediately, the blaze of bonfires for the Duke, like the illuminations for Queen Elizabeth, convinced Charles that he would be foolish to convoke Parliament until London passions had cooled by several degrees. It also helped to convince him that he must continue to keep a firm hold on the militia (especially the London militia).⁵⁹ that he must oppose the petitions his opponents were beginning to circulate, and that he must replace Exclusionist JPs with more tractable men. Later (on 12 January 1680), he would remove Tom Wharton and seven other Bucks JPs, including Lord Lovelace and the Duke of Buckingham, from the list of Justices⁶⁰; and he would make similar changes in other counties.

The blazing welcome for the Duke also did more permanent damage. It helped to lure Monmouth and some of his followers into a gross strategic error--a divisive and basically silly attempt to convince themselves and the nation that the Duke was legitimate--to prove, that is, that Charles was lying when he declared under oath that he had not married Monmouth's mother. This campaign, which began shortly after Monmouth arrived and continued sporadically thereafter, did the Whig cause much hurt--not merely because it added another layer of implausible lies to the increasingly threadbare lies of Titus Oates or because it offered an irresistible target for Tory pamphleteers, but also because it emphasized a fundamental weakness in the Whig position.

As long as the Exclusionists were on the attack--pointing out that James as a zealous and not overbright Catholic was a formidable danger to the Constitution--they were on solid ground. James, in fact, eventually proved them right. When they were on the defensive--trying to explain who or what would succeed Charles if James was excluded--they were in trouble. The simplest and most logical solution--that Charles should be succeeded by James's daughter Mary, the next legitimate heir--was not entirely satisfactory. It meant a break in the succession, of course, and in practice it also meant that England would be governed by Mary's husband William, Prince of Orange--a prospect almost as unpalatable to radical republicans as to divine-right Tories, and not overpleasing to Shaftesbury.⁶¹ As for alternative solutions, there was no practical possibility (though many Whigs tried desperately to convince themselves otherwise) that Charles could be bullied into legitimatizing Monmouth, nor any serious chance that the nation in general could be persuaded by stories of a black box⁶² or of touching for the king's evil⁶³ to believe that Monmouth was the true heir. The establishment of a "crackt title," a bastard king of England, was not a project with overwhelming appeal,⁶⁴ even if it could be accomplished; and the prospect of a Whig republic with Monmouth (and Shaftesbury) at the head was something less than dazzling. As for the theoretical possibility that Queen Catherine would conveniently die or that Charles could be persuaded to divorce his barren Catholic wife and marry a fertile Protestant--this had become too remote to count as a practical solution.⁶⁵ For these significant reasons it was easier for many Englishmen, even those not wedded to hereditary right, to cling to the waning hope that James would die before Charles and save three kingdoms from a vast amount of trouble than it was to back any Whig contrivance.

But for good Whigs, monarchists as well as republicans, the immediate necessity was to remove the threat of popery--to secure the religion, liberty, and property of England. They could worry about Protestant settlements later.⁶⁶ Accordingly, they continued their offensive against the Duke of York. In the unrelenting attack Tom Wharton took a prominent part. On 26 June

1680, he met with Shaftesbury, Huntington, Cavendish, Russell, and a dozen other Whig leaders in the Court of Requests--a lobby near the Commons and the law courts in Westminster Hall. The group had prepared and signed an "information" which listed reasons for believing--what had never been officially admitted--that the Duke was a Catholic;⁶⁷ and they intended to submit the information to the Middlesex Grand Jury. Taking advantage of an "old statute" which made it criminal to be "reconciled to the church of Rome," they hoped the Jury would bring an indictment against James before the judges of the King's Bench. The evidence they had assembled, though perhaps not beyond legal objection, was overwhelming to common sense. They were confident that the Jury would "present" the Duke as a recusant and that even if they could not get a conviction,⁶⁸ the propaganda value of a trial--or only a formal accusation--would be immense.

As matters turned out, the "information" never officially reached the King's Bench. The royal judges had received "private notice" of the plan,⁶⁹ and when they became aware of the gathering of Whig notables, they dismissed the Jury for the term. Four days later, on 30 June, after a new Grand Jury had been impaneled, Tom and his friends, along with four additional signers, assembled once more to present their "information." Again the judges of the King's Bench received advance warning and again they discharged the Jury.⁷⁰ The jurors protested that they still had important matters to present, and Shaftesbury declared that the dismissal was illegal; but the judges remained adamant.

The Whig leaders made political capital from the "haste and fear" with which the government evaded the charges. They published a broadside entitled *Reasons for the Indictment of the Duke of York*,⁷¹ and they later got the judges' actions condemned by the House of Commons in a formal address to the King.⁷² Still later, the dismissal was made an article in impeachment proceedings against Chief Justice Scroggs.⁷³ But for the present, during the summer of 1680, the Duke remained unindicted, and his Tory supporters remained relatively undisturbed in their pious hope that the son of Charles the Anglican Martyr could not really be a Catholic, or that if he had been temporarily deluded he would come to his senses in time to save England from the machinations of their Whig enemies.

At last, on 21 October 1680, Charles convoked the Parliament originally scheduled for October 1679; and on 20 October, the eve of the first session, Whig MPs held a strategy meeting at the Sun Tavern "in the City behind the Exchange."⁷⁴ The Whigs had reason to be confident. In the Commons they still had the unbeatable majority they had elected in 1679--a majority hardened in its positions by a year of frustrations and propaganda. Some of the waverers who had voted for limitations in the spring of 1679 had returned to the Exclusionist fold. Disillusioned ex-Counsellors like Essex, Cavendish, and Capel (who had resigned from the government when Charles had refused to convoke Parliament) had become convinced that no limitations plan was viable; and some prominent Tories, worried about their heads in case of an Exclusionist victory, were impelled to abandon the Duke of York. Treasury Commissioner Godolphin, Secretary of State Sunderland, and the Duchess of Portsmouth, the King's French mistress, all declared themselves in favor of Exclusion. Whig MPs could expect to carry another Exclusion Bill through the House without effective opposition; they could also harry the

abhorrrors and other Papists in masquerade who had opposed petitions and abetted the King in his intransigence.

For the first few days of the session, things went smoothly for the Exclusionists in the House of Commons. They elected William Williams, a thoroughgoing Whig (and later a thoroughgoing turncoat), as their Speaker and proceeded to organize the House. The standing Committee on Privileges and Elections, which included Tom Wharton and both Hampdens, was practically a Whig body, and the select committees later appointed to bring in crucial bills and resolutions were composed largely of veteran Whigs, with a heavy infusion of Whig lawyers.⁷⁵

Busy with their own program, the House virtually ignored the King's opening remarks on the succession. Charles had repeated his now familiar offer of drastic limitations on the powers of a popish successor and his equally familiar refusal to alter the succession from "its due and legal course of descent." He had gone on to recommend a "further examination" of the Plot, and he had suggested that the Catholic lords in the Tower should be "brought to their speedy trial," that justice might be done.⁷⁶ In effect he had offered to allow Parliament to proceed, finally, against the accused peers if the Lords and Commons would quit harassing his brother⁷⁷ and if they would vote money to augment the English army trying to defend Tangiers against the Moslems.⁷⁸

The Whigs in the House were not to be diverted by any offers of limitations.⁷⁹ They had come to exclude the Duke of York, not to trifle with "expedients." On 28 October they paused long enough to assure Charles, in a formal address, that they would support him against all enemies and they asked him to issue a proclamation offering pardons for (belated) "discoverers" of the Plot.⁸⁰ Then they went methodically back to work on James and his supporters.

Two days earlier the House had declared its intention "to proceed effectually against popery" and "to prevent a popish succession."⁸¹ It had continued on 27 October with resolutions declaring that to petition the King for the calling of a parliament was an "undoubted right" of English subjects and that "to traduce such petitioning as a violation of duty and to represent it to his Majesty as tumultuous and seditious is to betray the liberty of the subject." These resolutions condemned abhorrrors in general and they particularly attacked lawyers like Sir George Jeffreys who had advised the King on the matter of petitions. Both declarations were adopted by the Commons *nemine contradicente*, since the Tory minority could not hope to challenge the Whigs in an actual vote.⁸²

Having declared by implication that the King's proclamation against petitions had been illegal and that their opponents had been contributing "to the design of...introducing arbitrary power," the Whig majority then secured the appointment of an investigating committee to identify the principal offenders--the men who had tried to stifle the petitioning campaign. Later they would expel Sir Francis Wythens from the House for having presented an address "expressing an abhorreny"⁸³ and they would address the King to remove Jeffreys from his counsels for having given odious legal advice.

After demonstrating their control of the Commons, the Whigs passed once more, on 28 October, the resolution they had passed in the first Exclusion Parliament as a preliminary to their Exclusion Bill: that the Duke's being a papist had encouraged the designs against the King.⁸⁴ "Till the Papists see the Duke cannot be King," William Harbord declared, voicing the opinion

of the Whigs, "the King's life will be in danger."⁸⁵ This resolution too was adopted without a division.

Having laid the groundwork, the House proceeded formally to the issue of Exclusion. On 2 November the members resolved to bring in a bill and appointed a committee to draw it up. On 4 November the Exclusion Bill had its first reading; on 6 November (after the House had adjourned on 5 November to St. Margaret's church for a sermon on the Gunpowder Plot) the Bill was read a second time and committed; and on 11 November came the third reading and the final debates.

