

# DEBATE IN THE HOUSE OF COMMONS

27 April 1679

William Harbord (1635–1692), Member of Parliament for Dartmouth (1661–1679) and Thetford (1679–1685)

...I shall say something to the occasion of your meeting upon this extraordinary day. It is “for the security of the King’s person and for the preservation of the Protestant religion established by law.” Nothing can be so fatal to our religion, and by consequence our laws and liberties, as the danger of the first. Should His Majesty fall by any unhappy stroke, it would not be in our power to defend the Protestant religion long. The way to do it is to take away those men that are likely to destroy him, which are the Papists.

And though it is not always convenient to take precedents from ill times, yet, upon this occasion, I hope you will pardon me if I make use of one. There were gentlemen in the late times of usurpation who exposed their lives and fortunes for the King’s restoration, called “Cavaliers.” Cromwell found that nothing so much obviated their designs as to banish them from London, and he did it only by an act of state—an order of council formed into a proclamation—such a one as did execute itself.

Many Catholics will now take the oaths and, under the notion of inhabitants, creep into Houses. Now since the danger of the King’s person is so great, by reason of their villainous conspiracies, I move that there may be an order for bringing in a bill to banish all Roman Catholics from this City, etc. for some time, and I hope that, in the interim, we may make such laws as may put power into such hands as may preserve us. My meaning is that no Papist shall stay in town but upon very good Protestant security. Unless you take some such course with these sort of men, you can have no safety.

Thomas Bennett (c. 1645–1688), Member of Parliament for Shaftsbury (1677–1685)

I will speak to the order of the day. It is my opinion, and ever was, that the King cannot be safe unless the Papists be nothing. They have as great a zeal to bring in their King at Brussels, or here (some say he is here<sup>1</sup>), as the Cavaliers had to bring in this King during the Rebellion. As to the plot, etc., I believe this design has been carrying on, ever since Lord Clifford’s Ministry,<sup>2</sup> for destroying the King and making the Duke to succeed, and the thing was so very near effecting that, if you had not discovered it, it might before now have been done. Coleman’s letters to the Pope, cardinals, and French King’s confessor were all penned and sent by the Duke of York’s command.

I consider truly how hard a work you have upon your hands. The Duke of York has as much right to succeed his brother, if he die without heirs (which God forbid!) as my son has to inherit my estate after me. Therefore I desire that by some law we may have power to arm ourselves against him, if he would bring in Popery amongst us. If the King have a son, then we are out of fear; but if a way cannot be found out that the King may have a son, then we are to go another way to work. I do believe that this plot had not been carried on without the Duke of York’s approbation, and that being so, you are to go another way to work.

We know that Henry VII was attainted; should the Duke be so, the lawyers will tell you “that the possession of the Crown clears away all attainders.” I would have the lawyers speak to it, and I would not sleep till something was done to secure the King’s person and the Protestant religion.

Thomas Mostyn (1651–1692), Member of Parliament for Caernarvon Boroughs (1679–1685)

The Duke of York, I believe, is not the only occasion of our apprehensions of Popery, etc. It was his quality, not understanding [he meant the plot; it occasioned a loud laughter] that the Papists took encouragement

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<sup>1</sup> James (1633–1701), Duke of York

<sup>2</sup> Thomas Clifford (1630–1673), Baron Clifford of Chudleigh — Comptroller of the Household (1667–1668), Treasurer of the Household (1668–1672), and Lord High Treasurer (1672–1673)

from. But still the Duchess of Portsmouth<sup>1</sup> is here; from whom I apprehend as great danger as from the Duke of York.

Sir John Knight, Member of Parliament for Bristol (1660–1681)

What will signify banishing the Papists out of town for four or five months unless you secure a Protestant succession? When idolatry was set up in Israel, then they were led away captive, etc. What we aim at is only for posterity and but for our souls, and this is a proper day for that consideration, that we may overcome those persons that would subvert our religion, which the very gates of Hell cannot prevail against.

