



**NUI MAYNOOTH**

Ollscoil na hÉireann Má Nuad

**The duke of Ormond, the Popish Plot, and the Exclusion Crisis, 1677-82.**

by

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## Summary

This thesis is concerned with rectifying a largely unexplored aspect of Restoration Ireland—that of how politics conducted between all three Stuart kingdoms was seen from the perspective of, and impacted upon, the Irish government. It accomplishes this in three ways: first by using the discovery of several Catholic plots and the resultant political instability in England and Scotland to expose the tensions inherent in the duke of Ormond's position as lord lieutenant of Ireland; second by highlighting the dynamics of instability that distorted his position during such periods and finally by outlining how the duke of Ormond undertook to manage such tensions and re-establish his position in the Stuart political nation. In so doing this thesis arrives at a more representative picture of the role and position of the Irish government and kingdom within the Stuart monarchy before the accession of James, duke of York. It begins with the political fallout of Titus Oates's discoveries in September 1678 before detailing the fragility of Ormond's position because of the political upheavals in England and Scotland. By early 1680 growing animosity between the crown and the Whigs compelled the latter to use unconstitutional means to assert their position and embarrass the duke of York by proving that his key ally Ormond had suppressed evidence about an Irish Catholic plot. In late 1680 the Whigs brought this plot before parliament to prepare the ground for the duke of York's exclusion. However at this moment of crisis and despite his dire financial straits Charles II refused to have the institution of monarchy circumscribed by parliament. From this point onwards Ormond's position strengthened gradually culminating in his arrival in London to participate in the overthrow of the Whig political ascendancy in London.

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## ABBREVIATIONS

Abbreviations used in the footnotes and bibliography are listed below. They consist of (a) the relevant items from the list in *Irish Historical Studies*, supplement I (Jan. 1968) and (b) abbreviations, on the same model, for sources and works not included in the *Irish Historical Studies* list.

<b>Bodl. Carte MS</b>	<b>Carte Manuscripts in the Bodleian Library, Oxford</b>
<i>Cal. S. P. dom.</i>	<i>Calendar of the state papers, domestic, 1547-1695</i> (81 vols, London, 1867-77)
<i>D. N. B</i>	<i>Dictionary of National Biography</i>
<i>E. H. R</i>	<i>English Historical Review</i> (London, 1886- )
<i>Egmont MSS</i>	<i>Reports on the manuscripts of the earl of Egmont</i> (H. M. C., 2 vols, London, 1905-9)
<i>Fortescue MSS</i>	<i>The manuscripts of J. B. Fortescue, Esq., preserved at Dropmore</i> (H. M. C., 10 vols, London, 1892-1927)
<i>Hastings MSS</i>	<i>Report on the manuscripts of the late Reginald Rawdon Hastings, esq.</i> (H. M. C., 4 vols, London, 1928-47)
<i>History</i>	<i>History: the quarterly journal of the Historical Association</i> (London, 1916- )
<i>Hist. Jn.</i>	<i>The Historical Journal</i> (Cambridge, 1958- )
<b>H.M.C</b>	<b>Historical Manuscripts Commission</b>
<i>I. E. R.</i>	<i>Irish Ecclesiastical Record</i> (171 vols, Dublin, 1864-1968)

- I. H. S.*** ***Irish Historical Studies: the joint journal of the Irish Historical Society and the Ulster Society for Irish Historical Studies (Dublin, 1938- )***
- Ormonde MSS*** ***Historical Manuscripts Commission, Calendar of the manuscripts of the marques of Ormonde, preserved at Kilkenny castle (new ser., 8 vols., London, 1902-20)***
- Oxford D.N.B*** ***Oxford Dictionary of National Biography (60 vols, Oxford, 2004)***
- Portland MSS*** ***The manuscripts of his grace the duke of Portland, preserved at Welbeck Abbey (H. M. C., 10 vols, London, 1891-1931)***
- Seanchas Ardmhaca*** ***Seanchas Ardmhaca: journal of the Armagh Diocesan Historical Society ([Armagh], 1954-)***

## CONVENTIONS

Stylistically spellings from contemporary sources have been modernised and dating is according to Old Style or Julian calendar for the day and the month but according to New Style or Gregorian calendar for the year beginning on the 1 January.

*I would like to dedicate this thesis to my loving parents, Tom  
and Colette Doyle.*



# **INTRODUCTION**

The aim of this thesis is to examine and clarify the position of Ireland within the composite Stuart monarchy during the period 1677-82 by focusing on the position of its viceroy at this time, James Butler, first duke of Ormond. At the outset however, it is necessary to briefly outline Ormond's career in the years preceding 1677.

The history of seventeenth-century Ireland cannot be written or understood without taking full account of one of its most dominating and enduring figures, James Butler, duke of Ormond (1610-88). He was born in Clerkenwell, Middlesex, on 19 September 1610, the eldest son of Thomas, Viscount Thurles and Elizabeth Poyntz.<sup>1</sup> In 1619, after his father was drowned in the Irish Sea, James was declared a royal ward and put into the hands of George Abbot, archbishop of Canterbury, as James I was determined to promote the Protestant interest in Ireland by raising the children of prominent recusants in that faith wherever he could.<sup>2</sup> In 1633, upon the death of his grandfather, Walter Butler, he became the twelfth earl of Ormond. However unlike his predecessors, it was impossible for Ormond to play the role of a typical feudal overlord. His Protestant upbringing and debts of over £45,000, accrued by his grandfather in his efforts to reunite the Butler lands, dictated from the word go that it would be to his advantage to serve the crown and the Protestant interest in Ireland over any local interests.<sup>3</sup> During the 1630s, Ormond actively supported the efforts of the lord deputy of Ireland, Thomas Wentworth, to consolidate royal power through plantation, the enforcement of religious conformity with the Church of England and the enlargement of the Irish army.<sup>4</sup> During the fractious period of the 1640s when civil war engulfed all three kingdoms of the Stuart polity, Ormond led the king's

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<sup>1</sup> Toby Barnard and Jane Fenlon (ed.), *The dukes of Ormonde, 1610-1745* (London, 2000), p. xi; J. C. Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond* (Belfast, 1990), pp 6-7.

<sup>2</sup> *Ibid.*, p. 8.

<sup>3</sup> David Edwards, 'The poisoned chalice: the Ormond inheritance, sectarian division and the emergence of James Butler, 1614-42' in Toby Barnard and Jane Fenlon (ed.), *The dukes of Ormonde, 1610-1745* (London, 2000), pp 63, 70-1, 82.

forces in Ireland and in 1644 he was appointed lord lieutenant of Ireland, the first Irishman to hold the position in over one hundred years.<sup>5</sup> With the collapse of the royalist cause in Ireland, Ormond was forced into exile on the continent together with the displaced Stuarts and their adherents, where he became one of the principal advisors to Charles I's eldest son, Charles.<sup>6</sup> With the Restoration of the Stuarts in 1660, Ormond's loyalty and service was well rewarded: he was made lord high steward of England, lord steward of the king's household, lord lieutenant of Somerset, high steward of Westminster, Kingston, and Bristol, Baron Butler of Llanthony, earl of Brecknock in the English peerage and promoted to a duke in the Irish peerage.<sup>7</sup> His estates, which had been confiscated during the Interregnum, were restored and in November 1661, he was appointed lord lieutenant of Ireland for the second time.<sup>8</sup> His subsequent administration of Ireland can be noted for his attempts to come to grips with the aftermath of the 1640s and '50s, the deeply divisive issues of land and religion, and a shattered economy.<sup>9</sup> On 14 February 1669, two years after the banishment from England of his key ally, Edward Hyde, earl of Clarendon, Ormond himself was removed from office, not because of a hostile court, but as Ronald Hutton contends, because Charles II wanted more compliant ministers. This was in order to pursue policies opposed by Ormond such as a more liberal religious policy in Ireland and, externally to promote close relations with France.<sup>10</sup> Out of office and out of favour, the early 1670s were a particularly difficult period in Ormond's career. His income was substantially decreased before he had been able to reduce the massive

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<sup>4</sup> S. J. Connolly (ed.), *Oxford companion to Irish history* (Oxford, 2002), p. 438.

<sup>5</sup> *Ibid.*

<sup>6</sup> Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond*, pp 57-9.

<sup>7</sup> Leslie Stephen, *Dictionary of National Biography* (London, 1886), viii, p. 57.

<sup>8</sup> *Ibid.* p.57; J. E. Aydelotte, 'The duke of Ormonde and the English government of Ireland, 1677-85' (unpublished Ph. D dissertation, University of Iowa, 1975), pp 19-20.

<sup>9</sup> *Ibid.*, pp 19-20; David Dickson, *New foundations: Ireland 1660-1800* (new edition, Dublin, 2000), pp 3-10.

debts he had incurred in the king's service and, as if things were not bad enough, he narrowly escaped assassination and impeachment.<sup>11</sup> As the decade progressed, his luck changed. In 1674, an Anglo-French alliance against the Dutch collapsed when Charles II was compelled by financial worries and parliamentary pressure to make peace. By 1676, he was eager for a war against his former ally, Louis XIV, in order to re-establish his position in regard to the Stuart political nation and gain parliamentary subsidies.<sup>12</sup> Charles's ambitions were being hampered by the actions of Arthur Capel, earl of Essex, the lord lieutenant of Ireland at this time. With the Irish army on the brink of mutiny and the country's forts and defences utterly run down, Essex was determined to bring Richard Jones, Viscount Ranelagh, the fraudulent controller of the Irish revenues to book.<sup>13</sup> This was disastrous as far as Charles II was concerned. To paraphrase Ronald Hutton, an investigation into Ranelagh's accounts would have revealed his collusion in the misappropriation of Irish revenues at a time when he was desperate to obtain public support.<sup>14</sup> It was therefore decided to replace Essex with someone who would turn a blind eye to Ranelagh's activities.<sup>15</sup> This was James Butler, duke of Ormond, and in April 1677 he was reappointed viceroy of Ireland for the third and final time in his career.

To date this period of Ormond's career (1677-85) has been approached in three ways. The first consists of biographical studies pertaining to the life of James Butler. In the last three hundred years there have been three such studies, the first in

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<sup>10</sup> James McGuire, 'Why was Ormond dismissed in 1669?' in *I. H. S.*, xviii (1972-3), pp 311-2; Ronald Hutton, 'The making of the secret treaty of Dover, 1668-70', *Hist. Jn.*, xxix (1986), pp 309-11.

<sup>11</sup> Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond*, pp 101-5; Anon, *Remarks on some eminent passages in the life of the famed Mr. Blood...* (London, 1680), pp 8-9; Winifred Gardner, *The life of James Butler first duke of Ormonde, 1610-88* (2 vols, London, 1912), ii, pp 169-72.

<sup>12</sup> John Cannon, *Oxford companion to British history* (Oxford, 1997), pp 136-7; Barry Coward, *The Stuart age, England 1603-1714* (3<sup>rd</sup> ed., London, 2003), pp 323-5.