The arguments over the Bill offered practically nothing new in the way of theory. The positions had been debated exhaustively in and out of Parliament for two years. When, for instance, Sir Leoline Jenkins, who led the Tory defense, asserted that kings rule by divine right and that only God can legally alter the succession, he was voicing familiar Anglican doctrine. And when Sir Francis Winnington argued that an heir-apparent could be set aside for sufficient cause just as an eldest son could be disinherited for gross misfeasance, he was stating a standard Whig position. What was new in the November debates was the tone of Whig attacks and the accretion of miscellaneous charges against the Duke. In general the early arguments for removing James had been made more in sorrow than in anger. In 1678 Exclusionists had more or less conceded the Duke's personal virtues: his devotion to his brother, his services to England as Admiral in the Dutch wars, and his conspicuous bravery during the Fire of London. They had simply argued that his Catholic zeal and his connections with France and Rome, as revealed by the Coleman letters and related documents, made him hopelessly unfit to head the English government and the Anglican Church. James, they said at much length, was a chance that England could not afford to take.⁸⁶

During the intervening propaganda campaigns James's character deteriorated steadily in Exclusionist opinion. By November 1680, many Whig MPs were reluctant to concede the man any virtues, and his services to England had been hotly questioned. The detraction had grown more rude and the charges less plausible. Perhaps the most intemperate speech in the final debates on 11 November was delivered by Tom Wharton's brother Goodwin--a speech that was a compendium of Whig suspicions and that was wild even by current Whig standards.

Replying to speeches by Sir Leoline Jenkins and Sir Robert Markham, Goodwin launched into a memorable denunciation. In a combination of assertion and innuendo, he accused James of protecting the popish arsonists who had burned London, of sacrificing English ships to save French ships during the Dutch wars, of sleeping after the engagement at Solebay and allowing the Dutch fleet to escape, of betraying a Huguenot to the French ambassador, of thirsting for the blood of the beaten Scots Covenanters, of lying to shield one of the suspects in the Plot, and of doing "his utmost endeavor to ruin this nation." James, Goodwin implied, was lucky that he was merely being excluded; if he were to be impeached for the crimes charged against him, he would probably be executed. Finally, after being interrupted by Lord Castleton, who could not "endure" such reflections upon a prince, Goodwin added a sneer at the Duke's brains and at the notion that James would ever return to the Anglican fold, "I do not think it possible," he declared, "that any person...that hath been weak enough...to turn papist should ever after...be wise enough to turn Protestant."⁸⁷

After Goodwin's "unmannerly" speech (as Tory George Legge called it⁸⁸), prominent Whig speakers summed up case for Exclusion. The legal arguments were rehearsed once more by ex-Attorney-General Sir William Jones and former Solicitor-General Sir Francis Winnington, and the political arguments were reviewed by John Trenchard and Sir Henry Capel. The Whigs had already deflected the attempts of Tory speakers to exploit the incipient division between radical and conservative Whigs. Now they listened for form's sake while Legge, Laurence Hyde, and Daniel Finch⁸⁹ repeated the familiar Tory arguments. Then they called for a vote on the Bill. Once again, the outnumbered Tories declined a contest; the Bill passed without a division. Lord Russell and "others," including Tom Wharton, were assigned the duty of carrying the Exclusion Bill to the House of Lords.

Lord Russell and his companions were in no hurry to risk their precious bill in the Lords, where the Tories had a "very strong natural majority"⁹⁰ and where the omens had recently become unfavorable. The Whigs had hoped that a smashing victory in the Commons, together with enthusiastic support of the City of London and the influence of their newly acquired friends at Court, would convince the King and the Tory peers that resistance was hopeless. On 8 November, however, their one-time friend and recent nemesis Halifax had announced that he would continue to support the King's "limitations" policy; and on 9 November the King himself reiterated his determination to keep the succession in the "right line of descent." He had told the Commons in effect to quit wasting their time with exclusion bills and get on with the prosecution of the Plot.⁹¹ On the same day, the Earl of Conway predicted to the Duke of Ormonde that the Lords would reject an Exclusion Bill by a margin of fifty to thirty, without counting the bishops, who would certainly support the King.⁹² In view of such developments, the Whigs held up their Bill until the City officially asked the King to agree with the Commons and until the House had made it clear that there would be no money for Tangiers until after the Lords had acted on Exclusion. Meanwhile they excused their delay on the ground that they expected shortly to receive "such irrefragable evidence of the Duke's being in the Plot as will induce the Lords to pass the Bill."⁹³

By 15 November the Whigs had stalled as long as they decently could. The King had rejected the City's advice and postponed his financial problems; and of course the "irrefragable evidence" (like the fabled black box) had failed to materialize. Obligated at last to present their Bill to the Lords, the Commons sent a "great crowd"⁹⁴ of Members along with Lord Russell. Virtually the entire membership of the House, along with a large deputation from the City, was on hand for what turned out to be a very famous debate.

It is an ironic fact that there is no detailed record of the arguments that Tom and his colleagues heard--no Anchtell Grey or his equivalent in the House of Lords. The Manuscript Minutes of the Lords merely note that the peers resolved themselves into a Committee of the Whole House "for more freedom of debate";⁹⁵ and contemporary reports, mostly from secondary sources, give general impressions of the debate rather than the actual substance of the speeches. All accounts agree that Shaftesbury and Halifax were the chief debaters for the opposing sides; most accounts agree that Halifax had the better of the argument--that he answered Shaftesbury on all major points and even raised two or three theoretical objections that the Bill as written had

failed to consider.⁹⁶ No account tries to reproduce the speeches that were delivered in the seven-hour debate.

On the other hand, the absence of a transcript of the debates is probably no great loss to history or biography. By 15 November 1680, the major arguments for and against Exclusion and limitations were as well known in the Lords as in the Commons--as familiar, that is, as the streets of London. It was a dull peer indeed who had to be enlightened on the political issues; and it is unlikely that the arguments (any more than the analogous arguments in the Commons) changed a significant number of minds. Certainly they did not sway any Whartons. What Halifax's eloquence did was to reassure conservative peers that their position was defensible, that they could support limitations without being Papists in masquerade, and that at worst they could postpone radical surgery until they had tried other remedies. Halifax's continued presence in the King's camp, it should be added, was probably more important than his oratory.⁹⁷ By refusing to be swept along by the Whig tide and by offering "strong and public opposition" to Exclusion, Halifax set an example of courage for any waverers among the Tory peers. He furnished the kind of reinforcement Charles needed to back his own declared rejection of Exclusion. At the end of the exhausting day, the "natural majority" of Tory lords and all fourteen bishops in attendance remained in line. By a vote of 61 to 32 they carried a motion to put the question (thus ending further debate); and by a vote of 63 to 30 they carried the motion that the Bill should be rejected.⁹⁸ Tom Wharton and his MP friends were compelled to stand helplessly by while their Bill, which had passed the Commons *nemine contradicente*, was thrown out by the Lords without so much as a second reading or a conference between the Houses.

The defeat, though not entirely unexpected,⁹⁹ was shattering to the Whigs. Their elaborately constructed machine had hit a stone wall. When the Commons reassembled next day to survey the wreckage, they were still too numb to take action. It was not until 17 November that they began to pick up the pieces. Then, "in a flame," the Whigs resumed their attacks upon the fools and knaves who were subjecting England to the hazards of a popish succession. There was no lack of villains. Besides individual renegades like Halifax, Jeffreys, and Scroggs--all of whom had defected to the enemy--there were whole classes of "Protestant Papists" who needed flailing. The Commons began on 17 November by agreeing to address the King to remove Halifax from his service; and that evening their friends in the City conducted another pope-burning as ornate and impressive as the spectacle of 1679. This time, an agent warned the King that the Duke of York was to be "burned in effigy in the name of *Ninny* writ in great letters."¹⁰⁰ The report proved false. The Whig clubs contented themselves with adding abhorers, Papists in masquerade, and Roger L'Estrange (as Towser)¹⁰¹ to the popish procession. Only the pope's effigy and Towser's went to the bonfire. The event, nevertheless, had become completely partisan--a Whig demonstration rather than England's defiance to Rome.

Among the classes of enemies who had foiled Exclusion, none was more conspicuous than the bishops. Their unanimous opposition in the Lords had turned a Whig defeat into a rout; their continued presence in the Upper House virtually guaranteed the defeat of any future exclusion measure or of any bill condemning the King's friends. It made many of the Whig parliamentary maneuvers futile and helped to turn Whig frustration into rage. The impression that the bishops had single-handedly defeated the Exclusion Bill, though not true in fact, was true enough in spirit

to provoke a blast from a witty Whig satirist.¹⁰² His ballad against the "jolt-heads" who had made James "as safe as a thief in a mill" suggested not obscurely that the bishops had sold both church and state to Rome when they had "thrown out the bill."¹⁰³

One stanza of the ballad was devoted to the frustrations of "Tom" Wharton:

Tom Wharton, who stood behind Sir Nicholas Carew
To confront, as he thought, the plenipotentiary
Little thought that when rudely he had rail'd out fill
The bishops, the bishops would have thrown out the bill.

The author, obviously, had named the wrong Wharton. It was Goodwin who had replied to Sir Leoline Jenkins (once the King's plenipotentiary at Nijmegen) and who had rudely "rail'd out his fill" at the Duke. Tom had not given a speech on Exclusion.¹⁰⁴ The satirist was not wrong, however, in stating that Tom supported Sir Nicholas Carew, one of the leading Exclusionists, nor in the implication that Tom would be outraged when the bishops gave the coup de grâce to the all-important Bill.

Two years later, Tom's disgust with the bishops for what he regarded as their suicidal devotion to divine right and their intolerance of dissent would lead him and his scapegrace brother Henry to perpetrate an outrage of their own.¹⁰⁵ Meanwhile, during the debates on the Exclusion Bill, Tom "little thought" that a time would come, after the Revolution, when as leader of the Whig Party he would find the Whig bishops among his staunchest supporters--when bishops would be asking him for help against their firebrand subordinates.