I think it not safe to let the Duke be out of the nation. And in the last Parliament it was a reason given against our addressing the King for removing the Duke for some time from Court. I do not know of what ill consequence it may be for the Duke to be in the hands of those contrivers of the destruction of both King and Kingdom. The Duke has had letters and correspondences from the Jesuits, and now he is amongst the thickest of them. I would address the King, therefore, to let him see how much it is for his interest to persuade the Duke to be a Protestant, and to order the Duke to return into England.

Sir Hugh Cholmley (1632–1689), Member of Parliament for Northampton (Feb–Aug 1679)

I have a heart full of sorrow for the occasion of our meeting today, and of this day's debate. It is a sad supposition that the presumptive heir of the Crown should change our religion. The short question is whether there is any safety for the Crown whilst the Papists wish the King dead. We can never be safe till it be the Papists' interest to have the King amongst the living, that their condition may be never the better for having a King of their own religion. Therefore, till you make it the interest of the Catholics to wish the life of the King, you do nothing. In general, I must say this, that we must do something as in the case of an infant or lunatic—such an extraordinary case must have an extraordinary way.

Thomas Pilkington (1628–1691), Member of Parliament for the City of London (1679–1690)

The Israelites halted betwixt two opinions—God and Baal. They put away Baal and returned to the worship of God, and were happy. I would have a committee to consider what has been proposed.

Sir Thomas Player, Member of Parliament for the City of London (1679–1681)

I cannot but take notice of one motion. I would be resolved from the gentleman that moved it whether it be a Protestant motion or no — [It was from Cholmley, but that part of his speech the compiler did not well hear.] He offered it as a way to render the King's person more secure that the Papists be put into a condition of more ease by being freed from severe laws, thereby not to be provoked to attempt anything against the King.

Sir Hugh Cholmley

What I proposed was but by way of supposition. I believe it is impossible to plant Popery to any purpose in England unless they persuade the King to be a Papist, and all the Protestants in England to be Papists too; else it will never be their interest to make attempts upon the King's person.

Sir Thomas Player

We have to do with people of principles to destroy the King and our religion, and that is the greatest part of their religion, and which they hope to merit most by. And whilst they retain those principles, we have no moral security from them unless we serve them as they would us; that is, root them out. We are come to that pass now that Protestants and Papists cannot live together in England; and whilst the Papists have a prospect of a Popish successor they will never be quiet, but be always making attempts upon the King's person.

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<sup>1</sup> Louise de Kérouaille (1649–1734), Duchess of Portsmouth — French mistress of Charles II, she was widely hated by the English as a Catholic and as a French spy. When a crowd mistook Nell Gwynne, another of Charles' mistresses, for Portsmouth, Gwynne replied "Pray good people, be civil; I am the Protestant whore."

Consider whither you were going. It is but a few years and a few months since offices of the highest trust were in the Duke of York's disposal; they paid more reverence to the successor than to the King himself, and here lay the weight of our misfortunes. The King, a Protestant, upon whom we must depend, neglected, unapplied to; the Duke, a Papist, adored. And why? Because he concerned himself to model England according to his own turn. From whence came modeling the militia, the justices of peace, all the fortifications of England? Were they not of his modeling? And then came out the plot to destroy the Protestants as if they had all but one neck to be cut off at once.

I do acknowledge myself to be one of those weak men that can see danger, but know not how to offer you remedy, so great mischiefs do we lie under! But at present I will presume to adventure to offer something to your consideration.

Some time ago I saw considerable papers and transactions betwixt the Duke and the Pope. I did scarce believe it till I saw it. Some from His Highness to His Holiness gave him occasion of so great joy (and surely they must be considerable letters that made His Holiness so merry), and yet they made the old man weep, and that bespeaks excess of joy. Some time before there was notice given of such letters coming, but they gave great trouble at Rome that they came not; but when they were received, His Holiness returned the Duke a most kind and obliging answer, and Her Highness the Duchess was presented from the Pope with a holy token of consecrated beads and other fine things which I do not understand, and I hope never shall. When the Duke's daughter was married to the Prince of Orange, the Duke vindicated himself from being guilty of it, and the Pope was satisfied with it.