<sup>13</sup> Dickson, *New foundations: Ireland 1660-1800*, pp 15-6; Ronald Hutton, 'The triple-crowned islands' in Lionel. K. J Glassy (ed.), *The reigns of Charles II and James VII and II* (London, 1997), pp 82-3.

<sup>14</sup> Ronald Hutton, *Charles the Second, king of England, Scotland and Ireland* (Oxford, 1989), p. 339.

<sup>15</sup> Hutton, 'The triple-crowned islands', p. 83.

1736 by Thomas Carte, a Jacobite in the service of the second duke of Ormond.<sup>16</sup> In 1912, Winifred Gardner, Lady Burgclere utilised many of the H. M. C calendars of manuscripts that were available in an attempt 'to remove the veil between Ormond and the truth'.<sup>17</sup> Finally, J. C. Becket in 1990 brought out a short study of Ormond's life, which adopted modern perspectives but remained impressionistic in many areas.<sup>18</sup>

The second area of research comprises studies pertaining to Restoration Ireland and the life and career of the first duke of Ormond. Sean Egan's PhD thesis provides an accurate picture of the financial state of Restoration Ireland to emerge.<sup>19</sup> In a related vein James Aydelotte's PhD thesis examined Ormond's final viceroyalty in regard to how he administered the government of Ireland. He focused on three changes that Ormond tried to bring about in order to improve the standing of the Irish polity. These were military improvement, fiscal solvency and stability in land tenure.<sup>20</sup> Another study of Ireland during the Popish Plot is at present being undertaken by John Gibney (Trinity College Dublin) whilst the activities of the Whigs in Ireland during the Exclusion Crisis will be touched upon by Tom Byrne (NUI Maynooth) in his study of Nathaniel Hooke. Finally, a collection of essays edited by Toby Barnard and Jane Fenlon has recently examined a number of perspectives on Ormond with G. E. Aylmer, for example, critically addressing Ormond both as a patron and administrator.<sup>21</sup>

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<sup>16</sup> Thomas Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688* (3 vols, London, 1736).

<sup>17</sup> Winifred Gardner, *The life of James first duke of Ormonde, 1610-88* (2 vols, London, 1912).

<sup>18</sup> J. C. Beckett, *The Cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond* (Belfast, 1990).

<sup>19</sup> Sean Egan, 'Finance and the government of Ireland, 1660-85' (unpublished Ph.D dissertation, University of Dublin, 1983).

<sup>20</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85'.

<sup>21</sup> G. E. Aylmer, 'The first duke of Ormond as patron and administrator' in Toby Barnard and Jane Fenlon (ed.), *The dukes of Ormond, 1610-1745* (London, 2000).

The third approach centres on the idea of constructing a *new British history*. This is best emphasised by J. G. A. Pocock who in 1974 called for a more integrated reading of Irish, Scottish and English histories.<sup>22</sup> Recently several histories such as Conrad Russell's *The fall of the British Monarchies* have been criticised for being Anglo-centric.<sup>23</sup> One such critic, Jane Ohlmeyer, argues that British history should not just cherry-pick events in Ireland and Scotland to enrich English history. Her book, *Awkward neighbours: the Stuart kingdoms in the seventeenth century* can be seen as an attempt to utilise the new British theme to enhance the histories of both Ireland and Scotland.<sup>24</sup>

In consideration of what has been done, this thesis will take on board particular aspects of all three approaches. It will focus on the final viceroyalty of the first duke of Ormond in regard to his dealings and interactions within all three Stuart kingdoms. As such it will not result in another history of the three kingdoms seen from London; rather it will shift the perspective and allow many of the issues relating to the British theme to be understood from the viewpoint of Dublin.

The significance of this project lies in its shift of perspective. Most histories of the relationship and interaction of the three kingdoms of the Stuart monarchy have been from the viewpoint of London. This thesis on the other hand intends to examine this interaction through the eyes of James Butler, duke of Ormond. In taking this route, the author subscribes to the original ideas of the *new British historians* while at the same time taking on board the criticism that this view of history has recently received, most notably that it needs to adopt different perspectives, and not focus

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<sup>22</sup> Jane Ohlmeyer, 'Seventeenth century Ireland and the new British and Atlantic histories' in *American Historical Review*, civ (1999), pp 446-62; J. G. A. Pocock, 'The new British history in Atlantic perspective: An antipodean commentary' in *American Historical Review*, civ (1999), pp 490-500.

<sup>23</sup> Conrad Russell, *The fall of the British monarchies, 1637-42* (Oxford, 1991).

<sup>24</sup> Jane Ohlmeyer and Allan I. Macinnes (ed.), *Awkward neighbours: the Stuart kingdoms in the seventeenth century* (Dublin, 2002).

exclusively on London. The end-result will provide a more accurate picture of the role and position of Ireland within the Stuart monarchy during the period 1677-85.

This will be accomplished in three ways; first by analysing a series of plots, both Catholic and Presbyterian, to expose the tensions inherent in the duke of Ormond's position as lord lieutenant of Ireland in a three kingdoms context; second, by showing the mechanisms of instability that distorted his position during such periods of tension; and, thirdly, by mapping out how the duke of Ormond undertook to manage such pressures and re-establish his position vis-à-vis the Stuart political nation.

The tensions and problems affecting Ormond's position emerge from Catholicism, the court, parliament and the king in London, and Protestant non-conformity. In regard to Catholicism, Ormond, despite many protestations of loyalty to the established church, could never fully escape the accusations of being pro-papist or a crypto-papist.<sup>25</sup> He had been a Catholic for the first ten years of his life and most of his family continued in that religion. Most of his supporters were Old English Catholics, the order Ormond saw as the natural nobility of Ireland and during the Restoration he restored many, like his relative Colonel John Fitzpatrick, to their former eminence. This left him open to the charge of favouring popery; however, this only became a political banana skin for him at times in his career when anti-Catholic sentiment was in the ascendant in London. The Popish Plot was one such period. It highlighted his relationship with various Catholic notables such as his nephew Colonel Justin MacCarthy and others accused of conspiracy in the plot such as Richard Talbot. It presented his opponents within the Irish kingdom, such as Roger Boyle, earl of Orrery, with a perfect opportunity to attack his person and position, by

using two of his weaknesses against him: his perceived partiality to Catholicism and his distance from the corridors of power in London.

Ormond, like many viceroys before him, found it impossible to avoid becoming involved in the cross-currents of English politics. J. C. Beckett noted in his study of the Irish viceroyalty during the Restoration period 'that the appointment of a lord lieutenant, his security in office and his final recall were often and more directly influenced by the state of conflicting groups and policies in court than by regard for the immediate problems of Irish administration'.<sup>26</sup> In London, Ormond had to contend with three interrelated and interacting problems, court, parliament and the king. The court in London was riven with faction, and complaints regarding Ormond were well received in some quarters. The deepening atmosphere of anti-Catholicism during the plot, combined with distrust of James, duke of York, did little to help Ormond's cause as York had endorsed his reinstatement as viceroy. Many other courtiers were made suspicious and receptive to such complaints and accusations by the contemporary atmosphere of fear, distrust and uncertainty in England. After all, the previous existence of such upheavals in England had precipitated a rebellion in Ireland in 1641 that had disastrous implications for the English nation. Parliament, which in many ways was an extension of court politics, was another problem for Ormond, as he had no control over when it met and what it would do, especially if his enemies were in the ascendant at court. The main strength of Ormond's position in London was that it rested wholly and directly upon the king, Charles II, for whom he had been a loyal servant since the 1640s. This however was also his biggest weakness as Charles's position was fundamentally unstable. Like Ormond in Ireland, he was burdened by

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<sup>25</sup> The most valuable and comprehensive study on Ormond's religion is Raymond Gillespie's article 'The religion of the first duke of Ormond' in Toby Barnard and Jane Fenlon (ed.), *The dukes of Ormonde* (London, 2000).



problems emanating from before the Restoration and throughout his reign he was plagued by religious, financial and political problems, which forced him to countenance figures and groups he normally would not have. The plots examined in this thesis effectively placed Charles in a similar position.

Finally, Ormond, like previous viceroys, was faced with the complicated problem of how to maintain law and order in Ulster in light of its intimate and extensive links with Scotland. The vast majority of the population of northeast Ulster were Scottish Presbyterians; therefore this region was heavily affected by religious and political upheavals in Scotland. Ormond, like previous viceroys attempted to uphold the established Church whilst at the same time maintaining what could be called a working relationship with dissent. This stance was prompted by several reasons, firstly it was impossible to clamp down on the activities of itinerant Presbyterian ministers let alone make dissenting communities conform as the local government structures in these areas were rudimentary and usually in the hands of non-conformists. Secondly the Irish laws were wholly inadequate to deal with the issue of dissent.<sup>27</sup> Thirdly, on various occasions throughout the Restoration, soldiers had been sent to enforce the laws and watch the harbours, but the government was unable to maintain such policies for long without overburdening the Irish treasury or alienating powerful Presbyterian notables such as Arthur Forbes, earl of Granard. The escalation of tension between Episcopalians and non-conformists in Scotland prior to the Bothwell Brig rebellion in June 1679 and the Tory reaction following the dissolution of the Oxford parliament in March 1681 thus occasioned a great deal of mischief for

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<sup>26</sup> J. C. Beckett, 'The Irish viceroyalty in the Restoration period' in *Trans. Royal. Hist. Soc.*, 5<sup>th</sup> Ser., xx (1971) p. 56.

<sup>27</sup> Toby Barnard, *Cromwellian Ireland* (2<sup>nd</sup> edition, Oxford, 2000), p. 148, Raymond Gillespie, 'Dissenters and nonconformists' in Kevin Herlihy (ed.), *The Irish dissenting tradition, 1650-1750* (Dublin, 1995), pp 13-4; Patrick Adair, *A true narrative of the rise and progress of the Presbyterian church in Ireland* (ed.), W. D. Killen (Belfast, 1866), p. 293.

Ormond. He was compelled to regard Presbyterians as a threat to the state and therefore forced to implement measures, which he knew would be counterproductive to his own interests.

During the plots (Titus Oates's discoveries, the Meal Tub plot and finally the Irish plot) there were three mechanisms by which Ormond's position was destabilised: the machinations of politicians, rumour that had hitherto been contained to bookseller's shops, taverns, the royal exchange and the court in London, and finally and most importantly print. Sir Francis Gwyn, one of Ormond's adherents in London, justifiably called the period between 1679 and 82 the 'age of printing' as there was an explosion in political printing.<sup>28</sup> Mark Knights has recently estimated that between 1679 and 1681 there were between five and ten million printed items in circulation.<sup>29</sup> The reason for this was the expiration of the Licensing Act in 1679, which was the means by which the printing trade had been policed since 1662. This was disastrous for Ormond. He now had to contend with the implications of rumours and accusations not only at Whitehall but throughout all three kingdoms as pamphlets, printed in London concerning the plot, found their way to Ireland and in some cases were reprinted, whilst in Ulster, his authority was undermined by a constant flow of radical Protestant tracts emanating out of Scotland and Holland.