Tom's actual contribution to the Whig cause in the Commons, besides helping to decide election petitions and voting for Exclusion, seems to have been modest. During the Whig vendetta against abhorrrers and Tory judges, he spoke in support of the attack on Jeffreys. Believing that the committee's report censuring Jeffreys for the attempt to stifle petitions had not been strong enough, Tom suggested recommitting the report to make it "perfect."¹⁰⁶ The House believed, however, that its charges against Jeffreys were adequate. Without recommitting the report, the Members agreed (as we have noted) to address the King to remove Jeffreys from all public offices.¹⁰⁷

Tom and his friends, it must be added, wasted a great deal of breath in their attempts to remove Jeffreys,¹⁰⁸ Halifax, Laurence Hyde, Clarendon, Feversham, and Worcester from office and from the King's councils. With a two-to-one majority in the Lords, Charles could not be coerced into dismissing his Tory supporters. The Commons were similarly frustrated in impeachment proceedings. There was little chance that the House of Lords (the judges in impeachment trials) would convict the King's officers of high crimes and misdemeanors. The Commons intended to impeach Justices Sir Francis North, Sir Thomas Jones, and Sir Richard Weston for various Tory malefactions; and on 7 January 1680 they actually brought charges against Sir William Scroggs before the Lords.¹⁰⁹ The Lords could not refuse to hear the case, but they did refuse to confine Scroggs, or even to suspend him from his judicial duties, while the trial was pending.¹¹⁰ The Parliament was prorogued before a trial date was set; and the Lords, who would probably have acquitted Scroggs in any case, were spared the trouble (and possible furor) of a state trial.¹¹¹ The Whigs were equally unsuccessful in their impeachment of ex-Speaker Sir Edward Seymour, whom they accused of diverting funds voted by the Commons.

Like the Scroggs impeachment, the Seymour case did not come to trial, but Seymour would probably have been acquitted if it had.¹¹²

Tom's other contribution to the debates seems to have been a speech in support of a proposed "Association."¹¹³ Modelled after the Association of Queen Elizabeth's reign when the Catholic Mary Queen of Scots was heiress-apparent to the English throne, the Association was designed to prevent Catholics from profiting by an assassination. In the language of the proposed bill, there was to be "an Association of all his Majesty's Protestant subjects for the safety of his Majesty's person, the defence of the Protestant religion, and the preservation of his Majesty's Protestant subjects against all invasions and oppositions whatsoever, and for preventing the Duke of York, or any papist, from succeeding to the crown."¹¹⁴

Tom, who had himself been purged from the county government, pointed out that places of "command or trust" in the central government, the military, the corporations, and the counties were being filled with men who were either openly in the Duke's interest or "not fit to make any opposition to the designs carried on by the popish party." Any official who might offer opposition was "presently discharged as if he were a traitor to his country." Since the Protestant party could not depend for security upon the official government structures, since the Exclusion Bill, the only truly effective defense against popery, had been defeated, and since there was a "partition-wall" of ministers between the King and his people, the best available protection was an Association after the Elizabethan precedent, with additional provisions aimed at the abettors of a popish succession.

For the time being, Tom and his colleagues wasted their oratory, except for its possible value as propaganda outside the walls of Parliament. An Association bill, as an alternate method of excluding James from the throne, had no serious chance of passing in the Lords (as even Lord Russell conceded). As a model for future action, however, the proposed Association became important--especially to Whigs like Tom. Shortly after Tom joined William of Orange at Exeter in 1688, an Association was formed to support the Revolution and to guarantee vengeance against King James and his supporters if anything happened to William.¹¹⁵ Later, in 1696, after a Jacobite assassination plot against William had failed, a formal Association bill was approved by both Houses and the King. This famous Association, in effect a test of loyalty to the Revolution government, proved to be a powerful asset to the Whig supporters of King William.¹¹⁶

While the Whigs in the Commons were banging their heads against a political wall, King Charles was enduring frustrations of his own. In the hope of getting money from the Commons he had expedited the trial of Lord Stafford, whom he had earlier suspected of complicity in the Plot but now believed to be innocent. As events worked out, he lost both Lord Stafford and the money. This time, with an opportunity to try Stafford, the Commons did not insist upon trying Danby first or arguing the theoretical rights of bishops in treason trials; nor did the bishops (who left quietly before the trial began) insist upon hearing the preliminaries.

The trial of Lord Stafford lasted from 30 November to 7 December.¹¹⁷ Held in Westminster Hall, with the House of Lords as judges and a committee of managers from the Commons as prosecutors,¹¹⁸ it was attended by the entire House of Commons and many other fascinated spectators. Now, more than two years after the first delations of Titus Oates and the

hysteria caused by the Godfrey murder, the trial was something like a status report on the Popish Plot. Practically speaking, the Lords were being called upon to rule upon the credibility of Plot in general, as well as the guilt or innocence of William Howard, Viscount Stafford, in particular. The managers for the Commons, in fact, began their case with a review of the evidence for the Plot.

Since the days when the words of Oates were gospel, his stories had been subjected to sharp criticism, but the general belief in a popish conspiracy had not been severely shaken. Both Houses had declared *nemine contradicente* their belief that a "hellish plot" had existed for some years in England, and they would soon declare without formal dissent that a cognate plot existed in Ireland.¹¹⁹ The perception remained that although Oates and Bedloe might have lied or erred about this or that detail (and certainly in their charges against the Queen), they had been right about the overall plans for Catholic subversion. The Catholic cause had been further injured by attempts to buy off witnesses and by the abortive Mealtub Plot--the attempt to manufacture a "Presbyterian Plot." Defense witnesses had acquired an additional handicap--the suspicion of having been suborned--to go with the traditional belief that Catholic witnesses were given dispensations to lie in court.

Given these advantages, the prosecutors for the Commons had no trouble in proving to an already convinced House of Lords and an even more fervently convinced House of Commons that there was indeed a Popish Plot. Though Bedloe had died in August (after re-affirming on his death bed his testimony concerning the Plot), Oates was still healthy, and the prosecutors called, in addition, Stephen Dugdale, Robert Jennison, and one John "Narrative" Smith to give evidence upon popish plans for the recapture of England. The success of the prosecution in reaffirming the Commons' version of the Plot can be illustrated by the words of Lord Chancellor Heneage Finch, Lord Daventry, as he summarized the case after the Lords had given their verdict. Chief legal officer for the Crown, Lord High Steward at the trial, and an impeccable Tory, Finch asked Stafford (and the world in general) a series of rhetorical questions:

Does any man now begin to doubt how London came to be burnt? Or by what ways poor Justice Godfrey fell? And is it not apparent by these instances that such is the frantic zeal of some bigoted papists that they resolve no means to advance the Catholic cause shall be left unattempted, though it be by fire and sword?¹²⁰

The task of proving that Lord Stafford was involved in the Plot was somewhat more difficult, but not insuperable. Here the Commons' star witness was Stephen Dugdale, ex-Steward for the wealthy Catholic Lord Aston. Dugdale had come forward two years earlier to corroborate Oates's story of a military conspiracy led by Catholic lords and to give specific evidence against Stafford, whom he accused of having tried to recruit him for the cause. A Catholic himself and genuinely knowledgeable about English Catholics, both lay and clerical, he had given circumstantial details that at first had seemed weighty to the King himself. It had since been alleged that Dugdale had been discharged by the young Lord Aston (who had succeeded his father in April 1678) for having used his employer's funds to pay off gambling debts. This charge alone, however, could not invalidate his testimony on the Plot, even it could be proved.¹²¹ Dugdale obviously knew all the people he testified against; he had obviously had

the opportunity to learn the things he professed to know; and he was a cool, socially respectable, and convincing witness. Now he testified once again that Lord Stafford had offered him £500 to assist in the plot to kill the King.¹²²

Dugdale was followed by Titus Oates, who had awarded himself a doctorate from the University of Salamanca since his early appearances before the King's Council and the two Houses. Oates repeated his story of delivering a military commission to Stafford for the intended rising, and he testified as well that he had met Stafford on several occasions in the company of popish conspirators. As usual, Oates used his detailed knowledge of Catholic clerics and their London haunts to great advantage.

Oates was followed by a third witness, an ex-Dominican, ex-Benedictine, and ex-soldier in the French army named Edward Turberville, who had first declared on 9 November that at Paris in 1676 Lord Stafford had tried to recruit him to murder King Charles. He had not made his accusation earlier, he now explained, for fear of being assassinated himself. It was only recently that he had been assured of adequate protection. Turberville, who knew Paris very well, made good use of circumstantial detail after the manner of Titus Oates. It was at Lord Stafford's lodging, he said, at a "corner-house" in "La Rue de Beaufort" that Stafford asked him "to take away the life of the King of England, who was a heretic and consequently a rebel against God Almighty."¹²³

In defending himself, Stafford suffered two severe disadvantages: he was obliged to serve as his own defense attorney, and he was obliged to prove negatives against the sworn testimony of three well prepared witnesses. He was allowed no counsel at all until the second day of the trial; and even then his appointed counsellors were to advise him only on legal points, not on the material evidence.¹²⁴ He was obliged to conduct his own examinations and cross-examinations in opposition to some of the finest barristers in the kingdom; and in Oates and Dugdale he was obliged to confront two of the most practiced and imperturbable witnesses in English legal history. His defence, furthermore, was conducted before a hostile audience, which had to be restrained from voicing its approval when the prosecution made crucial points.