What has been transacted lately by Lord Danby in having money given from France that England might be governed without Parliament, and so enslaved forever? And this was done during the Duke's prevalency upon the ministers. Now I move that you will be pleased to choose a committee to examine all the papers that can be had relating to the Duke, etc. and to extract all things done by the Duke in setting up Popery and arbitrary government, and whatever he was concerned in that matter, and report it to the House.

Sir Robert Markham (1644–1690), Member of Parliament for Grantham (1678) and Newark (1679–1685)

I cannot believe but that the Philistines will be upon us as long as the daughters of the Philistines are amongst us. I humbly move that the Act of Association of 27 Elizabeth may be read.

Sir William Franklyn (c. 1640–1697), Member of Parliament for Thirsk (1671–1685)

Our laws, liberties, and all that should protect us are at stake now, and are fit to be taken care of; and yet there is something more necessary, and that is the life of the King (which God long preserve!) There is danger from the Papists; they get ground upon us to our destruction. It must be fear that must keep them quiet; and let them see that when that fatal blow is struck, the Kingdom will rise as one man to prevent the effects of that blow. Let the Act of Association of 27 Elizabeth be read, and from thence take some measures for the preservation of the King's person.

Sir John Trevor (c. 1637–1717), M.P. for Bere Alston (1679–1681)

The papers mentioned, relating to the Duke of York, are in the hands of the Committee of Secrecy, and you may command them when you please.

Thomas Bennett

If you will have the Duke of York come to the Crown, as other Kings do, speak plain English. If you intend that, I will prepare to be a Papist.

William Leveson-Gower (c. 1647–1691), M.P. for Newcastle-under-Lyme (1675–1681)

I move to have that part of the Act relating to the Queen's servants, exempting such a number from the Test, etc. repealed.

Sir Richard Cust (1622–1700), M.P. for Lincolnshire (1653) and Stamford (1679–1685)

When Henry VII came to the Crown, it took away all disability upon him by attainder. But his greatest strength to the Crown was not by his match with the Lady Elizabeth, but by declaration of his title by Parliament. What if, for your present security, you made an address to the King with an humble proposal that all offices may be put into such hands (for the people's satisfaction) as shall be recommended to His Majesty in Parliament, and that those offices should not become void, nor be filled up, upon the death of the King but by Parliament. I see nothing can render such a proposal undutiful in presenting it, the present state of things considered, and by this means you will be sure of a Parliament upon demise of the King. This I offer as my humble opinion.

Henry Coventry (c. 1618–1686), M.P. for Droitwich (1661–1685) and Secretary of State (1674–1680)

I have heard various opinions today for remedy of the dangers we apprehend. We are in great danger, and the remedy is very difficult. The Statutes of Elizabeth and Henry VII are of great moment. That of Elizabeth is not taken for an universal pattern, but adapted to a present emergency only. I desire not a court to be set up as in the Statute of Association. I would have no new court to meddle with men, or the heirs of the Crown. Let us have our own laws, else we shall fall into aristocracy. I never saw a lawful successor of the Crown disappointed but, first or last, he came back to the Crown again.

To say because a thing has been so, it may be so, and because a thing has not been so, it may not be so is as bad. For by that statute that gave Henry VIII power to dispose of the succession of the Crown by his last will and testament, he might have given the Crown to his footman, if he pleased, and made him king, and by law too. But surely there were never greater betrayers of their trust than that Parliament was to give the Crown to an arbitrary prince to dispose of how he would.

If we are tender of the succession, pray let us be more tender of the King, and not take that power from him so essential to the government. Shall we in Parliament bring the King to judgment (as is moved)? That all officers of the militia or the courts, etc. shall not be named but by us, I have as little hope of succeeding in that as I have reason to be of the opinion of it that we should think to carry the King with us, and take from him that government that must support us and him. As to the Papists, they have deserved as ill, and intended as ill, as possible, and it is but justice to extirpate them, but those measures must be prudential not to proclaim our intentions before we are able to maintain them.