It is only by examining these plots comprehensively that the methods by which Ormond managed the tensions inherent in his position emerge. In so doing, this thesis will arrive at a more accurate picture of the role and position of the Irish government and kingdom within the Stuart polity in the period before the accession of James, duke of York. What follows is a brief outline of some of the stratagems applied by Ormond which will be examined throughout the main body of this thesis.

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<sup>28</sup> Francis Gwyn to Ormond, 27 Nov. 1680, *Ormonde MSS*, v, pp 543-4.

<sup>29</sup> John Miller, 'Public opinion in Charles II's England' in *History*, lxxx, (1995), p.363.

In London, he packed the court at Whitehall with his supporters in order to neutralise insinuations and rumours dispersed by his enemies. He prudently integrated all their actions by establishing what could best be described as a 'supporter's club', where narratives legitimising his proceedings in regard to the plot in Ireland were made available. Ormond availed of many of the same methods in regard to his dealings with parliament. He also took care to have powerful and well informed figures from the Irish kingdom present like his son Richard Butler, earl of Arran, to mobilise support amongst parliamentarians and, if need be, answer queries or refute accusations. Ormond managed Charles II in many ways during this period; he had his supporters represent his grievances and seek Charles's advice in regard to the intrigues of his enemies. At times when his position vis-à-vis the Stuart political nation was distorted and when Charles was forced to countenance Ormond's opponents, Ormond would attempt to offer him advice; if Charles failed to heed this, Ormond would request permission to travel to London to defend his actions or position in person against the expected onslaught.

Ormond was keenly aware of the potential of printed material to upset his position stating to Arran in regard to the allegation that he was a Catholic, 'now though it may be as truly sworn that I was circumcised at Christchurch [...] yet if it get into a narrative thousands will swallow it as truth; and against this there is no fence'.<sup>30</sup> He attempted to check the actions of the libellers and rumour-mongers by encouraging his supporters to take action against them and was also not averse to manipulating the press himself. His supporters patronised many of London's pamphleteers so that Arran was able to inform him 'if you ever have a mind at any

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<sup>30</sup> Ormond to earl of Arran, 1 Jan. 1689, *Ormonde MSS*, v, pp 543-4; Hereafter Arran and his older brother, Thomas Butler, earl of Ossory will be referred to in footnotes as Arran and Ossory.

time to have a letter put out in print relating to yourself I can get it put into one of those books'.<sup>31</sup> The art of political spin-doctoring has a long history.

Ormond attempted to suffocate insinuations made by Orrery and others that he was a crypto-papist by outdoing them in his zeal for the Protestant interest. He attempted to show that their complaints and fears were misplaced and ultimately they were actually endangering the Protestant interest by preventing him from getting to the bottom of the plots, whilst simultaneously he prudently took steps to have his actions in regard to the plots endorsed by the Irish Privy Council and figures with Irish interests like Edward, earl of Conway.<sup>32</sup> He was keenly aware and sensitive that his Catholic kin were in effect his Achilles heel. Witness the turmoil occasioned when treasonous information appeared against his half-brother Colonel John Fitzpatrick. The Catholic Fitzpatrick was now categorised with the pejorative 'Papist' label in so much that he was now a threat to the established order. Ormond had the information quickly brought before the Irish Privy Council and despatched to London, lest it be claimed he was failing to properly prosecute the plot. It must be pointed out, however, that he was easily able to take this stance as he had sent Fitzpatrick out of the kingdom several months earlier.

The Scottish link with Ulster was very difficult for Ormond to manage, because he had no clients there and very little influence over Scottish events. He attempted to overcome these problems in various ways, for instance, by recruiting agents and informers amongst Scottish Presbyterians both in Ulster and Scotland thereby gaining a direct conduit to important information regarding future developments. In the light of his financial and political difficulties in maintaining his authority in Ulster, this

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<sup>31</sup> Arran to Ormond, 7 Feb. 1681, *Ormonde MSS*, pp 573-4.

<sup>32</sup> The Privy Council is also referred to as 'Council' and 'Board' throughout this thesis.

strategy was extremely practical because it allowed him to interfere as he saw fit to influence events and head-off threats.

The most important body of primary source material for this thesis is Ormond's own papers. These are divided into two collections, the Ormond manuscripts in the National Library of Ireland and the Carte papers in the Bodleian Library, Oxford. Both these collections combined comprise what is one of the largest sources for seventeenth-century Ireland, but it has one key problem, which is its bias. The duke of Ormond was without doubt clearly aware of the dangers inherent in everything he wrote as can be ascertained from the following letter to his son Arran on 7 March 1677, wherein he advises him

I have yours of the 26<sup>th</sup> of the last, to many parts whereof you will find answers in former letters of mine if you will keep them by you and will look over them. I confess all the part allowed you in the Irish affairs needs not the keeping copies of your letters, yet it will be of use to you to practice it, even when you think the subject trivial; for without it you may be said to have written what you did not and not to have written what you did, and if your letters be pretended to be lost there may be many affirmations against your single negative.<sup>33</sup>

At various times in his political career most notably during his bitter public dispute with Arthur Annesley, earl of Anglesey, in 1681 concerning contentious issues during the British civil wars of the 1640s, Ormond took time to tidy up his letters. The problem with this source is that it is basically the papers and correspondence that Ormond wanted to keep. In effect what Ormond left us, was Ormond's view of Ormond. It is thus important to balance out the biases of Ormond's papers by actively cross-examining them using other relevant primary sources, firstly and most notably the State Papers of all three kingdoms. Secondly, the papers of politicians and eminent figures, especially those who were not in regular correspondence with Ormond or outside his networks of supporters and allies such as Roger Boyle, earl of Orrery, Anthony Ashley Cooper, earl of Shaftesbury, Arthur Capel, earl of Essex, Sir

John Reresby, Henry Sidney, Gilbert Burnet, George Savile, earl of Halifax, and others. In light of the explosion of printed material post 1679, the third important body of sources for this thesis is the contemporary published material and pamphlet literature including libellous articles and pamphlets concerning Ormond, testimonies of witnesses to the various plots and other contemporary works in which Ormond's proceedings at that time or the 1640s were questioned such as Edmund Borlase's *History of the execrable Irish Rebellion*.<sup>34</sup>

The vast majority of the source material for this thesis is to be found in the National Library of Ireland, Dublin, which contains Ormond's own papers previously stored in Kilkenny Castle and the Carte papers, held in the Bodleian Library, Oxford. This repository also contains a large quantity of printed books and pamphlets from the late Restoration.<sup>35</sup> It has been suggested by Harold M. Weber that the Exclusion Crisis and the Popish Plot cannot be understood without reference to the printed word and the culture of print, which by this stage was inextricably linked to politics and history. The expansion of the political nation was therefore accompanied by the inauguration of public opinion as a decisive arbitrator. Most of the material produced and reprinted in Ireland was in effect government propaganda though Ormond's authority was also undermined by numerous seditious works such as *Ireland's sad lamentation* and *the wrestling's of the Kirk of Scotland for the kingdom of Christ*, surreptitiously acquired from England, Scotland and Holland.<sup>36</sup> These pamphlets therefore remain a valuable but not unbiased source.

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<sup>33</sup> Ormond to Arran, 7 Mar. 1678, *Ormonde MSS*, iv, pp 128-9.

<sup>34</sup> Edmund Borlase, *The history of execrable Irish rebellion trac'd from many preceding acts, to the grand eruption the 23. of October, 1641. thence pursued to the Act of Settlement, MDCLXII* (London, 1679).

<sup>35</sup> Harold M. Webb, *Paper bullets: print and kingship under Charles II* (Kentucky, 1996), pp 4-5.

<sup>36</sup> Toby Barnard, *The kingdom of Ireland, 1641-1760* (New York, 2004), p. 68; Anon, *Ireland's sad lamentation: some remarkable passages, which have happened since the discovery of the horrid popish plot. In a letter from a person of honour to his friend in London, upon the dissolution of the late parliament* (London, 1681); Sir James Stewart, *Naptali, or, the wrestlings of the Church of Scotland for*

In conclusion, this thesis endeavours to enhance and deepen our knowledge of the role and position of the Irish government within the composite Stuart monarchy during the period 1677-82 by examining how a series of Catholic and Presbyterian plots exposed the tensions inherent in this relationship.

This thesis consists of five chapters. The first is entitled **Ormond and the origins of the Popish Plot, 1678-9**. It examines Ormond's position during the opening months of the Popish Plot from Titus Oates's revelations in September 1678 to December 1678 when the general belief in the plot subsided after Oates and other informers were discredited. The importance of this intense period of anti-Catholicism and hysteria is that it accentuated Ormond's precarious position and highlighted his vulnerability in regard to Catholicism. It shattered his newly restored detente with the new Protestant interest, in particular their leading spokesman, and his old adversary, Orrery, who genuinely believed that Ormond was negligent in his duties during a period of crisis when both the established order and the established religion were under threat. Therefore Ormond was forced to defend and renew his position against his enemies in Ireland and England. He attempted to do this by demonstrating to Protestants in Ireland and eminent figures in a London that his security measures had properly safeguarded the Protestant interest whilst on the other hand convincing them that Orrery's zeal was misplaced and in fact, detrimental to the Protestant interest.

The second chapter **The realignment of the Stuart polity, 1679** will demonstrate the inherent weaknesses in Ormond's position as lord lieutenant of Ireland because of political events in London and Scotland in 1679. The most significant of these were the fall of Charles II's chief minister, Thomas Osbourne, earl

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*the kingdom of Christ contained in a true and short deduction thereof, from the beginning of the reformation of religion, until the year 1667: together with the last speeches and testimonies of some who have died for the truth since the year 1660. Whereunto are also subjoined a relation of the*

of Danby, as well as the partial resolution of political and religious strife in Scotland after the battle of Bothwell Brig, 22 June 1679, and finally the sharpening of the Exclusion crisis when James, duke of York, returned to London in September 1679. Again Ormond's alleged partiality to Catholicism was a major issue. Moreover the crown on which he depended for support was in a very awkward position after the fall of its most powerful minister. Charles attempted to alleviate his position by bringing leading members of the opposition into government. Almost to a man these were Ormond's bitterest enemies. Whilst detailing the various mechanisms and strategies adopted by Ormond and his allies in an attempt to secure his position, these were only partly effective and the re-establishment of his position in autumn 1679 actually resulted from the contrivance of political events over which he had no control.

The third chapter **Oliver Plunkett and the Irish plot, 1679-80** examines Ormond's position during a series of crises ending in May 1680, with the failure of his enemies at court to sufficiently persuade the English Board that Ormond had suppressed evidence in relation to a Catholic conspiracy hatched by Oliver Plunkett, archbishop of Armagh. These crises were a direct result of the breakdown in the relationship between the crown and the opposition. Therefore the Whigs were compelled to use unconstitutional means to reassert their position. A key component of their desperate strategy was to foster intense anti-Catholic hysteria by fabricating an Irish Catholic plot to introduce the French into Ireland and England.