In spite of his handicaps, Stafford made a valiant effort to impeach the witnesses against him--to exploit the weaknesses that had been pointed out in the testimony of Oates and his abettors since Oates had first appeared before the Privy Council.¹²⁵ But though he called numerous witnesses and made passionate denials, he did not succeed in proving perjury. Oates and Dugdale had been schooled by their mistakes, and the managers for the Commons had become experts in repairing damaged evidence. The prosecution witnesses could not be shaken on the incriminating aspects of their sworn testimony, and of course Lord Stafford could not prove negatives--that he had *not* tried to employ Dugdale and Turberville to murder the King and that he had *not* accepted the Pope's commission to be paymaster of the Catholic forces. After Sir William Jones, leading for the managers, had given a masterful summary of the case,¹²⁶ dissecting the testimony of Stafford's witnesses and explaining away the apparent difficulties in the evidence for the prosecution, a substantial majority of Lords agreed with the Commons. Polled one by one, beginning with the most junior baron and ending with Prince Rupert, the Peers declared by a vote of fifty-five to thirty-one that Stafford was guilty of treason.¹²⁷

What Tom Wharton thought of the sensational trial he attended is not recorded.¹²⁸ What his father thought is well documented. Lord Wharton, to no one's surprise, voted with the majority. On the fourth day of the trial when Lord Stafford asked to have the Privy Council Register brought in to prove that Oates had sworn that he was a doctor and that he had met Don John of Austria in Madrid, Lord Wharton reminded the Lord Steward that the House of Lords had agreed, after consultation with the judges, that "no book should be sent for out of court."¹²⁹ This letter-of-the-rules observation indicated Lord Wharton's attitude clearly enough. He had served on a committee of both Houses "to adjust the methods and circumstances" of Stafford's trial;¹³⁰ and he had no inclination to grant exceptions to the agreed-upon restrictions for the benefit of a man whom he judged to be guilty as charged.

Though hard-core Exclusionists like Lord Wharton voted heavily for the conviction of Lord Stafford, the verdict was not a party triumph. Twenty-four peers who had voted against Exclusion declared upon their honor that Stafford was guilty. The Tory Earl of Conway, for example, who had predicted and voted for the defeat of the Exclusion Bill, voted for conviction, as did John Sheffield, Earl of Mulgrave (later Duke of Buckingham), a consistent Yorkist and eventually a leader in the Tory party. More notable were the guilty votes of the Lord Chancellor, the Lord Privy Seal, the Lord President of the Council, and of Prince Rupert, the highest ranking nobleman in the House of Lords.¹³¹ The "natural majority" of conservative lords melted away in the face of the sworn testimony, the forensic skills of the managers, and the ingrained anti-Catholic prejudice of the peers. Only thirty-one unpersuadable, mostly Tory nay-sayers were left to vote for acquittal.¹³²

The overwhelming majority for conviction meant that Charles, who had professed himself eager to bring the accused lords to trial, could hardly nullify the decision of the peers by pardoning Stafford--even if there were no danger of provoking a riot. At best he could prevent Stafford from being hanged, disemboweled, and chopped into four pieces (the punishment prescribed for traitors) and commute the sentence to a simple beheading. Nor could he gain credit for having accelerated the legal processes. The perception remained that he had delayed justice as long as possible--until, that is, he badly needed money. The Commons, still smarting from the rejection of the Exclusion Bill, were not mollified by the conviction of Stafford. Certainly the House was in no mood to trust Charles with money and men to relieve Tangiers or to undertake a military alliance against France. It was more important to save England from popery, the Whigs argued, than to save Tangiers or even the Low Countries from the French. There would be no money, they informed the King in an address of 20 December, until James was removed from the succession.¹³³

In view of this impasse, the session was doomed. The Lords busied themselves with schemes for limitations,¹³⁴ which the Commons regarded as futile; and the Commons, as we have seen, made useless attempts to impeach their enemies. Both Houses carried on investigations of the Plot in England and Ireland and advocated measures for disarming papists and removing them from strategic places. They also devised plans for the relief of Protestant Dissenters. But all these projects came to nothing. On 7 January 1680, the Commons repeated their refusal to vote money unless James was excluded from the throne, and they declared further that anyone lending money to the government would be considered an enemy of

Parliament.¹³⁵ With no hope of coaxing subsidies from his obdurate House of Commons, Charles prorogued the session on 10 January and dissolved the Parliament on 20 January.

Before the next Parliament, which would meet at Oxford on 21 March and produce a famous episode in English political history, Tom Wharton would be obliged to win another Buckinghamshire election--this time in partnership with the elder Hampden. He would also meet a crisis in his marriage. Anne, his wife, became ill, and he would take her to Paris, where it was hoped that a change of weather and a change of physicians might restore her health. Tom would return in time to do his duty in the final Exclusion Parliament. Charles II, meanwhile, was making secret arrangements to receive subsidies from his cousin Louis XIV and rid himself of parliaments for the rest of his life.¹³⁶

NOTES

1. For the extent to which Danby continued to advise and influence the King from the Tower, see *Danby*, i, 334-38.
2. "The danger of *England*," Colonel Henry Mildmay declared in the Commons on 25 March 1679, "is not so much by Papists, as by Protestants in masquerade...." Grey, vii, 53. The phrase achieved a certain popularity to describe Protestant supporters of a Catholic succession (very soon to be called *Tories*). In the elaborate "pope burning" of 17 Nov. 1680, several "Protestants in Masquerade" were included in the procession. O. W. Furley, *The Pope-Burning Processions of the late Seventeenth Century*, *History*, N. S., xlv (1959), 21.
3. *State Trials*, vii, 591-689; Kenyon, pp. 168-76; Evelyn, iv, 173-75; Burnet, ii, 225-28.
4. For the trial of Jesuits Thomas Whitbread, William Harcourt, John Fenwick, John Gavan, and Anthony Turner, on 13 June 1679, see *State Trials*, vii, 311-418; for the trial, next day, of Richard Langhorn, legal agent for the Jesuits and other English Catholics, see *State Trials*, vii, 418-90. See also, Kenyon, pp. 157-65; Burnet, ii, 220-24.
5. "Get men of Courage," an anonymous pamphleteer advised, "who will not be Hector'd out of their Duties by the Frowns and Scowls of men: never had you more need to pitch upon the old English Spirit, that durst be faithful and just against all Temptations." *A Seasonable Warning to the Commons of England [London], 1679*, p. 4.
6. "Pray see, that you chuse *Sincere Protestants*," an Exclusionist pamphleteer warned, "men that don't play *Protestant in Design*, and are indeed *Disguised Papists*...." *England's Great Interest in the Choice of This New Parliament [London, 1679]*, p. 4.
7. Above, ch. XI, pp. 11, 13-14, n. 31.
8. Sir Ralph and his son Edmund appeared at Aylesbury to support Tom. When the election was shifted, Sir Ralph instructed his steward William Coleman to inform his son John (in London) that he intended to camp out with the Wharton forces and accompany them to Buckingham. William Coleman to John Verney, 20 Aug. 1679, BL, Verney, M 636/33. Next day, after the election, he wrote John a vivid and valuable description of the Wharton-Hampden triumph. Sir Ralph Verney to John Verney, 21 Aug. 1679, BL, Verney, M 636/33.
9. In a poem written after the town election, an Exclusionist rhymester lampooned the "Pensioner" Temple, the "Traitor's Son" Latimer, and the voters who elected them. According to the poet, Temple and Latimer, obviously in the interests of the Duke and the Pope, had bribed seven of the thirteen electors in the corporation--men who would have elected Sir George Wakeman in return "for a town hall" (the town hall, that is, that "Timber" Temple had allegedly

promised to build). The venality of the town, the poem concluded, epitomized England's danger: "Thus *Buckingham* hath led the way/To Popery and Sorrow;/Those seven knaves who made us slaves/Would sell their God tomorrow." *The Sale of Esau's Birth-right; or The New Buckingham Ballad* (dated Buckingham, 16 Sept. 1679, but probably written and printed in London). Carswell (*Old Cause*, p. 55) suggests the interesting possibility that Tom himself wrote the lampoon, which in wit and invective is a worthy precursor to his famous song "Lillibulero."

10. *A Letter from a Freeholder of Buckinghamshire to a Friend in the Country, concerning the Election of the Knights of the said County* (dated "From Alisbury, August 23, 1679," but probably printed in London), p. 2.

11. Sir Ralph Verney to John Verney, 21 Aug. 1679, BL, Verney, M 636/33.

12. In the Exclusionist version of the episode, the Sheriff provoked his fall by striking a parson with his whip for shouting "A Wharton, A Hampden"; whereupon the parson spurred his horse into the Sheriff's horse and knocked the Sheriff to the ground. *A Letter from a Freeholder....*, p. 3. In the Court Party version, the Sheriff's horse slipped and fell with him as he spurred to go around a crowd at the entrance to the town. *A True Account of what passed at the Election....*, p. 3. Sir Ralph Verney merely notes that the Sheriff fell from his horse. Letter to John Verney, 21 Aug. 1679, BL, Verney, M 636/33.

13. The Sheriff (according to a Tory pamphleteer) did not demand a poll, but only asked whether a poll had been offered. He considered himself legally obliged to raise the question of a poll, however futile an actual poll might be. *A True Account....*, p. 3.

14. Sir Ralph Verney to John Verney, 21 Aug. 1679, BL, Verney M 636/33.

15. *The Answer of the Burgesses and other Inhabitants of the Parish of Buckingham to a late scandalous Pamphlet set forth by Sir Timber Temple* (dated, Buckingham, 16 Sept. 1679, but probably written and printed in London), p. 3.

16. For the election at East Grinstead, see *HC, 1660-90*, i, 422. Goodwin does not discuss the election in his autobiography, and I have found no correspondence about it in the Wharton papers.

17. Goodwin Wharton to Tom Wharton, 25 Aug. 1679, Carte 228, fol. 121. It is possible that Goodwin got the story from Rochester (Anne Wharton's uncle), who was present at Court during the episode.

18. Burnet, ii, 237.

19. For the symptoms of what late 20th-century physicians might call a severe case of "flu," see Henry Thynne to the Duke of Ormonde, 26 Aug. 1679, HMC, *Ormonde*, N. S. vi, 191; Sir Robert Howard to Ormonde, 27 Aug. 1679, HMC, *Ormonde*, N. S., vi, 193-94.