Lord Willoughby, when he was at Barbados, sent order to the French, who had part of Nevis Island, to quit the island by such a day. The English and they had lived neighbourly together long; they wondered at it, but when he came to take possession of the island, he found that the French had cut the Governor's throat and made themselves masters of the island. Provide yourselves first to maintain any great resolution you shall take against the Papists. Now, at such a time that you make a declaration of so high a nature as you are about, set some day apart to consider how to put the nation in a posture of defence, else you put the Papists upon revenge, and yourselves in no posture to execute anything.

Colonel John Birch (1615–1691), M.P. for Leominster (1646–1661), Penryn (1661–1679), and Weobley (1679–1685)

...The declaration of the succession by Parliament is no new thing. I am sure it proved well in Queen Elizabeth's time. I know not the occasion of affairs in Henry VIII's time, but the Queen's time is parallel to ours as to the fears of a Popish successor. Interest will not lie....

I am the weakest in this great assembly, but on this point I cannot stay myself. I would support the government to the highest, but this plastering and patching spoils all. It must not be the addition of four or five persons to the Council that will do it; it must be thoroughly done. When there are no reserves, and when the King fears nobody, when that is done, we shall answer the rest. If the King fell by the hands of violence, the saying that never a Papist should survive him long, so resolutely here by some Gentlemen, has, I think, saved the King hitherto.

Till you admit no claim to the Crown till there be an examination of the King's death in Parliament, you may be safe. As for the Duke of York, I can scarce speak of him without tears. I hope he will come over to us; but I shall never desire to see that day he should be King without it. We know what the Law of England says if any man go over to the Church of Rome. Coleman said (when you appointed a committee to go to him) "I have done nothing but by my master, the Duke's order." I have a kindness for the Duke, but I have bowels of compassion for the Kingdom, too. I move therefore "that a bill may be brought in that at the fall of the King by any violent stroke (which God forbid!) no person come to the Crown of England till that be examined."

*[Coventry and Birch exchanged accusations about corruption and bribery...]*

Thomas Bennett

We have been cheated sufficiently of our money; pray let us not be cheated of our debate about a Protestant successor, too.

Colonel John Birch

If you go not up the stream, you will go down. Pray, Mr. Speaker, hold us to any debate that has been proposed, or move what you please.

William Sacheverell (1638–1691), M.P. for Derbyshire (1670–1685)

Now a Bill has been moved, pray make it effectual. It was moved "to banish the Papists twenty miles from London, and every one of them not to stir five miles from home, etc." whether you will order it, though they have houses in town, etc.

Sir Francis Russell, M.P. for Tewkesbury (1673–1690)

I move for an explanatory vote "That the Duke of York is the occasion of all these jealousies of the Papists"; and so have the Lords concurrence to it, and then you will have some ground to go upon.

Hugh Boscawen (1625–1701), M.P. for Cornwall (1646–1659, 1660), Grampond (1660), and Tregony (1661–1689)

As to what is said by Secretary Coventry of "being sworn to the King's lawful successors," what is so by Act of Parliament is lawful and it is *præmunire* to say to the contrary, by the Statute of Queen Elizabeth. There will be no means imaginable of preventing Popery if that doctrine pass that laws, etc. signify nothing to bind a successor; then give up the case without any more ado. It is not in your power alone to propose a successor, without the Lords, etc. That encouragement which the Papists have had has been from the Duke of York; no man can say the contrary. The plot for introducing Popery and all the consequences, etc. had its rise from that unfortunate prince's declaring himself of another religion.

William, Lord Russell (1639–1683), M.P. for Tavistock (1660–1679) and Bedfordshire (1679–1683)

I think we are but trifling hitherto. What the gentleman said that spoke last comes home to the point. It is high time to take consideration of this. If we do not something relating to the succession, we must resolve, when we have a Prince of the Popish religion, to be Papists or burn, and I will do neither. We see now by what is done under a Protestant prince what will be done under a Popish. This is the deciding day betwixt both religions. I am transported, I confess, both with spiritual and temporal concerns. I have abbey lands, but I protest before God and man I could not be more against Popery than I am, had I none. I despise such a ridiculous and non-sensical religion—a piece of wafer, broken betwixt a priest's fingers, to be our Saviour! And what becomes of it when eaten and taken down, you know.