The fourth chapter **The Irish plot and parliamentary politics, 1680-81** reveals how Ormond's position vis-à-vis the Irish and English political nations was distorted when the prosecution of the Irish plot, previously hatched by his enemies in England, was taken out of his hands and transferred to London, where parliament at

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*sufferings and death of Mr. Hew. McKail and some instances of the sufferings of Galloway and Nithisdale (1693).*



that time was convening. These proceedings were a terrible blow for him, as it added credence to previous accusations that he could not be trusted to prosecute Catholics. Even more menacingly, English political attention at this time was fixated upon the dangers associated with Catholicism and the exclusion of his key ally, James, duke of York from the throne.

The fifth and final chapter is titled, **Royalist resurgence and reaction, 1681-2**. The dissolution of the final Exclusion parliament in March 1681 resulted in an improvement in Ormond's fortunes in relation to the Popish Plot. In the light of this Ormond avoided all contentious issues. He made no attempt to ascertain Oliver Plunkett's innocence and failed to reply to libellous allegations made by Arthur Annesley, earl of Anglesey, lest they resuscitate the dying plot or bring him once more into the political spotlight. In the long term, this was prudent, for Plunkett's death brought the Popish Plot to a close because Charles II had made it clear in the case of another Irishman, Edward Fitzharris, that there would be no more pardons for treason or concealing treason. Ultimately denied access to parliament, which was their main instrument of wielding power and bringing about the political change they desired, and weeded out of their municipal strongholds by royal prerogative and the strict enforcement of laws against Protestant non-conformists, the Whigs disintegrated as a political force. Amidst this atmosphere, Ormond finally reasserted his control over those who had circumvented his position and powers as lord lieutenant in concert with his enemies in London.

## **CHAPTER ONE**

**ORMOND AND THE ORIGIN OF THE POPISH PLOT,**

**1678-79**

In 1677, James Butler, first duke of Ormond arrived in Ireland to take up the duties of the viceroyalty for the third and final time in his career. He came with a resolution to summon a parliament at the earliest possible moment. It had been eleven years since the dissolution of the only Irish parliament called in the reign of Charles II, assembled during Ormond's previous tenure of office. In securing a meeting of the Irish legislature, Ormond had clear motives, of which the most important was the acquisition of increased revenue. This would allow him to improve the lamentable military infrastructure of the Irish kingdom.<sup>1</sup> The Restoration government established in the kingdom of Ireland had been built on unstable foundations. Its various settlements both 'religious and land' had failed to come to grips with the political, religious and social transformations that occurred in Ireland throughout the seventeenth century. There was resentment towards it from many quarters, particularly the Presbyterian Ulster Scots, some Gaelic Irish and Republican remnants from the previous Cromwellian regime.<sup>2</sup> On occasions this manifested itself in resistance and attempts to subvert the Restoration regime, such as 'Blood's Plot' of 1663, the growth in banditry and the ramblings of discontented Scottish Presbyterian ministers. In this period, according to Sir William Petty, 100,000 out of the contemporary population of 1,100,000 belonged to the established church and were intimately linked to the political order. As such the Irish government throughout the Restoration depended on the maintenance of a large standing army.<sup>3</sup>

This army came at a cost and the military lists throughout the Restoration accounted for the greater part of the establishment, in 1666 for instance it amounted

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<sup>1</sup> J. E., Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85' (unpublished Ph.D dissertation, University of Iowa, 1975), p. 30.

<sup>2</sup> S. J. Connolly, *Religion, law and power: the making of Protestant Ireland, 1660-1760* (Oxford, 1992), pp 24-33.

to £160,000 out of a total expenditure of nearly £190,000.<sup>4</sup> The Irish government struggled to meet such payments and on several occasions, the years 1662 and 1666 being among them, substantial aid was required from London.<sup>5</sup> This state of affairs worsened in the 1670s as the Irish revenues were subjected to serious abuses. The major cause of this shortfall was the defalcations of Richard Jones, Lord Ranelagh, and his undertakers of the farm of the Irish revenue and their failure to meet Irish establishment payments.<sup>6</sup> It was not long before complaints emanated from all quarters of Irish life especially the army, as Ranelagh attempted to meet arrears owed to the army by not paying them for long periods and then forcing its soldiers to accept lump sums far smaller than what they were owed.<sup>7</sup> The lord lieutenant at this period, Arthur Capel, earl of Essex, was unable to bring Ranelagh to account because of his powerful allies at court, most notably the English lord treasurer, Thomas Osbourne, earl of Danby.<sup>8</sup> Essex was acutely aware of the political realities of Restoration Ireland and once stated that ‘an unpaid army was like tinder.’<sup>9</sup> On 18 June 1676 he warned Henry Coventry, senior Secretary of State in the English Privy Council, that unless Ranelagh’s actions were more closely scrutinised, ‘til some time in the beginning of September next I do not see that I shall have the command of five

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<sup>3</sup> Sir William Petty, *The political anatomy of Ireland, with the establishment for that kingdom when the late duke of Ormonde was lord lieutenant* (London, 1691), pp 7-9; this figure was a wild overestimate, but it does reveal the embattled state of mind of Irish Protestants.

<sup>4</sup>J.G. Simms, ‘The Restoration 1660-85’ in T.W. Moody, F.X. Martin and F.J. Byrne (ed.), *A new history of Ireland, iii, early modern Ireland 1534-1691* (Oxford, 1976), iii, p. 440.

<sup>5</sup> *Ibid.*, pp 397-401.

<sup>6</sup> C. I. McGrath, ‘Richard Jones, earl of Ranelagh (1641-1712),’ in H. C. G. Matthew and Brian Harrison (ed.), *Oxford dictionary of national biography* (60 vols, Oxford, 2004), xxx, pp 606-8; Ranelagh and his eight partners, or undertakers were responsible for the management of all Irish expenditure from June 1670 to December 1675.

<sup>7</sup> Ronald Hutton, ‘The triple-crowned Islands’, in Lionel K. J. Glassey (ed.), *The reigns of Charles II and James VII and II* (London, 1997), p. 81.

<sup>8</sup>David Dickson, *New foundations; Ireland 1660-1800* (2nd edn, Dublin, 2000), p. 16; Ronald Hutton, *Charles the Second, king of England, Scotland and Ireland* (Oxford, 1989), p. 339.

<sup>9</sup> Richard Bagwell, *Ireland under the Stuarts and during the interregnum* (3 vols, London, 1909-16), iii, p. 120.

hundred pounds of the public moneys'.<sup>10</sup> He likened the condition of the Irish government to that of the lords justices in 1641, who would have been able to nip the 1641 rebellion in the bud with just £10,000 but the exchequer was empty, they had no credit 'and the insurrections in several parts made everyone who had money look to himself and none could be found to lend to the public'.<sup>11</sup> Ormond deemed the resolution of this state of affairs as paramount to the security and maintenance of the Protestant interest in Ireland. A proper military infrastructure would effectively deter and suppress all internal insurrection and external threats to the established order.<sup>12</sup>

Ormond also wished to introduce legislation that would elicit the Irish parliament's support for such money bills.<sup>13</sup> In these additional measures, he also saw solutions to problems that had plagued the Irish kingdom throughout the seventeenth century, most notably those involving land, religion, finance and constitutional issues.<sup>14</sup> In relation to the first problem, the land settlement of the country, as defined by the Acts of Settlement (1663) and Explanation (1665), was deeply contentious. It was felt by many to be incomplete as there was much property without clear title and liable to be seized by land projectors or discoverers of old titles under one pretext or another. To paraphrase Essex, the lands of Ireland had been a mere scramble, as they were the least done by way of orderly distribution, which consequently made many men uneasy in their estates and possessions with the result that many were afraid to lay out money on improvements while potential settlers

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<sup>10</sup> Earl of Essex to Mr Secretary Coventry, 18 Jun. 1676, in C. E. Pike (ed.), *Selections from the correspondence of the earl of Essex, 1675-7* (London, 1913), pp 56-8.

<sup>11</sup> *Ibid.*, pp 56-8; Edmund Borlace, *The history of the execrable Irish rebellion trac'd from many preceding acts, to the grand eruption the 23. of October, 1641. thence pursued to the Act of Settlement, MDCLXII* (London, 1680), p. 27; Hutton, 'The triple-crowned Islands', p. 83.

<sup>12</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 17; p. 30

<sup>13</sup> *Ibid.*, p 31.

<sup>14</sup> J.C. Beckett, *The making of modern Ireland, 1603-1923* (London, 1966), p 127.

from England were frightened away.<sup>15</sup> In 1678, Ormond prepared a bill to end this state of affairs. He anticipated that it would result in a clear undisputed title to every acre of land, thus ending years of scheming and instability. This would greatly encourage the improvement of land and the immigration of Protestants from England which would have the effect of stimulating an increase in trade and with it, the revenue of the Irish government. It was further envisioned that religious and political tensions resulting from before the Restoration would be eased by the introduction of a Bill of Oblivion by which malicious prosecution would be prevented for offences of very old dates.<sup>16</sup>

The issue of finance was connected to greater constitutional issues. Throughout the Restoration, the English government and parliament saw it in their interests to legislate and interfere to a greater level in Irish affairs. The Irish government hotly contested the imposition of laws such as the Navigation Acts and the 1667 Cattle Act.<sup>17</sup> Their grievances were further aggravated throughout the 1670s as Ranelagh's undertaking was accompanied by the increased interference of the English crown and treasury in Irish revenues.<sup>18</sup> Ormond and others in the Irish kingdom, like Michael Boyle, archbishop of Armagh and lord chancellor of Ireland, observed in these developments the prerogatives of the Irish government being subtly transferred to

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<sup>15</sup> Earl of Essex to William Harbord, 28 March. 1674, in Osmund Airy (ed.), *Essex papers, 1672-9* (London, 1890), pp 56-8; Connolly, *Religion, law and Power; The making of Protestant Ireland, 1660-1760*, pp 12-7; Contained in Bagwell, *Ireland under the Stuarts and during the interregnum* (3 vols, London, 1909-16), iii, p. 126.

<sup>16</sup> *Ibid*, p. 126.

<sup>17</sup> L.M. Cullen, 'Economic trends, 1660-91' in Moody, Martin and Byrne (ed.), *A new history of Ireland*, iii, pp 397-401; S. J. Connolly (ed), *The Oxford companion to Irish history* (2<sup>nd</sup> edn, 2004), p. 403; Raymond Gillespie, 'Political ideas and their social contexts in seventeenth-century Ireland', in Jane H. Ohlmeyer (ed.), *Kingdom or colony; political thought in seventeenth century Ireland* (Cambridge, 2000), p. 111.

<sup>18</sup> Sean Egan, 'Finance and the government of Ireland, 1660-85' (unpublished Ph.D dissertation, University of Dublin. 1983), introduction.

London.<sup>19</sup> Ormond thus sought to bring control of the revenues of the Irish kingdom back to its government. Upon his return he started negotiating for a royal declaration, that all revenue voted by the Dublin parliament would be spent in Ireland.<sup>20</sup> In return for these measures, Charles II could expect two revenue bills from the Irish parliament. The first comprised subsidies of thirty thousand pounds for four years, whilst the second would increase his 'constant revenue' by thirty-seven thousand pounds annually.<sup>21</sup> They were included within a package of eighteen bills Ormond sent to the English Privy Council in late July 1678.<sup>22</sup> The fate of Ormond's parliamentary ambitions now lay at Westminster.