20. "At my return" [to London from the country], Algernon Sidney wrote to Henry Savile on 8 September, "I found men's minds more disturbed than ever I remember them to have been, so as there is no extremity of disorder to be imagined that we might not probably have fallen into if the King had died." *Letters of the Honourable Algernon Sydney to the Honourable Henry Savile, Ambassador in France* (London, 1742), p. 143.
21. For a succinct modern summary of the danger, see James Rees Jones, *The First Whigs*, p. 87.
22. James actually received the message from Sunderland, then Secretary of State. James, Duke of York, to William, Prince of Orange, 7 Sept. 1679 [N. S.], HMC, *Foljambe*, p. 137.
23. Carte 228, fol. 121.
24. Haley points out (*Shaftesbury*, p. 547) that Shaftesbury was home in Dorset during the crisis and did not return to London until 20 September; he was not in town conspiring with Monmouth.
25. Even Sir Thomas Armstrong, Monmouth's right hand man, betook himself to Windsor (where he was snubbed by James), and Titus Oates offered to exonerate James once more (as he had done the year before) from any complicity in the Plot. *Shaftesbury*, p. 546.
26. Knowing the King's irritation with petitions and petitioners, Lord Wharton refused to add his name to a petition signed by sixteen other peers or to join a group of nine peers who presented the petition to Charles on 7 Dec. 1679. He said that "his heart was with them, but neither hand nor foot." William Denton to Sir Ralph Verney, 8 Dec. 1679, HMC, App. 7th Rept, p. 496.
27. *CSPD*, xxi (1679-80), 309. The Proclamation, published in the London Gazette, went on to describe the petitions as "got up by evil-disposed persons, to which they endeavour to procure the signatures of multitudes, tending to promote discontent and rebellion." For the reaction of the Whig majority when Parliament finally assembled, see below, p. 12.
28. Charles felt impelled to reprimand the Mayor and Aldermen of York for having failed to receive James "with the respect due him." He ordered that "whenever his Royal Highness shall come again to York, you do not fail to attend and receive him in the like manner as he was received some years ago...." *CSPD*, xx (1679-80), 270.
29. Sir Thomas Wharton, Tom's uncle, was one of the men who entertained the Duke's party in Yorkshire. Sir Thomas Wharton to the Duke of Ormonde, 7 Nov. 1679, HMC, *Ormonde*, N. S., v, 234-35.
30. Goodwin, writing to Tom on Monday, 25 Aug., explains that Sir George Lockhart's "buisnesse with our sister is concluded and to be perfected this weeke." Carte 228, fol. 121. The marriage was actually "perfected" on 2 Sept.

31. The *DNB* mistakenly dates the birth of young George 1673 (six years before his parents were married) instead of 1680, when it actually occurred--sometime before 24 November--the date of a letter from his mother informing Lord Wharton that his grandson is well and resembles him. Philadelphia (Wharton) Lockhart to Lord Wharton, 24 Nov. 1680, Carte 228, fols. 159-60. Daniel Szechi in his excellent edition of George Lockhart's letters dates George's birth 1681--a year too late--on the basis of George's statement that he was eight at the time of his father's death. *Letters of George Lockhart of Carnwath*, ed. Daniel Szecki, Scottish History Society, 5th Ser., v. 2 (Edinburgh, 1989), xiv, n. 3. George, who was born in late 1680, had not turned nine by 31 March 1689, when his father was assassinated.
32. Young George, who became a staunch Jacobite, also became, through his memoirs and letters, a major source of Jacobite history. Principle works include, [George Lockhart] *Memoirs Concerning the Affairs of Scotland....* (London, 1714), 3 edns.; *The Lockhart Papers....*ed. Anthony Aufrere, 2 vols. (London, 1817); and *Letters of George Lockhart of Carnwath*, ed. Daniel Szechi, Scottish History Society, 5th Series, v. 2 (Edinburgh, 1989).
33. Above, ch. VIII, pp, 5-6, nn. 16, 17.
34. Mary married Sir Charles Kemeys, a Welsh baronet, in 1678; her correspondence with Sir Charles and with her brothers, now in the National Library of Wales (Kemeys-Tynte MSS), is a rich source of information about the Whartons.
35. Hore, iii, 138. Hore, who quotes Lord Anglesey's diary for his account of the race, was unable to decipher the word that followed *black* in the description of Tom's horse. I have supplied the word *gelding* on the assumption (possibly mistaken) that it was the same animal described by Colonel Edward Cooke a year and a half later as "a famous black gelding of Mr. Wharton's." Col. Cooke to the Duke of Ormonde, 24 March 1681, HMC, *Ormonde*, N. S., vi, 818.
36. John Verney to Sir Ralph Verney, 24 Nov. 1679, HMC, App. Rept 7, p. 477b. Verney identifies the Wharton involved in the incident as the "parliament man"; that is to say, Tom, not Henry. For "Madam" Sue Willis and her establishment in Lincoln's Inn Fields, see John Harold Wilson, *Court Satires of the Restoration* (Columbus, Ohio, 1976), pp. 294-95.
37. "Jack" Howe was John Grubham (or Grobham) Howe (1657-1722), son of MP John Grubham Howe (1625-79), who represented Gloucester in the Cavalier Parliament. Jack was himself elected to Parliament in 1689 as a vociferous Whig; he later became a vociferous Tory and a political enemy of his former crony Tom Wharton.
38. For George Porter, Junior (nicknamed "Nobbs"), see *Court Satires of the Restoration*, p. 275.
39. The Club was organized as a political entity during the early furor over the Popish Plot. The first entry in its journal is dated 14 Nov. 1678. "The Journall of y^e Green Ribbon Clubb at y^e King's Head Taverne over against y^e Temple in Fleet Street," PL, MS 2875, p. 468. On 1 Nov. 1679, the Club resolved that a pope should be burned on 17 Nov. in honor of the "famous Prot.

Queen" and referred the matter to a five-man committee ("Journall," p. 478). The lavish pageant that was produced in 17 days testifies to the efficiency of the committee and the wealth of the Club, which had 162 members in its heyday. For the list, see "Journall," pp. 489-91.

40. The anonymous Whig pamphleteer who describes the celebration of 1679 does not mention the Club; he calls the patrons "a Number of Worthy *True Protestant Gentlemen.*" *Londons Defiance to Rome, a perfect narrative of the magnificent procession, and solemn burning of the Pope at Temple-Barr, Nov. 17th, 1679* [London, 1679], p. 2.

41. The parade is pictured in an anonymous broadside, *The Solemn Mock Procession of the Pope, Cardinalls, Jesuits, Fryers, &c through y^e City of London, November y^e 17.th; 1679*. It is discussed in detail by Sheila Williams, "The Pope-Burning Processions of 1679, 1680, and 1681," *Journal of the Warburg and Courland Institutes*, xxi (1958), 102-16. See also a lively description by John Verney to Sir Ralph Verney, 20 Nov. 1679, HMC, App. Rept. vii, p. 477.

42. Your Popish Plot and Smithfield threat

We do not fear at all,
For Loe beneath Queen Besses feet,
You fall, you fall, you fall.

--*Londons Defiance to Rome*, p. 4.

43. For the restraint of the Whigs and the absence of mob violence throughout the Exclusion Crisis, as well as an excellent discussion of the pope-burnings of the period, see John Miller, *Poperly and Politics in England 1660-1688* (Cambridge, 1978), pp. 182-88. See also, Kenneth Harold Dobson Haley, *Politics in the Reign of Charles II* (Oxford, 1988), pp. 48-49.

44. Southwell to Ormonde, 25 Nov. 1679, HMC, *Ormonde*, N. S., iv, 561.

45. "Journall," pp. 489-91.

46. "Journall," p. 489. Goodwin's name does not appear again in the Club journal.

47. Below, ch., p.

48. At a dinner at Shaftesbury's London house on 6 Nov. 1679 (says Edmund Warcup), Shaftesbury "fell on Mr Wharton about being with the heads of both parties." "The Journals of Edmund Warcup, 1676-84," ed. Keith Feiling and F. R. D. Needham, *EHR*, xl (1925), 246-47. Although Tom had two prominent Tory brother-in-laws (Lord Norreys and the Earl of Lindsey) Shaftesbury was probably reproving Tom for being friendly with men like Halifax and Essex (Shaftesbury's former friends and recent rivals), not with genuine Tories. By this time, it should be noted, Essex was becoming disenchanted with the King's government. He would resign his post as a commissioner of the Treasury on 17 Nov. 1679.

49. Thomas Dangerfield, who helped to confect and then discredit the so-called "Mealtub Plot," lists three clubs besides the "meeting" at the King's Head Tavern--one at the Green Dragon

Tavern in Fleet Street, one at the Sun Tavern behind the Royal Exchange, and one "at a Chandler's House" in Westminster. *Mr. Tho. Dangerfields Particular Narrative...* (London, 1679), pp. 30-33. See also, Sir George Sitwell, *The First Whig* (Scarborough, 1894), pp. 197-203. Tom Wharton is not named on any of the rosters, nor in "The Cabal," a 1680 Tory satire against the Whig leaders and the Green Ribbon Club. *POAS*, ii, 328-38.

50. Writing to his brother Christopher, Lord Hatton, on Saturday, 29 Nov. 1679, Charles Hatton explains that on "Thursday night, about ten a clock," Monmouth "came privatly to Capⁿ Godfrey's house in Covent Garden, and stay'd there till one y^e next morning, and then he went to his own house...." *Hatton*, i, 203. Captain Godfrey was Charles Godfrey, who in 1678 was commissioned as a captain in Monmouth's regiment of horse. He was a younger brother of Sir Edmund Berry Godfrey and of Michael Godfrey, later Governor of the Bank of England. (Haley mistakenly says [*Shaftesbury*, p. 558] that Monmouth stayed with Michael.) For the long friendship between Charles Godfrey and Tom Wharton and a sketch of Godfrey's career, see *Old Cause*, p. 45n.