The King, I believe, will do his part in this matter, if we do ours. In the last Parliament, I moved something of this nature, which was not a House to do great things; but I hope this House will neither be bribed, corrupted, nor cajoled, nor feasted into the giving up the grand concerns of our religion and property. Therefore I desire that a committee may be appointed to draw up a bill to secure our religion and properties in case of a Popish successor.

Sir John Trevor (c. 1637–1717), M.P. for Castle Rising (1673–1679) and Bere Alston (1679–1681)

It has been moved by this noble lord that a committee may be appointed, etc. As to limiting the succession, it is no new thing. In Henry IV's, Henry VI's, and Henry VII's time it was done, and laws are now in force made by some of them, though usurpers. And from those, I collect, why should it not be law under a lawful prince?

The entail of the Crown was in Henry VIII's time, after his divorce, first from Queen Catherine, etc., and there was a necessity for him to make that law, for had he not made it and disposed of the Crown to his issue by Anne Boleyn, and had not Henry VIII had that power, you would never have had the Protestant religion in England; the Crown would have descended upon Queen Mary, for Queen Elizabeth was disabled from succeeding to the Crown by particular Act of Parliament as daughter to Anne Boleyn. I conclude that it is in Parliament to regulate the succession of the Crown of England at any time, without limitation, especially when the law of God and religion are concerned, and no civilian can say a word against it.

As to the nomination of the officers of the militia and navy, etc. moved by Cust, it has been denied by the King to be done in Parliament. But this has been done, the Parliament Lords and Commons have desired the King to name them in Parliament to know whether they may be trusted or no. The King's eyes are closed; he knows nothing of the danger we are in, and the Commons have had always the liberty to tell the King that persons near him, that are entrusted by him, are false to him and traitors; and how should the King know it else? I therefore move that the officers of the navy and militia, etc. may be by the King told in Parliament that they may advise and inform him whether they be faithful and fit to be trusted, or not.

Sir Henry Capel (1638–1696), M.P. for Tewkesbury (1660–1689)

You have been told that the consideration of this day is of the greatest moment that ever was to this nation. This session of Parliament must quiet the minds of the people as to their fears of Popery and the succession, etc. or never. In Queen Elizabeth's time there were conspiracies against her when Mary Queen of Scots was taken off. In King James' time, the Gunpowder Treason. In the last King's time, a horrid rebellion that ended in his murder.

But here the Crown is under such a character as is more dangerous than all those, and from Popery came the notion of a standing army and arbitrary power. At Oxford, when the scholars cannot convince one another by argument, they throw loaves at one another's heads. Formerly the Crown of Spain, and now France, supports this root of Popery amongst us; but lay Popery flat and there's an end of arbitrary government and power. It is a mere chimæra, or notion, without Popery; and you have a good authority to put the question moved, etc.

Here was a proviso the last Parliament to exempt the Duke of York from the tests to be taken in the Lords' House, etc. I was against it, for I would not publish to the world that the Duke was a Papist. It is a law now, and I can say nothing against it; but I wish it be ever the better for him, or us. But now I would pass this vote, that the Papists have had all their encouragement from the Duke's being a Papist.

William Sacheverell

I am for part of the question, but not for the whole. I am not of opinion that the Duke of York has been the sole cause of the insolence of the Papists. There have been other causes.

William Garway (1617–1701), M.P. for Chichester (1660–1679) and Arundel (1679–1690)

I would not lay the cause solely upon the Duke, but that he has been a great cause, etc. This will reconcile the thing.

John Swinfen, M.P. for Tamworth (1661–1679)

The Duke of Tory's being a Papist has given encouragement to the whole Popish party for their attempts against the life of the King and the Protestant Religion. I move to have the question so altered.

Colonel Silius Titus (1623–1704), M.P. for Hertfordshire (1679)

If you say that the Duke has given encouragement, etc., who knows not that? Never put that into a vote. If the major part of the House does know that he is the sole cause, etc, I hope they will vote it. We know that the Duke has been the cause, but not the greatest encouragement to Popery, &c.