Ormond was extremely optimistic, envisaging the return of the approved bills by mid-September, the assembling of the Irish parliament at the start of November and the passage of as many bills as possible, especially the Revenue bills before Christmas 1678.<sup>23</sup> He had good reason to be optimistic, as he lacked neither representation nor support in London. Among his foremost representatives was his eldest son, Thomas Butler, earl of Ossory, an influential figure at court with connections within the military where he held various commands and in English high political circles because he had been a member of the House of Lords since the 1660s.<sup>24</sup> His influence also extended to the continent where he maintained friendly

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<sup>19</sup> For information on Michael Boyle, lord chancellor of Ireland and Church of Ireland archbishop of Armagh, see Toby Barnard, 'Michael Boyle (1609-1702)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, vii, pp 86-7.

<sup>20</sup> Aydelotte, 'The duke of Ormond and the English government in Ireland, 1677-85', p. 32.

<sup>21</sup> *Ibid.*, pp 60-1.

<sup>22</sup> *Ibid.*, pp 63-79; for a complete analysis of all eighteen bills see these pages in Aydelotte's thesis.

<sup>23</sup> Ormond to earl of Danby, 5 Aug. 1678, *Ormonde MSS*, iv, p. 175; Aydelotte, 'The duke of Ormond and the English government in Ireland, 1677-85', pp 79-80.

<sup>24</sup> J. D. Davies, 'Thomas Butler, sixth earl of Ossory (1634-1680)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, ix, pp 226-9; Ossory was MP for Bristol from 1661 to 1666, in 1660, he became a member of the Irish Privy Council and was called to the Irish House of Lords two years later. In 1666, he became a gentleman of the bedchamber to the king, an English Privy Councillor and was called to the English House of Lords in September of that year. In September 1672, Ossory was made a knight of the Garter and in 1676, he was appointed lord chamberlain to queen.

correspondence with William of Orange, the champion of European Protestantism.<sup>25</sup> Finally as a gentleman of the bedchamber to Charles II, he made it a certainty that a Butler would always be at the king's ear.<sup>26</sup> Ormond was also assured of the support of Henry Coventry, who as the senior Secretary of State and a member of the English Privy Council, dealt with all official business relating to the Irish kingdom in London. The clerk of the Privy Council was his close friend and confidant Sir Robert Southwell, an important and influential figure in the English House of Commons.<sup>27</sup> There he was joined by several others, namely Sir Cyril Wyche, who had previously acted as one of Essex's private secretaries in London, and Francis Aungier, earl of Longford, a prominent figure at the English court who had recently married the widow of Ormond's son, John Butler, earl of Gowran.<sup>28</sup> Finally, Ormond did not lack support from other political figures of Stuart England such as the heir to the English throne James, duke of York, and Henry Bennett, earl of Arlington and Lord Chamberlain of England.

The bills however were subjected to fierce attacks from the outset. There was a general disappointment over the revenue bills; Charles II had envisaged that his 'constant revenue' would arrive at £60,000 rather than £37,000. He also showed a

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<sup>25</sup> J. C. Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond* (Belfast, 1990), p. 96; Toby Barnard, 'The dukes of Ormonde' in Toby Barnard and Jane Fenlon (ed.), *The dukes of Ormonde, 1610-1745* (London, 2000), p. 15; Bodleian Library, Oxford, Carte Manuscript (hereafter referred to in footnotes as Bodl. Carte MS) 40, f (This refers to the page number in manuscripts) 543; Bodl., Carte MS 70, f. 423; Arthur Hassall, 'The foreign policy of Louis XIV (1661-97)' in A. W. Ward, G. W. Prothero and Stanley Leathers (ed.), *The Cambridge modern history, v, the age of Louis XIV* (Cambridge, 1905), p. 45; Ossory had just recently returned from the Spanish Netherlands where according to letters from many including the king of Spain and the Marquis of Grana he had done wonders at the action of Mons under William of Orange against a French army led by Francois Henri de Montmorency-Bouteville, duke de Luxembourg.

<sup>26</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 238.

<sup>27</sup> Toby Barnard, 'Sir Robert Southwell (1635-1702)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, li, pp 718-22. Southwell was a staunch supporter of Ormond in Munster during the 1640s. In 1664 he bought the post of Clerk to the English Privy off Ormond's secretary Sir George Lane. Between 1672 and 1679 he sat in the English House of Commons as MP for Penryn in Cornwall.

<sup>28</sup> Sir Cyril Wyche to Ormond, 26 Oct. 1678, *Ormonde MSS*, iv, pp 221-2; Toby Barnard, 'Francis Aungier, first earl of Longford (c. 1632-1700)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, ii, pp



natural lack of interest in a scheme to produce money that he was not supposed to touch.<sup>29</sup> Ranelagh was heavily involved in such manoeuvres because an Irish parliament would certainly attempt to bring him to book for his defalcations.<sup>30</sup> James Shaen and the present farmers of the Irish revenues were likewise involved in similar intrigues, as they feared an Irish parliament would increase excise taxes and so reduce trade to the detriment of their incomes.<sup>31</sup> Longford informed Ormond of this:

I am told from a very good hand that one of the Council who is always busy in all affairs of Ireland (and therefore your grace can safely guess at him) says that in the bill for granting the addition to the revenue his majesty will lose more than he will get by it, by having his prerogative clipped and debarred of those advantages he now has to make in his revenue [...] I have not heard any particulars mentioned, and I have some reason to believe Sir James Shaen is the formenter of this malicious notion.<sup>32</sup>

The bill for the confirmation of estates attracted the greatest swarm of critics. It was denounced as too favourable to Catholics by several contemporary Irish figures with powerful connections in London. The most significant of these was Roger Boyle, earl of Orrery, who stood to lose eight thousand acres under the terms of the proposed land bill.<sup>33</sup> His status and possessions in the south of Ireland enabled him to exercise power and influence in Whitehall, where he was represented among others by his brother Richard Boyle, earl of Burlington, and on occasions by his nephew Ranelagh.<sup>34</sup> Ormond later accused Orrery of showing little interest in utilising his

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954-5. Aungier was MP for Surrey from 1661 to 1679 and between 1670 and 1675; he was the vice-treasurer of Ireland.

<sup>29</sup> Earl of Longford to Ormond, 24 Aug 1678, *Ormonde MSS*, iv, pp 187-9.

<sup>30</sup> Dickson, *New foundations; Ireland 1660-1800*, pp 16-7.

<sup>31</sup> C. I. McGrath, 'Sir James Shaen, first baronet (d. 1695)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, xlix, pp 925-6; Shaen was a former Cromwellian who as Sheriff of Longford and Westmeath played a key role in the transplantation of Catholics to Connaught. In 1661 he was elected MP for Clonmel and later served in various government positions such as secretary to the lords justices in 1661. In 1675, the second farm of the Irish revenue was granted to Shaen and ten other partners till 1682.

<sup>32</sup> Earl of Longford to Ormond, 5 Oct 1678, *Ormonde MSS*, iv, p. 209.

<sup>33</sup> Ormond to earl of Burlington, 21 Dec. 1678, *Ormonde MSS*, iv, pp 286-8; Toby Barnard, 'Roger Boyle, first earl of Orrery (1621-1679)' in Mathew and Harrison (ed.), *Oxford D.N.B.*, vii, pp 109-113.

<sup>34</sup> Toby Barnard, 'Richard Boyle, first earl of Burlington and second earl of Cork (1612-1698)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, vii, pp 92-3; Ranelagh was a son of Orrery's sister Katherine; see Sarah Hutton, 'Katherine Jones [née Boyle], Viscountess Ranelagh (1615-1691)' in

connections to circles of power in London in order to try and ‘mend the bill to his own mind and profit’; instead he sent and had numerous letters dispersed among courtiers and parliament men who were not members of the English Privy Council.<sup>35</sup> This inevitably ruptured the fragile friendship, which had been resumed between the two upon Ormond’s arrival in Ireland in 1677. The reason for this was the content of Orrery’s letters, which insinuated that ‘the great partiality of the bill in favour of the Irish’ would bring about the destruction of the Restoration land settlement that was fundamentally tied to the English and Protestant interest in Ireland.<sup>36</sup> Several eminent politicians in England with Irish connections also came out in opposition. For instance, Arthur Annesley, earl of Anglesey, Ormond’s former colleague in government during the 1660s and the English lord privy seal at that time. Anglesey was joined by Edward Viscount Conway, a brother in law of the English lord chancellor, Heneage Finch, who had been charged with the examination of the land settlement bill.<sup>37</sup> Finch and other members of the Privy Council were not immune to such pressure as Southwell’s letter on 3 September intimates, that ‘whereof my lord chancellor [...] seemed to approve of it indifferent well [...] he took occasion to tell me he had been thinking again...and did find several matters to be objected against’.<sup>38</sup>

The arguments, conducted by post between Dublin and London, wasted valuable time until the English parliament was due to meet on 21 October 1678. This was problematic for Ormond because Charles II was reluctant to allow two parliaments to sit simultaneously for the specific reason that they would encourage

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Mathew and Harrison (ed.), *Oxford D.N.B.*, xxx, pp 574-6. Katherine Jones was also associated with the Hartlib circle.

<sup>35</sup> Ormond to earl of Burlington, 21 Dec. 1678, *Ormonde MSS*, iv, pp 286-8.

<sup>36</sup> *Ibid.*, pp 286-8.

<sup>37</sup> Aydelotte, ‘The duke of Ormond and the English government in Ireland, 1677-85’, p. 83.

<sup>38</sup> Sir Robert Southwell to Ormond, 3 Sep. 1678, *Ormonde MSS*, iv, pp 449-51.

each others malcontents.<sup>39</sup> By the end of September Ormond's parliamentary ambitions had been dented but not destroyed. He tried to tackle the opposition by jettisoning his control over the drafting of any land bill and promising the Irish Commons a free vote; they could reject it or send it back to England accompanied with their alterations, whilst Ormond got his Majesty's supplies passed.<sup>40</sup> Secondly, he tried to persuade many at Whitehall that both parliaments could sit simultaneously, stating to Danby on 27 September,

I do not presume to judge the inconveniency of a parliament sitting in England and here at the same time, yet I should think that in the five or six weeks which must pass before a parliament can meet here, the parliament there will have done much of the business or will be in a quiet way of doing it, or there will be a recess; in either case the parliament here may sit or be separated without, I hope, any worse consequences than will follow the having of none.<sup>41</sup>

Ormond's plans however were to come to nothing, when on 28 September 1678, Titus Oates and Israel Tongue appeared before the English Privy Council. Oates supplied a fantastic tale of a Catholic plot, contrived and hatched by the Jesuits, Benedictines, and several prominent English Catholic politicians with the support of the French king Louis XIV and Pope Innocent XI. The purpose of this plot was to re-establish the Roman Catholic religion by the sword, and towards which the plotters were resolved to wipe out the house of Stuart, 'root and branch' along with the champion of European Protestantism, William, prince of Orange. The plotters had various agents and instruments with which to effect these changes, four unknown Irish ruffians who had travelled to Windsor to assassinate Charles II, designated poisoners at court such as Edward Coleman, a former secretary to James, duke of York, and Sir George Wakeman, Queen Catherine's physician, and finally over 2000

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<sup>39</sup> Hutton, *Charles the Second, king of England, Scotland, and Ireland*, p. 358.