51. See Southwell to Ormonde, 28 Oct., 1 Nov., 3 Nov., 4 Nov., and 8 Nov., 1679, HMC, *Ormonde*, iv, 552-58.

52. For good accounts of the Duke's reception in London, see Charles Hatton to Christopher, Lord Hatton, 29 Nov. 1679, *Hatton*, i, 203-04; Sir Charles Lyttelton to Christopher, Lord Hatton, 29 Nov. 1679, *Hatton*, i, 206; Col. Edward Cooke to the Duke of Ormonde, 29 Nov. 1679, HMC, *Ormonde*, N. S., v, 245; Southwell to Ormonde, HMC, *Ormonde*, N. S., iv, 561-62. Southwell was wakened at five A. M. on the morning of 28 Nov. "by the sound of the bells and a succession of some bonfires" that welcomed Monmouth home.

53. Charles Hatton to Christopher, Lord Hatton, 29 Nov. 1679, *Hatton*, i, 204. One of the fires belonged to the Green Ribbon Club, who had ordered on 28 Nov. that a bonfire should be made at the expense of the society "to express the joy they have receiv'd by y^e safe arrival of his Grace y^e D of M." "Journall," p. 479.

54. He later made one satiric exception to his defiance. He would agree to leave England, he said, if the King would send Sunderland, Lauderdale, and the Duchess of Portsmouth along with him. Southwell to Ormonde, 20 Jan. 1680, HMC, *Ormonde*, N. S. iv, 575.

55. For the King's orders and the distribution of Monmouth's offices, see *CSPD*, xxi (1679-80), 292-95; Colonel Edward Cooke to the Duke of Ormonde, 2 Dec. 1679, HMC, *Ormonde*, N. S., v, 247-48.

56. Charles Hatton to Christopher, Lord Hatton, 29 Dec. 1679, *Hatton*, i, 205. Monmouth, says Hatton, is "visited by very few, except those who are neerly related or depend on him. I heare not of any noblemen, except y^e L^d Shaftesbury and y^e L^d Wharton, who were this day with him at his house in Hedge Lane, as I wase inform'd by one who saw them there."

57. For their reservations about Monmouth, see *Shaftesbury*, p. 593.
58. This important point is well made by James Rees Jones, *The First Whigs*, p. 113.
59. The loyalty of the London militia to the King proved to be an important factor in maintaining order during the Exclusion Crisis. As it turned out, the Trained Bands, who were called out in force in 1678 to protect London against popish invasion or insurrection, were willing and able to police pope-burnings and to discourage possible Whig demonstrations. See David Allen, "The Role of the London Trained Bands in the Exclusion Crisis, 1678-81," *EHR*, lxxxvii (April, 1972), 287-303.
60. HMC, *House of Lords*, i (1679-80), 174. The remodeling of the peace commissions brought on a parliamentary investigation in November 1680.
61. See above, ch. V, pp. 10-11, n. 21.
62. The story of a mysterious black box containing "a paper" to prove a marriage between King Charles and Monmouth's mother was industriously spread during the spring and summer of 1680. On 26 April, Sir Gilbert Gerrard was called before the Privy Council and questioned by the King about a report being circulated that he had actually seen such a document. Required by the judges to testify upon oath, Gerrard finally declared that he had not seen the "pretended" paper. The King then declared once more under oath that he was never married to Monmouth's mother. Charles Hatton to Christopher, Lord Hatton, 27 April 1880, *Hatton*, i, 225.
63. After Monmouth made a "progress" through Wilts, Somerset, and Devon in late August and early September of 1680, a two-page pamphlet appeared crediting him with a miraculous cure of the king's evil--evidence, of course, that he was a true prince. According to the story (vouched for by the minister of the parish of Crookhorn, Somerset, and several others), a young woman of twenty who had suffered from severe scrofula for ten years touched Monmouth's bare hand and said "God bless your Greatness." Monmouth, in turn, said "God bless you"; and within a few days her running sores were dried up, a lump in her breast was dissolved, and an eye that had been "given for lost" was "perfectly well." *His Grace the Duke of Monmouth Honoured in His Progress in the West of England in an Account of a most Extraordinary Cure of the Kings Evil* (London, 1680). This account triggered a witty Tory pamphlet which credited Monmouth's illegitimate half-sister (child of Lucy Walters by a different father) with the ability to cure scrofula--a gift which she (like her brother) had inherited from her mother. The miraculous cure she effected was attested to by several Whig notables, who were to follow Monmouth to the Tower of London and see (from a safe distance) whether the lions there would recognize a true prince. *A True and Wonderful Account of a Cure of the Kings-Evil by Mrs. Fanshaw, Sister to his Grace the Duke of Monmouth* (London, 1681).
64. It appealed, however, to Robert Ferguson, who conceded that the black box was a romance but argued in effect that bad titles make good kings. [Robert Ferguson] *Letter to a Person of Honour concerning the Black Box* [London, 1680].

65. By the autumn of 1680, the possibility that Charles might remarry had become a straw for Tories to clutch at in the arguments against Exclusion. If we remove the Duke by law and declare Mary his successor, Lawrence Hyde said in the preliminary debates on the Exclusion Bill, "the King may marry again and have a successor." Grey, vii, 402. After the defeat of the Exclusion Bill by the House of Lords, the Lords wasted some time by mooting the possibility of annulling the King's marriage. Shaftesbury even proposed a bill to that effect. On Friday, 19 Nov., the Lords scheduled a debate on the issue for the following Monday, but the debate was never held. HMC, *House of Lords*, i (1679-80), 209; *HLJ*, xiii, 678.

66. Even Shaftesbury (according to his biographer) "found it prudent not to commit himself publicly to any one solution of the problem [of succession]. He was commonly supposed to be in close association with Monmouth (though not with all the Duke's friends, such as Ralph Montagu), but there is no means of knowing whether he made any specific promises to him. He may still have been undecided, or he may have preferred to remain uncommitted; and in any case it was prudent to enlist all factions of the opposition in the effort to declare James incapable of succeeding, before he had to divide them by naming the successor." *Shaftesbury*, p. 593.

67. A copy of "Reasons wherefor the D. of Y. may most strongly be reputed and suspected to be a Papist," can be found in Carte 81, fol. 610. The signers are listed as "Huntington, Shaftesbury, Grey of Werke, Russell, Cavendish, Brandon, T Wharton, Gilb:[ert] Gerrard, [Sir] S[crope] How, [Sir] Edw: Hungerford, [Sir] Hen. Calverly, T Thinn [Thomas Thynne], [Sir] Wm Cowper, Wm Forrester, J Trenchard, Ld Clare, Sr Rowl[and] Gwinn, Wm Wandesford." Apparently, the signers, who were foiled when they attempted to deliver their "Reasons" to the Middlesex Grand Jury on 26 June 1680 and again on 30 June, intended to try again at the beginning of Michaelmas term. The Carte copy is labeled "Mich: Terme 1680."

68. John Verney says that the group consulted "Jones" [probably Sir William Jones, former Attorney General, but possibly Sir Thomas Jones, Justice of the King's Bench], "who told them 'twas not law"; that is, that the "old statute" did not apply. John Verney to Sir Ralph Verney, 30 June 1680, HMC, App., Rept. 7, 479a.

69. For an example of what John Verney calls "early notice," see the statement of one Thomas Adamson sworn before Roger L'Estrange, *CSPD*, xxi (1689-80), 528-29.

70. John Verney to Edmund Verney, 30 June 1680, 1 July 1680, HMC, App. Rept. 7, p. 479; Francis Gwyn to the Duke of Ormonde, 26 June 1680, 3 July 1680, HMC, *Ormonde*, N. S. v, 339, 342.

71. *Reasons for the Indictment of the D. of York, Presented to the Grand-Jury of Middlesex, Saturday June 26. 80. By the Persons here under-nam'd, [London, 1680].*

72. "A presentment being prepared for a Grand Jury... against Your Majesty's said Brother the Duke of *Yorke*..., the Grand Jury were, in an unheard-of, and unprecedented, and illegal manner, discharged; and That with so much Haste and Fear, lest they should finish that Presentment, that

they were prevented from delivering many other Indictments by them at that time found among other Popish Recusants." *HCJ*, ix, 666.

73. *HCJ*, ix, 697.

74. Luttrell, i, 57.

75. *HCJ*, ix, 637, 640, 645. Tom was not assigned to the prestigious 15-man committee that brought in the Exclusion Bill nor to the large committee that investigated what abhorers "had offended against the rights of the subject" in opposing petitions.

76. *HLJ*, xiii, 610. The Commons did not record the King's speech in their Journal.

77. If in his sudden enthusiasm for pursuing the Plot and the alleged plotters, Charles sounds willing to trade a few Catholic heads for the safety of his brother and some money for the relief of the garrison at Tangiers, it should be remembered that William Bedloe, one of the star witnesses against the accused peers, had died in August; and though he had testified on his death bed (in the presence of Lord Chief Justice North) that all his accusations were true, except that against Queen Catherine, his testimony could not be used in a new trial. Charles may well have thought that "the strict and impartial enquiry" and the "speedy trial" he recommended to Parliament might result in acquittals for Lord Stafford and his fellow peers. For the problems of the prosecutors, see Kenyon, pp. 200-203.

78. Tangiers had come to the English crown from Portugal as part of Queen Catherine's dowry. In 1680 it was under heavy attack.