John Swinfen

The council of the King has failed him in the discovery of this horrible plot. The body of the Bishops have failed him, too. There are, by the informations, 360 Jesuits in England. They have their several provinces and dioceses; within the dioceses of the Bishops they hold synods, and all this has gone under the Bishops' noses; and I wonder that in their visitations not one of them should be found out, not at the assizes nor sessions. Thus has this plot grown up.

It now lies upon you. If you give it up, all is gone here, and throughout all the world, too. Both Coleman's letters are gone all the world over for the extirpation of heresy, etc., and no sort of religion can condemn you for taking care of your own religion. You will else be scorned. If you rise today and do nothing, you will deceive both the Papists and Protestants, and I would do neither. There is no going about to prove this encouragement of the Duke's, etc. All the world knows it, but I must say though there have been many motions made, I concur in this question, that the Duke, being a Papist, has given encouragement to Popery and the plot.

Richard Hampden (1631–1695), M.P. for Wendover (1660–1681)

I shall humbly propose that this may be the Question, viz., that the Duke of York being a Papist, and the hopes of his coming such to the Crown, have given the greatest countenance and encouragement to the present conspiracies and designs of the Papists against the King and the Protestant religion.

*Which question pasted Nemine contradicente,<sup>1</sup> and the Lords' concurrence was desired to it.*

Sir Richard Cust

If the Duke be found to have had a hand in the conspiracy, I know no reason but that the Duke may be impeached, though absent. And then there is a good ground for a bill to provide for a Protestant successor.

Henry Coventry

I have lately taken the Oath of Allegiance to the King and his successors, which implied the Duke of York; but I would have that statute read to show our country that we are not so nicely bound up by this oath as it seems to me we are.

*The statute of 30 Queen Elizabeth was read. The substance of which was as follows: "If any person hold, affirm, or maintain that the Queen, by authority of Parliament, is not able to limit and bound the succession of the Crown, and that what law, or laws, shall be made by the authority of Parliament is not, are not, and shall not be of sufficient force, etc. in possession, or remainder shall be judged a traitor, and every person so holding shall forfeit, etc."*

Sir Thomas Player

I am now convinced that I am not so near damnation as Mr. Secretary Coventry has told you, and that we are found Protestants in what we do. But you will find it absolutely necessary to alter the oath in the Militia Act about taking up arms against such as are commissioned by the King, etc. Under this King we are not under any temptation to break that oath. I believe nobody will plunder me or cut my throat. A Popish successor may send Popish guards, and we shall not have the honour of ancient martyrdom in flames, but die like dogs, and have our throats cut; and I must not take up arms to defend myself against such rogues. Considering how near we are to that danger, let us do something speedily that we poor Protestants may be secured from Popish successors.

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<sup>1</sup> *nemine contradicente* — without dissent

John Trenchard (1640–1695), M.P. for Taunton (1679–1685)

The matter of a bill upon the whole debate is more easily justified than the manner contrived. I move that you will appoint a day for the letters relating in this point to the Duke of York to be brought to you.

Sir John Trevor

The letters are from the Cardinal of Norfolk<sup>1</sup> and Father Anderton from Rome which relate to the Duke of York. The Committee of Secrecy has no use to make of those letters for evidence against the Lords in the Tower<sup>2</sup> but to show how the plot has been carried on at Rome. There is another packet of letters of the Earl of Berkshire's on the same subject, which were never yet read in the House.

*Ordered, That the Committee of Secrecy do bring the papers of writing in their custody and report the effect of those which relate to the Duke's being concerned in the plot.*

*Debates of the House of Commons From the Year 1667 to the Year 1694* (London: Henry, 1763), VII:137–152.

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<sup>1</sup> Philip Thomas Howard (1629–1694), younger brother of the Duke of Norfolk and Catholic Cardinal (1675–1694)

<sup>2</sup> In 1678, the House of Commons accused the Earl of Danby of suppressing evidence of the Popish plot and began impeachment proceedings against him. On 21 April 1679, Parliament order the Earl imprisoned in the Tower of London pending the trial.