<sup>40</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 94;

<sup>41</sup> Ormond to earl of Danby, 27 Sep. 1678, *Ormonde MSS*, iv, pp 204-6

Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 94-5; Ormond to Earl of Danby, 27 Sep. 1678, *Ormonde MSS*, iv, pp 204-6.

trained men in the vicinity of London waiting to massacre its Protestants.<sup>42</sup> From London, a confused Coventry wrote to Ormond after having listened to Oates's discoveries for four days in Council,

If he be a liar, he is the greatest and the adroitest I ever saw, and yet it is a stupendous thing to think what vast concerns are like to depend upon the evidence of one young man who hath twice changed his religion-if he now be a Protestant.<sup>43</sup>

The existence of a Catholic plot became apparent during the following weeks after the mysterious death of Sir Edmund Berry Godfrey, the magistrate to whom Oates and Tongue had sworn to the truth of their information. What further fanned the flames of anti-Catholicism was the discovery of letters written to Louis XIV's confessor, P re la Chaise, by Edward Coleman. The poison of these letters was the numerous references they contained to the possibility of a Catholic restoration in England.<sup>44</sup>

Anti-Catholicism came to play an increasingly important part in English politics throughout the 1670s, because its 'restless spirit' was seen to have corrupted the monarchy again as it had in the 1630s.<sup>45</sup> The court of Charles II was seen to be under the domination of Catholic and crypto-Catholic courtiers such as the heir presumptive to the crown James, duke of York, as well as the earl of Arlington and Lord Thomas Clifford. Charles II himself did not escape the suspicion of the political nation in the light of his Catholic and pro-French leanings which were clear for all to

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<sup>42</sup> A brief account of the conspiracy to place the Duke of York on the throne, *Ormonde MSS*, iv, pp 181-4; John Kenyon, *The Popish Plot* (London, 1972), pp 97-100; Alan Marshall, *The strange death of Edmund Godfrey: plots and politics in Restoration London* (Stroud, 1999), p. 45; pp 82-4; Titus Oates, *The discovery of the popish plot, being the several examinations of Titus Oates [...] before the high court of parliament, the lord chief justice, Sir Edmund-Bury Godfrey, and several other of his majesty's justices of the peace* (London, 1679).

<sup>43</sup> Henry Coventry to Ormond, 1 Oct. 1678, *Ormonde MSS*, iv, p. 207; Bodl., Carte Ms 81, f. 362-3.

<sup>44</sup> A. S. Turberville, *Commonwealth and Restoration* (London, 1928), pp 133-7; John Miller, *James II* (Yale, 2000), pp 87-9; Marshall, *The strange death of Edmund Godfrey: plots and politics in Restoration London*, pp 114-5; J. R. Jones, *Country and court, England 1658-1714* (London, 1978), pp 201-2.

see in the Treaty of Dover 1668-70.<sup>46</sup> These fears were exacerbated by the illicit works of Andrew Marvell and other subversive writers. In 1677, Marvell alleged that there was a design in progress 'to change the lawful government of England into an absolute tyranny, and to convert the established Protestant religion into downright popery'.<sup>47</sup> These words were reinforced by occurrences in France, where its Catholic king, Louis XIV, had grown into an absolutist monarch, and as trickles of Huguenot refugees arrived in Ireland and England, it became apparent how such rulers regarded Protestantism. The corruption of the Stuart polity by Catholicism was therefore equated with the destruction of laws and liberties, parliaments and Protestantism.<sup>48</sup>

The design of Oates's plot or 'The Popish Plot' as it became known also extended to Ireland. Ormond was to be murdered through the contrivance of the titular archbishop of Dublin, Peter Talbot, and four Jesuits and the Protestants massacred like in 1641, with the kingdom being taken charge of by a papal nuncio assisted by Louis XIV.<sup>49</sup> At this juncture, it cannot be overemphasised enough how ever-present in the contemporary English psyche was the fear of events emanating out of the Irish kingdom, as the following extract testifies:

If we take a view of popery in its true scarlet dye, and know what horrible murders, prodigious cruelties, barbarous villainies, and inhumane practices the Jesuits and friars are the authors and encouragers, and papists in general the actors of, we need not look any further back than the present age: In the rebellion of Ireland wherein there were in all above three hundred thousand innocent Protestants destroyed, and this in a base treacherous manner, without any provocation; no age, sex, or quality being privileged from massacres and lingering deaths [...] All of which

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<sup>45</sup> Barry Coward, *The Stuart age, England 1603-1714* (3<sup>rd</sup> edition, London, 2003), pp 315-7; John Kenyon, *The Popish Plot* (London, 1972), pp 9-18; John Milton, *News from hell, Rome, and the Inns of Court...* (London, 1642).

<sup>46</sup> Ronald Hutton, 'The making of the secret treaty of Dover 1668-70', *Hist. Jn*, xxix (1986), pp 297-318; Richard L. Greaves, *Secrets of the kingdom: British radicals from the popish plot to the revolution* (Stanford, 1992), prologue.

<sup>47</sup> Tim Harris, *Politics under the later Stuarts; party conflict in a divided society, 1660-1715* (Harlow, 1993), pp 54-5; Andrew Marvell, *An account of the growth of popery and arbitrary government in England* (London, 1677), p. 3; Jones, *Country and court, England 1658-1714*, pp 199-201.

<sup>48</sup> Coward, *The Stuart age, 1603-1714*, p. 316

<sup>49</sup> Bodl., Carte Ms 81, ff. 362-3; Bagwell, *Ireland under the Stuarts and during the Interregnum*, iii, p. 127.

being acted within these 40 Years, I hope is not yet, nor ever will be forgot.<sup>50</sup>

The 1641 rebellion was significant in precipitating the English Civil War and all its accompanying destruction. Tied to this was the traditional fear that England's continental Catholic enemies would attempt to utilise Ireland as the backdoor through which to introduce Catholicism in England. The plot resurrected such fears and occasioned popular panic and hysteria through Britain with one news writer from Leeds alleging 'that Spaniards are landed in Ireland and 5,000 of them got over to Wales'.<sup>51</sup>

The news of this Catholic conspiracy quickly reached Ireland. By 3 October 1678, it was widely known of throughout Dublin city, as newsletters from England had been publicly read in its post house.<sup>52</sup> Ormond had entrusted Michael Boyle with the care of the city upon his departure to Kilkenny the previous August. Boyle was immediately concerned by these reports believing them to be but a continuance of the same design, which had been discovered some years previously by Friar French against the titular archbishop of Tuam, John Burke. He thus took it upon himself to issue orders to Sir Stanley Fielding, an officer of the Irish army, 'to have a care of his guards, and to direct a commission officer to be still upon some duty'.<sup>53</sup>

Ormond received his first intimation of the plot on 3 October just after he returned from a progress made into Munster to view its fortified places specifically the new fort under construction for the defence of Kinsale harbour.<sup>54</sup> He originally

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<sup>50</sup> Anonymous, *A brief narrative of the several popish treasons and cruelties against the Protestants in England, France, and Ireland giving a full account of the popish plot, and a full discovery of the manner of the murder of Sir Edmund-bury Godfrey* (London, 1678), pp 4-5.

<sup>51</sup> Henry Layton to Williamson, 9 Dec. 1678, *Cal. S. P. dom, 1678*, pp 562-4; Antonia Fraser, *King Charles II* (London, 1979), pp. 372.

<sup>52</sup> Michael Boyle to Ormond, 3 Oct. 1678, *Ormonde MSS*, iv, pp 207-9

<sup>53</sup> Michael Boyle to Ormond, 6 Oct. 1678, *Ormonde MSS*, iv, p. 210; Michael Boyle to Ormond, 9 Oct. 1678 *Ormonde MSS*, iv, pp 215-6; John Burke was the Catholic archbishop of Tuam from 1667-1713. Benignus Millet and C. J. Woods, 'Roman Catholic Bishops from 1534' in Moody, Martin and Byrne (ed.), *New History of Ireland*, ix, p. 379.

<sup>54</sup> Earl of Ossory's memorandum on the state of Ireland, 5 Apr. 1679, *Ormonde MSS*, v, pp 15-20.

did not know what to make of Oates's revelations. He replied to Sir Robert Southwell's first letter regarding the plot:

if Oates his tale be true, the Jesuits have found a short and sure way to put me out of the government, but I hope I shall rather go alone than in the company they designed me [Charles II]; though it be the best in the world.<sup>55</sup>

This attitude changed over the following days as more letters arrived from the English Privy Council, and by 7 October, Ormond was convinced of the plot's existence, writing to Michael Boyle: 'I am confident there is an ill-design one way or other in the contrivance.'<sup>56</sup> He had little doubt that Peter Talbot would be found to be behind it and pointed out to Southwell, 'that this is not the first time he has been said to have encouraged the acting of it'.<sup>57</sup> He immediately put into effect the orders of the English Privy Council ordering Captain Brown to take a squadron of horse guards to apprehend Talbot and convey him to Dublin castle. At the same time he made speedy preparations for a return to Dublin where he intended to put into execution, with the advice of the Irish Privy Council, the other parts of the English Council's order, relating to the removal of Catholic clergy and the disarmament of its laity.<sup>58</sup>

During his journey to Dublin there were several instances, which indicate that Ormond genuinely believed in the plot. On 11 October 1678, he received a letter dated the previous day from Major Henry Brennt. In it Brennt reported that he had failed to fulfil his orders to apprehend Peter Talbot on account of his extreme sickness and instead entrusted him to the charge of his brother, Colonel Richard Talbot. Ormond himself had written several days earlier to Michael Boyle on the subject of Talbot's supposed infirmity stating:

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<sup>55</sup> Ormond to Sir Robert Southwell, 5 Oct. 1678, *Ormonde MSS*, ii, p. 277.

<sup>56</sup> Ormond to Michael Boyle, 7 Oct. 1678, *Ormonde MSS*, iv, p. 209.

<sup>57</sup> Ormond to Sir Robert Southwell, 10 Oct. 1678, *Ormonde MSS*, ii, p. 277.