79. For the concurrent maneuvers of Shaftesbury and his friends in the Lords, see *Shaftesbury*, pp. 593-601.

80. These included a swarm of witnesses brought over from Ireland to testify about the Plot there.

81. *HCJ*, ix, 640.

82. *HCJ*, ix, 640.

83. *HCJ*, ix, 643. The House also expelled Sir Robert Canne for having publicly declared that there was "no Popish Plot but a Presbyterian one." *HCJ*, ix, 642.

84. Above, ch. xi, pp. 24-25.

85. Grey, vii, 398.

86. See above, ch. X, p. 31.

87. The speech exists in three versions--two extended and one very brief. The first is the extended account taken down by Anchitell Grey in the House debates on 11 Nov. 1680 (Grey, vii, 448-49); the second is a version written by Goodwin sometime soon afterwards (Carte 109, fol. 396). The two accounts agree in substance, but Goodwin's version is longer and smoother, and assertion is sometimes changed to innuendo or otherwise toned down. I suspect that the Grey transcription is closer to what Goodwin actually said and that the second version is what Goodwin wished he had said--especially as he came under heavy criticism for remarks that even Lord Wharton deemed excessive. The brief third version of the speech reduces Goodwin's lengthy denunciation to a short paragraph, omitting the most violent charges and adding two standard allegations that Goodwin did not make. This version, which sounds restrained and sensible, appears in a Whig account of the debates and may well be what Goodwin's Whig friends wished he had said. *An Exact Collection of the most Considerable Debates in the Honourable House of Commons, at the Parliament held at Westminster the One and Twentieth of October, 1680,,,* (London, 1681), p. 89; reprinted in *An Exact Collection of the Debates of the House of Commons, held at Westminster, October 21, 1680.... With the Debates of the House of Commons at Oxford, Assembled March 21, 1680 [81]* (London, 1689), p. 89. The speech was to haunt Goodwin for years. *Goodwin Wharton*, pp. 2, 197-98, 231; *Autobiography*, i, 14; ii, 38-39, 90.

88. Grey, vii, 454-55. In 1680, George Legge, later 1st Baron Dartmouth, was Master of the Horse to James; at the time of the Revolution of 1688, he was Admiral of the English fleet. In the debates of 11 Nov. 1680, Legge offered what was to become an often-repeated Tory excuse for James's fateful change of religion. If his "Master" James was a papist, Legge declared, "God's Curse be on him that was the cause of it" (that is to say, the Puritan fanatics who had killed his father, driven him abroad, and exposed him to popish influences). Legge also repeated the standard Tory argument that Exclusion would entail a civil war, and he declared that he would fight on James's side.

89. Grey, vii, 450-51, 454-55, 457-58. Laurence Hyde, James's brother-in-law, was later Earl of Rochester; Daniel Finch, son of Lord Chancellor Finch, was later Earl of Nottingham (and still later nicknamed "Dismal"). Both men became leaders of the Church Party.

90. Esmond Samuel De Beer, "The House of Lords in the Parliament of 1680," *BIHR*, xx, No. 29 (Nov. 1943), 29-30.

91. *HCI*, ix, 649.

92. *HMC, Ormonde*, N. S., v, 486.

93. Grey, vii, 475.

94. Sir Leoline Jenkins to Charles, Earl of Middleton, 15 Nov. 1680, *CSPD*, xxi (1680-81), 86.

95. *HLRO*, MS Min., 15 Nov. 1680.

96. Since the English Parliament could not legislate for Scotland, the Exclusion Bill could not exclude James from the Scots throne. The Bill, in the language of Colonel Edward Cooke had the effect of "lopping off the whole kingdom of Scotland" from its close connection with England. The Bill also failed to provide for the possibility that Princess Mary might refuse the throne during the lifetime of her father, or the possibility that after his exclusion and Mary's accession, James might father a male heir. Cooke to the Duke of Ormonde, 20 Nov. 1680, HMC, *Ormonde*, N. S., v, 496.
97. For this point, see the excellent analysis of E. S. De Beer, "The House of Lords in the Parliament of 1680," *BIHR*, xx, no. 59 (Nov. 1943), pp. 29-30.
98. HLRO, MS. Min., 15 Nov. 1680.
99. Lord Conway's prediction of 9 Nov. proved to be remarkably accurate. The Tory victory margin was 49 temporal peers and 14 bishops against 30 temporal peers--twenty-four of whom (not including Lord Wharton) signed the protest that the House of Lords had authorized. *HCLJ*, xiii, 666. Burnet expresses some surprise that the Whigs had mustered thirty votes among the peers. Burnet, ii, 252.
100. *CSPD*, xxi (1680-81), 86-87.
101. L'Estrange fled to the continent during the furies of late 1680. In 1685 he was knighted by James II.
102. For the text, see "A Ballad, November 1680. Made upon Casting the Bill against the Duke of York out of the House of Lords," in *An Anthology of Poems on Affairs of State: Augustan Satirical Verse, 1660-1714*, ed. George deF. Lord (London, New Haven, 1975), pp. 262-67. Lord does not identify the author.
103. The Bishops likewise missed a chance to save the King from his own stupidity: "Old Rowley [Charles] was there to solicit the cause/ Against his own life, the church and the laws/ Yet he might have lived safely against his own will/ Had the bishops, the bishops not thrown out the bill."
104. See above, ch. X, pp. 22-23.
105. Below, ch. XIV, p.
106. Grey, vii, 462.
107. Grey, vii, 471.
108. Jeffreys resigned as Recorder (chief legal officer) of London, but he was not dismissed by the King. Jeffreys had been appointed by the London Court of Aldermen with the approval of the King. After he was attacked in the Commons, he resigned to save the King and himself

further trouble with the City. He was replaced as Recorder by Sir George Treby. He was not removed from the Recordership of Chester.

109. For the articles of impeachment, see *HLJ*, xiii, 736.

110. *HLJ*, xiii, 738. Scroggs was obliged to find sureties for his appearance. Christopher, Lord Hatton and Charles, Earl of Dorset agreed to be bound for £5,000 apiece as guarantors.

111. On 24 March, during the brief Oxford Parliament, Scroggs put in his answer to the charges and asked for a speedy trial, but the Parliament was dissolved before any action was taken on the case.

112. On 21 Dec. 1680, the Commons charged that Seymour, as Treasurer of the Navy, had accepted secret-service bribes from the Crown and had diverted moneys voted for the Navy to the use of the Army, thus enabling Crown to keep its "standing army" in being. On 23 Dec., Seymour put in his answer to the charges. The case was pending when the Parliament was dissolved. For the charges and the answers, see *HLJ*, xiii, 724-25, 727.

113. *An Exact Collection of the Debates of the House of Commons, held at Westminster, October 21, 1680...* (London, 1689), pp. 179-81. The long speech labelled "W" is not recorded by Grey. I have attributed it to Tom Wharton on the basis of the content.

114. *H CJ*, ix, 680.

115. See below, ch. XV, pp.

116. Below, Ch. , pp.

117. For the proceedings, see *State Trials*, vii, 1294-1599.

118. The managers for the Commons included lawyers Sir William Jones, Sir Francis Winnington, Sir John Maynard, Sir John Trevor, and Sir George Treby, as well as non-lawyers Henry Powle, William Sacheverell, Silas Titus, Sir Thomas Lee, Richard Hampden, and Paul Foley.

119. *HLJ*, ix, 699.

120. *State Trials*, vii, 1556-57; *HLJ*, xiii, 705.

121. Dugdale alleged that he left the Astons because he knew too much about the Plot and feared for his life.

122. *State Trials*, vii, 1343. Dugdale's accusation evoked a loud hum of approval from the audience. This brought a reprimand from the Lord High Steward, who warned the spectators against turning a solemn court into a theater.

123. *State Trials*, vii, 1353.

124. In laying down the rules, on 26 Nov., for the impeachment trial the Lords agreed that the "during the time that Members of the Commons do manage their Evidence in Matter of Fact, his Lordships is to use no Counsel." *HLJ*, xiii, 690. On 1 Dec. (the second day of the trial), at Stafford's request, the Lords assigned Richard Wallop, Edmund Saunders, and Thomas Hunt to serve as Stafford's counsel "in point of law." *HLJ*, xiii, 697. At the end of the trial Stafford raised five legal objections, which were all decided against him. *State Trials*, vii, 1491.

125. To the fervent Tory partisan Sir John Reresby, Stafford "pleaded for himself to a miracle." Reresby, p. 206. The Earl of Burlington, on the other hand, declared that he had never observed "a weaker defence" than that made by Stafford. Burlington to Ormonde, 4 Dec. 1680, HMC, *Ormonde*, N. S., v, 518.

126. *State Trials*, vii, 1493-1515.

127. In *State Trials*, vii, 1553, the vote for conviction is given as 55-31--a figure which checks with the votes of the individual peers as listed on pp. 1552-53. The Lords' printed *Journal* gives the totals as 54-32 (*HLJ*, xiii, 704), with a marginal memorandum that these figures, as announced by the Lord High Steward, do not agree with the totals derived from the individual votes.

128. Lord Wharton took extensive notes on the Stafford trial (Carte 81, fols. 678-79, 704-18); but I have found nothing in the Wharton correspondence that gives Tom's opinions on the conduct of the trial. I would be amazed if I found anything suggesting that Tom disagreed with the verdict. Among extant accounts of spectators who saw some or all of the proceedings are those of Gilbert Burnet, John Evelyn, Sir John Reresby, Francis Gwyn (a clerk of the Privy Council), Richard Butler, Earl of Arran, Richard (Boyle), 1st Earl of Burlington, and Col. Edward Cooke. See Burnet, ii, 269; Evelyn, 225-34; Reresby, pp. 205-06; and the letters of Gwyn, Arran, Burlington, and Cooke to the Duke of Ormonde, 30 Nov. to 7 Dec. 1680, HMC, *Ormonde*, N. S., v, 511-522, passim.

129. *State Trials*, vii, 1441. The "council book" would have done Stafford no good. Oates had not described himself as a doctor in his appearances before the Privy Council, and when King Charles had challenged his description of Don John, Oates had replied "that it was one they [the crafty Jesuits] called Don John, and he could say no more than he was told." This prompt and clever reply saved Oates from embarrassment and from any possible charge of perjury. See above, ch. IX, p. 24; Kenyon, p. 70. For the Lords' agreement on limiting the ability of the defense to send for documents, see *HLJ*, xiii, 697.

130. *HLJ*, xiii, 692.

131. The Lord Privy Seal (an office Tom Wharton would hold under George I) was Arthur (Annesley), 1st Earl of Anglesey; the Lord President (succeeding Shaftesbury) was John (Robartes), 1st Earl of Radnor. Edward (Conway), 1st Earl of Conway was later appointed by

Charles as Secretary of State. Among the lords who voted for conviction were four of Stafford's Howard relatives, all but one of the King's noble gentlemen of the bed-chamber, and such normally conservative peers as Heneage (Finch), 2nd Earl of Winchelsea, John (Egerton), 3rd Earl of Bridgewater, and Aubrey (de Vere), 20th Earl of Oxford.

132. For an analysis of the final votes, see Esmond Samuel de Beer, "The House of Lords in the Parliament of 1680, *BIHR*, xx (1943-45), 31. The figures, de Beer says, confute the notion that the trial was a judicial murder motivated by political partisanship, fear of reprisal, and a determination to continue to exploit the Plot. "The peers, or at any rate a great majority of them, voted sincerely; those who for any motives voted for Stafford's being not guilty were doing so against the whole course of the trial."

133. *HCJ*, ix, 685.

134. For the drastic provisions of the Lords' "Protestant Religion Security Bill," introduced on 29 Nov. 1680 and still under consideration when Parliament was prorogued on 10 Jan. 1680, see *HMC, House of Lords*, i, 220-22.

135. *HLJ*, xi, 702. People advancing money to the government, the House resolution warned, "shall be judged to hinder the sitting of Parliament and shall be responsible to the same to Parliament."

136. *Ogg*, ii, 614 and n. *Ogg* cites Baschet, Feb. 3/13, Mar. 4/14, Mar. 7/17, and Mar. 24/Apr. 3.

ABBREVIATIONS

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

Add.	Additional
BL	British Library
Corr.	Correspondence
<i>CSPD</i>	<i>Calendar of State Papers, Domestic</i>
<i>CTB</i>	<i>Calendar of Treasury Books</i>
<i>HCJ</i>	<i>Journal of the House of Commons</i>
HEH	Henry E. Huntington Library
<i>HLJ</i>	<i>Journal of the House of Lords</i>
HLRO	House of Lords Record Office
HMC	Historical Manuscript Commission
HS	Harleian Society
<i>IHCJ</i>	<i>Journal of the House of Commons...Ireland</i>
<i>IHLJ</i>	<i>Journal of the House of Lords...Ireland</i>
MS, MSS	Manuscript, manuscripts
NLW	National Library of Wales, Aberystwyth
<i>OED</i>	<i>Oxford English Dictionary</i>
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
<i>VHC</i>	<i>Victoria History of the Counties of England</i>

2. List of books and manuscripts cited by short titles

<i>Annals</i>	Abel Boyer, <i>The History of the Reign of Queen Anne, Digested into Annals</i> , 11 vols. (London, 1703-13).
Autobiography	The Autobiography of Goodwin Wharton, BL, Add. MSS 20,006-07.
Baxter	Stephen Bartow Baxter, <i>William III and the Defense of European Liberty, 1650-1702</i> (New York, 1966).
<i>Biog. Univ.</i>	<i>Biographie Universelle, Ancienne et Moderne...</i> , 2nd edn., 45 vols. (Paris, 1843-65).

- Burnet Gilbert Burnet, *Bishop Burnet's History of His Own Time*, ed. Martin Joseph Routh, 2nd edn., 6 vols. (Oxford, 1833).
- Calamy Revised* Arnold Gwynne Matthews, *Calamy Revised* (Oxford, 1934).
- Carte Bodleian Library, Carte MSS.
- CB *Complete Baronetage*, ed. G. E. C.[okayne], 5 vols. (Exeter, 1900-6).
- Clark Sir George Norman Clark, *The Later Stuarts, 1660-1714*, 2nd ed. (Oxford, 1955).
- CP *The Complete Peerage of England, Scotland, Ireland, Great Britain, and the United Kingdom*, ed. G. E. C.[okayne], rev. ed., 12 vols. (London, 1910-59).
- Dalrymple Sir John Dalrymple, *Memoirs of Great Britain and Ireland*, 2nd ed., 2 vols. (London, 1771-73).
- Dalton *English Army Lists and Commission Registers, 1661-1714*, ed. Charles Dalton, 6 vols. (London, 1892-1904).
- Danby Andrew Browning, *Thomas Osborne, Earl of Danby and Duke of Leeds*, 3 vols. (Glasgow, 1944, 1951).
- DBF *Dictionnaire de Biographie Française*, eds. J Balteau, M Barroux, M. Prévost, et al. (Paris, 1929--).
- DNB *Dictionary of National Biography*.
- E. R. Wharton Edward Ross Wharton, *The Whartons of Wharton Hall* (Oxford, 1898).
- Evelyn *The Diary of John Evelyn*, ed. Esmond Samuel de Beer, 6 vols. (Oxford, 1955).
- Goodwin Wharton* J. Kent Clark, *Goodwin Wharton* (Oxford, 1984; repr., London, 1989).
- Grey Anchitell Grey, *Debates of the House of Commons from the Year 1667 to the Year 1694*, 10 vols. (London, 1763).
- Hatton Correspondence of the Family of Hatton, ed. Edward Maunde Thompson, 2 vols. (Westminster, 1878); Camden Society Pub., N. S., vols. xxii, xxiii.
- HC, 1660-90 *The House of Commons, 1660-1690*, ed. Basil Duke Henning, published for History of Parliament Trust, 3 vols. (London, 1983).
- Holmes Geoffrey Shorter Holmes, *British Politics in the Age of Anne* (rev. ed. London, Ronceverte, 1987).

- Hore John Philip Hore, *The History of Newmarket, and the Annals of the Turf*, 3 vols. (Newmarket, 1885- 1886).
- Japikse *Correspondentie van Willem III en van Hans Willem Bentinck*, ed. Nicolaas Japikse, 5 vols. ('S-Gravenhage, 1927-37).
- Kemeys-Tynte NLW, Aberystwyth, Wales, Kemeys-Tynte MSS.
- Kennett White Kennett, *A Complete History of England*, 3 vols. (London, 1706).
- Kenyon John Philipps Kenyon, *The Popish Plot* (London, New York, 1972).
- Langley Thomas Langley, *The History and Antiquities of the Hundred of Desborough* (London, 1797).
- Lonsdale Cumbria RO, Carlisle, Lonsdale MSS.
- Luttrell Narcissus Luttrell, *A Brief Historical Relation of State Affairs from September 1678 to April 1714*, 6 vols. (Oxford, 1857).
- Macaulay Thomas Babington Macaulay, 1st Baron Macaulay, *The History of England from the Accession of James the Second*, ed. Sir Charles Harding Firth, 6 vols. (London, 1913-15).
- Macky John Macky, *Memoirs of the Secret Services of John Macky, Esq.* (London, 1733).
- Marlborough-Godolphin *The Marlborough-Godolphin Correspondence*, ed. Henry L. Snyder, 3 vols. (Oxford, 1975).
- Memoirs* *Memoirs of the Life of the Most Noble Thomas, Late Marquess of Wharton* (London, 1715).
- Mignet François August Marie Alexis Mignet, *Négociations Relatives à la Succession d'Espagne sous Louis XIV*, 4 vols. (Paris, 1835-42).
- NBG *Nouvelle Biographie Générale...*, 46 vols. (Paris, 1855-67).
- Ogg David Ogg, *England in the Reign of Charles II*, 2nd ed., 2 vols. (Oxford, 1955).
- Old Cause* John Carswell, *The Old Cause* (London, 1954).
- Parl. Diary* *The Parliamentary Diary of Narcissus Luttrell, 1691-1693*, ed. Henry Horwitz (Oxford, 1972).
- Parl. Hist.* *The Parliamentary History of England*, ed. William Cobbett, 36 vols. (London, 1806-20).

- POAS* *Poems on Affairs of State, Augustan Satirical Verse, 1660-1714*, gen. ed., George de F. Lord, 7 vols. (New Haven, Conn., 1963-75).
- Pol. State* Abel Boyer, *The Political State of Great Britain* 60 vols. (London, 1712-40).
- Rawlinson Bodleian Library, Rawlinson MSS.
- Reresby Memoirs of Sir John Reresby, ed. Andrew Browning (Glasgow, 1936).
- Sacheverell* Geoffrey Shorter Holmes, *The Trial of Doctor Sacheverell* (London, 1973).
- Shaftesbury* Kenneth Harold Dobson Haley, *The First Earl of Shaftesbury* (Oxford, 1968).
- Speck William Arthur Speck, *Tory and Whig, the Struggle in the Constituencies, 1701-1715* (London, New York, 1970).
- State Trials* *A Complete Collection of State Trials*, ed. T. B. Howell, 21 vols. (London, 1811-26).
- Surv. London* Greater London Council, *Survey of London*, vol. i--(London, 1900--).
- Trevelyan George Macaulay Trevelyan, *England Under Queen Anne*, 3 vols. (London, 1930-34).
- Verney Bucks. RO, and BL, microfilm collection of Verney family letters in Claydon House.
- Wharton Bodleian Library, Wharton MSS.