I have been told ever since he [Peter Talbot] landed that he is [so] infirm that he could not suffer no ordinary way of being carried a few miles. But I should think he may be as [easily brought from] town to Dublin as he was from Dublin thither. However it is with him, he and his friends must excuse me if in such an occasion I am not over careful of his ease.<sup>59</sup>

He was true to his word, for by the time Ormond entered Dublin city on 11 October, Peter Talbot was confined within the walls of Dublin castle as a close prisoner. There were no papers of significance found upon him or in his chamber at Lutterellstown House. Ormond eliminated this as a basis for Talbot's innocence stating to Southwell:

I did not doubt but he would have intelligence of the informations given against him as soon as I, at least time enough to dispose of any he had no mind should be found with him, or in his chamber or trunks.<sup>60</sup>

During the following days Ormond displayed a sincere zeal to get to the bottom of any alleged plot. Peter Talbot was examined on three separate occasions, however to no avail, as was his servant Andrew Bermingham and various Catholic gentlemen from Dublin who maintained correspondence with Talbot such as Nicolas Netterville.<sup>61</sup>

Despite his precautions, the aftermath of Oates's revelations was already beginning to adversely affect Ormond's position in London. The hysteria and apparent threat arising from the plot distracted the attention of the English Council completely from his parliamentary bills. Coventry wrote to Ormond on 8 October, 'we have much noise and we of the Council much business about a plot; would but two witnesses swear but half that which one doth there would be enough to hang a great many men.'<sup>62</sup> Ormond and his agents in London took drastic measures to try and resuscitate his sinking enterprise. On 29 October, Sir Robert Southwell and Sir

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<sup>58</sup> Ormond to Michael Boyle, 8 Oct. 1678, *Ormonde MSS*, iv, p. 212; Ormond to Earl of Orrery, 17 Dec. 1678, *Ormonde MSS*, iv, pp 278-81; Bodl., Carte Ms 146, ff 136-7.

<sup>59</sup> Bodl., Carte MS 38. f. 740; Ormond to Michael Boyle, 6 Oct. 1678, *Ormonde MSS*, iv, p. 212.

<sup>60</sup> Ormond to Sir Robert Southwell, 13 Oct. 1678, *Ormonde MSS*, ii, p 278.

<sup>61</sup> Bodl., Carte MS 38, f. 722; *Ibid.*, f. 730; *Ibid.*, f. 703; *Ibid.*, ff 726-8; *Ibid.*, ff 736-7.

<sup>62</sup> Henry Coventry to Ormond, 8 Oct. 1678, *Ormonde MSS*, iv, pp 212-3.



Edward Dering made it clear to Lord Chancellor Finch in Council, 'how the earl of Orrery was employing his skill and arguments against the Confirmation [bill].'<sup>63</sup> Sir Cyril Wyche was employed to make a formal representation to the king, whereby he would present and explain various letters from Ormond regarding objections held against his bills, especially his 'observations upon a letter [Orrery's] of many sheets of paper sent, as I [Ormond] am informed, into England pretending to show the unreasonableness of the bill for the settlement of estates here and the partiality of it to the Irish.'<sup>64</sup> With the storm clouds of anti-Catholicism gathering over the Stuart polity, Ormond's desire for an Irish parliament was now matched by the need to distance himself from the proposed land bill and the accusation of favouring popery.

However the atmosphere in England was so intense that the country was gripped by a wave of anti-Catholic hysteria and panic not seen since 1640-2.<sup>65</sup> Charles II was apprehensive about facing a suspicious and scared English parliament and soon pulled the plug on the possibility that an Irish parliament would convene. On 15 November Ossory formally notified his father that neither Charles II nor the duke of York was prepared to summon a parliament in Ireland while one was sitting in England.<sup>66</sup> On 30 November, Ormond reluctantly concurred with his son citing the Popish Plot rather than the initial opposition from Orrery and Conway for disrupting his parliamentary ambitions.<sup>67</sup> Ormond reiterated this opinion to Ossory on 24 December 1678, stating

when I undertook a parliament here would furnish the king with money, and would not be troublesome, I little dreamt of such a tempest as is now raised, and is like without the breath of god calm it, to shake all those kingdoms into confusion.<sup>68</sup>

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<sup>63</sup> Sir Robert Southwell to Ormond, 29 Oct. 1678, *Ormonde MSS*, iv, pp 464-6.

<sup>64</sup> Ormond to Sir Cyril Wyche, 29 Oct. 1678, *Ormonde MSS*, iv, p. 226.

<sup>65</sup> Coward, *The Stuart age, England 1603-1714*, p. 327.

<sup>66</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 99.

<sup>67</sup> *Ibid.*, p. 99; Ormond to Ossory, 30 Nov. 1678, *Ormonde MSS*, iv, p. 254.

<sup>68</sup> Ormond to Ossory, 24 Dec. 1678, *Ormonde MSS*, iv, pp 288-9; Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 98-100.

The plot also threatened to alienate popular support for Ormond's regime both in Ireland and England. This was something that he and his agents understood from an early stage. On 6 October, Michael Boyle, whilst informing Ormond of the precautionary measures he had undertaken to defend Dublin city from the plot, suggested to him

whether your grace will not think fit upon this occasion to come sooner to Dublin than your grace intended, for though I do not apprehend the least of danger, yet I know not what misrepresentation might be made of your absence by some that do not love you.<sup>69</sup>

In London, both Coventry and Longford believed that such a critical conjuncture required the presence of his second son Richard Butler, earl of Arran, at court, 'him being very well with the king and duke, and in good esteem with all men here.'<sup>70</sup> Longford also hoped that Ormond had received directions in regard to Oates's plot from England before the Irish plotters had escaped, 'for from your vigour in this particular measure will be taken of your inclinations, and you will be reflected upon accordingly'.<sup>71</sup>

The discovery of the Popish Plot in England highlighted two of Ormond's main weaknesses, his position vis-à-vis Catholicism and the court and parliament in London. Despite his many protestations of loyalty to the established church, he could never fully escape the accusations of being pro-papist or being a crypto-papist, and his recent attempts to forge a new land settlement did little for his case in the light of its perceived partiality to Catholics. A Catholic contemporary wrote from Ireland that previous September, 'his grace of Dublin, Peter Talbot [...] tells me that Ormond is

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<sup>69</sup> Michael Boyle to Ormond, 6 Oct. 1678, *Ormonde MSS*, iv, pp 210-1.

<sup>70</sup> Earl of Longford to Ormond, 8 Oct. 1678, *Ormonde MSS*, iv, pp 214-5; Harman Murtagh, 'Richard Butler, first earl of Arran (1639-1686)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, ix, pp 127-8; in 1662, Butler was created Baron Butler of Cloughgrenan, Viscount Tullogh, and earl of Arran. The following year he was made an Irish Privy Councillor and in 1673 on account of his bravery at the battle of Texel, he was created Baron Butler of Weston in the English peerage.

<sup>71</sup> *Ibid.*, pp 214-5.

as much out with the Protestants as ever he was with the Catholics.<sup>72</sup> The duke of York being implicated in treasonous affairs by Edward Coleman's letters likewise did little to help his cause as he had endorsed Ormond's reinstatement as viceroy; Southwell reported from the House of Commons days after it had convened:

Upon the stirring of the matter of this conspiracy in the House many of the country gentlemen were much scandalised to see none of the other side speak a word, but all the matter of this agitation left to them, though it concerned the king's security. One of them, a principal man, pressing to have the cognisance of the affair brought before them, enlarged into the rumour of other resolutions intended, and said these could not be the doings of a little secretary [Edward Coleman], but persons of other note that must be inquired after.<sup>73</sup>

Ormond's enemies in Ireland and England were quick to utilise such conditions to attack both his person and position. In Ireland, Orrery was foremost among those who took up this mantle; the projected Land Bill had resurrected many of their previous differences, but the plot soon brought their traditional enmity to the fore. It provided Orrery with the perfect opportunity as Clarendon's fall had in 1667, to use his two weaknesses against him - his links to Catholicism and his precarious position with the court and parliament in London. Coventry soon reported to Ormond on 8 October, 'I hear likewise Lord Orrery's papers are come over'.<sup>74</sup> In London, Longford noted the intrigues of Ranelagh and others, stating, they

[...] are very busy and industrious to represent your grace as very partial to the papists, and though I am confident their malicious insinuations will never gain credit with those that know you, yet your enemies will make use of all tools and means to do you mischief.<sup>75</sup>

Many eminent politicians in London were receptive to such intrigues. Anthony Ashley Cooper, earl of Shaftesbury, had never liked Ormond and George Villiers, duke of Buckingham, had actually conspired to have Ormond murdered in 1670.<sup>76</sup>

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<sup>72</sup> Bodl., Carte MS 38, f. 751.

<sup>73</sup> Sir Robert Southwell to Ormond, 22 Oct. 1678, *Ormonde MSS*, iv, pp 400-1.

<sup>74</sup> Henry Coventry to Ormond, 8 Oct. 1678, *Ormonde MSS*, iv, pp 212-3.

<sup>75</sup> Earl of Longford to Ormond, 8 Oct. 1678, *Ormonde MSS*, iv, pp 214-5.

<sup>76</sup> Bagwell, *Ireland under the Stuart's and during the Interregnum* iii, p. 122; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p 370; Beckett, *The cavalier duke: a life of James*

Essex and others were partial to such intrigues, especially when the removal of Ormond might occasion his reinstatement to his former office. Many other courtiers were made suspicious and receptive to such complaints and accusations by the contemporary atmosphere of fear, distrust and uncertainty in England. After all, the previous existence of such upheavals in England in the 1630s and '40s had precipitated a rebellion in Ireland with disastrous implications for the English nation.

It was soon alleged in the House of Lords by William Wentworth, son of Thomas Wentworth, earl of Strafford,<sup>77</sup> during a motion relating to the proceedings of the Irish government against Catholics, 'that the papists were strangely insolent in several places of the kingdom, namely Waterford and Dublin, where [...] proclamations were pulled down from the posts after they had been a second time set up'.<sup>78</sup> He further lamented the growing strength of Catholicism in Ireland and put it to the House of Lords that if some care was not taken, 'all other cares were in vain'.<sup>79</sup> Arthur Annesley, earl of Anglesey, attempted to rebuke Strafford, acquainting the House that effectual orders had been issued and that the said lord Strafford had been present at them. According to Southwell however, this 'was so much doubted [...] that the Lords appointed to have that order brought to them on Friday morning'.<sup>80</sup> It was also spread around London that Ormond was sympathetic to Peter Talbot. Ossory informed his father, 'it is whispered that you seized not his papers which

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*Butler, 1<sup>st</sup> duke of Ormond*, pp 104-5; Tim Harris, 'Anthony Ashley Cooper, first earl of Shaftesbury (1621-1683)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, xiii, pp 199-217. According to Harris, of the principal reasons behind Shaftesbury's support for a bill in 1667, preventing the importation into England of Irish cattle, one was due to personal antipathy to Ormond that an Irish peer had superseded English ones.

<sup>77</sup> C. V. Wedgwood, *Thomas Wentworth : first earl of Strafford, 1593-1641* (London, 1961), p. 56; William Wentworth was born on the eight of June 1626.

<sup>78</sup> Ossory to Ormond, 23 Oct. 1678, *Ormonde MSS*, iv, pp 219-20; Sir Robert Southwell to Ormond, 26 October. 1678, *Ormonde MSS*, iv, pp 461-4;

<sup>79</sup> Sir Robert Southwell to Ormond, 26 Oct. 1678, *Ormonde MSS*, iv, pp 461-4.

<sup>80</sup> *Ibid.*, pp 219-20; *Ibid.*, pp 461-4.

have been the course here of all that have been imprisoned by accusation.’<sup>81</sup> At court itself, many of Ormond’s traditional allies were wavering, and a worried Anglesey sought discourse with Ossory over alleged defects within the Irish kingdom such as ammunition being kept in insecure places and substandard public officials.<sup>82</sup>

Ormond wrote frantic letters during the first half of October 1678 defending his character in regard to the established religion and order. In one such letter, he stated to Southwell ‘what may be said in refutation of the suggestions of my being a favourer of papists, is a little touched in a letter I have sent by this post to my lord of Longford’.<sup>83</sup> In another drawn up for a greater audience than Southwell, Ormond clarified his position in regard to his many Catholic relatives stating

that if I find any of them who are nearest to me acting or conspiring rebellion against the government and religion established amongst us, I will endeavour to bring them to punishment sooner than the remotest stranger to my blood.<sup>84</sup>

He refuted out of hand potentially disastrous revelations made by Peter Talbot during his examinations that he had allowed him to return to Ireland after mediation and interposition on his behalf by Ormond’s brother in law, Colonel John Fitzpatrick.<sup>85</sup> Ormond informed Southwell that the Remonstrant cleric Peter Walsh, who at that time was present in England, could say something about Peter Talbot’s earlier threats against his life and how few Catholic bishops there were in Ireland, when he left government in 1669, in comparison to when he returned.<sup>86</sup> These manoeuvres are indicators that Ormond perceived he was under threat. The plot distorted his position

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<sup>81</sup> Ibid., pp 219-20.

<sup>82</sup> Ibid., pp 219-20; Anglesey was referring to Peter Ward, the lord mayor of Dublin at this time.

<sup>83</sup> Ormond to Sir Robert Southwell, 15 Oct. 1678, *Ormonde MSS*, ii, p. 278.

<sup>84</sup> Ormond to Sir Robert Southwell, 30 Nov. 1678, *Ormonde MSS*, ii, p. 280.

<sup>85</sup> Ormond to Colonel John Fitzpatrick, 17 Oct. 1678, *Ormonde MSS*, iv, p. 218.

<sup>86</sup> Ormond to Sir Robert Southwell, 15 Oct. 1678, *Ormonde MSS*, ii, p. 278; S. J. Connolly (ed.), *The Oxford companion to Irish History* (2nd edition, Oxford, 2004), p. 506; Catholic nobles drew up the loyal Remonstrance in 1661 after the Restoration, acknowledging Charles II to be their king in all matters temporal as they were anxious to secure their position in the forthcoming land settlement. Throughout the Restoration the greatest exponent of this formula that would limit the pope’s power was Peter Walsh.

in regard to a series of fixed points and as such forced him to engage in a drastic series of measures to defend his position. The main purpose of these was to redress the balance between the Irish government and various figures within the Irish kingdom and the court and parliament in England.

Ormond's first attempt to redress the balance was by tackling the constant stream of information emanating from Orrery towards him in Dublin and behind his back to London. The content of these letters, but more importantly, Orrery's carriage at this time precipitated a 'pen war' with Ormond, for as the latter stated to Southwell 'the matter of his letters to me and to my lord chancellor of Ireland [Michael Boyle] (which he knows are read to me) are transmitted into England and probably get thither as soon as our answers to him'.<sup>87</sup> The root of this dispute was two different views over what measures were most important to maintain and secure the Protestant interest.<sup>88</sup> In the days following his arrival in Dublin, Ormond acted upon the orders of the English Council dated 1 October, to set forth the departure of Catholic clergy and require its laity to relinquish their arms.<sup>89</sup> On 14 October, all officers and soldiers of the army in Ireland were ordered to repair to their quarters within fourteen days. Two days later, all Catholic archbishops, bishops, vicars, abbots, regular priests and Jesuits were ordered to depart the kingdom by 20 November and finally, on 2 November, all those belonging to the Catholic religion were ordered to hand in all arms within twenty days to particular persons sent from the kings stores. The militia were later ordered to put themselves into a posture of

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<sup>87</sup> Ormond to Sir Robert Southwell, 30 Nov. 1678, *Ormonde MSS*, ii, p. 280; Ormond to Sir Robert Southwell, 7 Dec. 1678, *Ormonde MSS*, ii, pp 281-2.

<sup>88</sup> Toby Barnard, 'Roger Boyle, first earl of Orrery (1621-1679)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, vii, pp 109-113; Richard L. Greaves, 'Arthur Capel, first earl of Essex (bap. 1632, d. 1683)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, ix, pp 976-982. Orrery firmly believed that the best way to protect the long and vulnerable coast of Munster was by setting up militia's composed solely of local Protestants. This viewpoint was not shared by Ormond or his predecessor Essex who feared that Presbyterians, former Cromwellians and others of dubious loyalties would undoubtedly join such militias.

defence in case of widespread disobedience of the said proclamations.<sup>90</sup> Ormond would later summarise the plan of action adopted, stating, 'in short, we have endeavoured to remove incendiaries, to disarm those justly suspected and to warn and arm the English and Protestants.'<sup>91</sup>

Ormond undertook this policy for many reasons. Despite all the warnings and reports from London, no rebellion had materialised and the Irish countryside still remained relatively peaceful. The apprehension of Peter Talbot and his associates and correspondents had failed to shed further light on the existence of an Irish plot. Rather it appeared from Talbot's papers that the charges against him may have originated with one John Sergeant, with whom he had been at loggerheads over points of divinity.<sup>92</sup> It is also certain that Ormond held interviews with prominent Irish Catholics during this critical period to ascertain whether there was a Catholic plot in existence. Richard Talbot moved from his residence at Lutterellstown into the city and significantly, when directions arrived for his apprehension on 12 November, he was in the gallery of Dublin castle.<sup>93</sup> There are several instances which make it apparent that Ormond was already sceptical of Oates's revelations, most notably the case of his cousin, Edmund Butler and his son, Richard Butler.<sup>94</sup> On 23 October,

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<sup>89</sup> Ormond to Earl of Orrery, 17 Dec. 1678, *Ormonde MSS*, iv, pp 278-81.

<sup>90</sup> *Ormonde MSS*, v, pp 24-9.

<sup>91</sup> Thomas Carte, *An history of the life of James duke of Ormond from his birth to his death in 1688* (3 vols, London, 1736), ii, p. 484; Ormond to Sir Robert Southwell, 19 Nov. 1678, *Ormonde MSS*, ii, p. 279.

<sup>92</sup> Bodl., Carte Ms 146, ff 137-8; Malcolm V. Hay, *The Jesuits and the popish plot* (London, 1933), pp 183-90; Talbot had kept Sergeant's letters in his possession in the hope of occasioning trouble for him or diverting attention away from himself, but this evidence disappeared in London where Sergeant a Catholic priest and confessed enemy of the Jesuits had connections with Oates and other promoters of the Popish Plot. According to Hay most of Oates's revelations especially what he alleged about the proposed assassination of Ormond originated with Sergeant.

<sup>93</sup> Ormond to Viscount Conway, 12 Nov. 1678, *Ormonde MSS*, iv, p. 234; Philip W. Sergeant, *Little Jennings and fighting Dick Talbot, The story of the duke and duchess of Tyrconnel* (2 vols, Dublin, 1912), i, pp 268-70.

<sup>94</sup> William Carrigan, *The history and antiquities of the diocese of Ossory* (4 vols, Dublin, 1905) ii, pp 93-4; Richard Butler, 3<sup>rd</sup> Viscount Mountgarret married a daughter of Hugh O'Neill. Their son, Edmund (1599-1679), 4<sup>th</sup> Viscount Mountgarret married a daughter of the earl of Castlehaven. His son, Richard (c. 1634-1706), 5<sup>th</sup> Viscount Mountgarret.

Oates had accused them along with Richard Talbot and Mr Peppard of Drogheda at the bar of the Commons with complicity in the plot.<sup>95</sup> Henry Coventry had already forewarned Ormond of this as early as mid October, but he failed to take any action against any of the accused until he received directions from England on 12 November. Ormond was encouraged in this stance by his knowledge of both the father and son, 'the father is 84 years old and his eldest son the weakest young man both in body and mind that I [Ormond] know living without a guardian'. Thus on the same day that he put the orders of the English Council relating to both into execution, Ormond privately wrote to his confidant Captain George Mathews, 'I am confident if Mr Oates had been better informed he would rather named my cousin Ned.'<sup>96</sup>

Orrery did not fail to make clear his disappointment over Ormond's actions in response to the plot. In his letters, he claimed to be writing on behalf of the poor Protestants who lived isolated and insecure throughout the counties of Cork, Kerry and Clare.<sup>97</sup> He made it known to Ormond that though a Catholic conspiracy threatened the very existence of the Protestant interest, yet no orders were forthcoming for the effectual setting up of the county militias throughout Munster, except those proclamations pertaining to the removal of Catholic clergy and the disarmament of its laity. Orrery's inherent distrust of Catholicism convinced him that this course of action was not only poorly conceived and impractical, but also reckless. He wrote to Ormond,

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<sup>95</sup> Sir Cyril Wyche to Ormond, 23 Oct. 1678, *Ormonde MSS*, iv, pp 221-2.

<sup>96</sup> Henry Coventry to Ormond, 8 Oct. 1678, *Ormonde MSS*, iv, pp 212-3; Ormond to Viscount Conway, 12 Nov. 1678, *Ormonde MSS*, iv, p. 234; Ormond to Captain Mathew, 12 Nov. 1678, *Ormonde MSS*, iv, pp 232-3; Bodl., Carte Ms 146, f. 267; Bodl., Carte Ms 72, f. 429; Sir Robert Southwell to Ormond, 3 Dec. 1678, *Ormonde MSS*, iv, pp 485-7; Ormond probably shared the same view as Charles II, who on various occasions in Council made it known that he had no manner of belief in the popish plot instead he feared Protestant fanatics and Fifth Monarchy men more, and believed them to be the instigators of the plot in the hope of reinstating a Commonwealth as under Cromwell.



[...] it is an unusual thing first to irritate a numerous and dangerous clergy, who are blindly obeyed by all their flocks, and a numerous laity also, and then to prescribe the means to justify it by force if they prove disobedient [...] nor could I think the civil officers would have been very active therein until they saw the militia up to have protected them in doing their duties.<sup>98</sup>

He advised Ormond to undertake a further course of measures to properly secure the Protestant interest such as purging the garrison towns of Catholics and having the most dangerous Catholics, especially those who had lost their estates, secured.<sup>99</sup>

The contents of these letters were discomfoting for Ormond because of the dangerous insinuations within them. He stated to Sir Cyril Wyche that these lay with their 'double edged threats'. First, by demonstrating extraordinary vigilance and forecast, Orrery won both ways. He would never want applause if no mischief occurred for his providence and circumspection and if violence did occur, its prevention would be attributed to his counsel, while if it succeeded, it was because of the neglect of the Irish government. Second, his letters disparaged the Irish government and rendered it suspect to Protestants by associating negligence, weakness and other faults to its charge for not acting vigilantly for the Protestant interest. In essence, the implied meaning in Orrery's letters was that England was in a state of crisis similar to the 1640s, which precipitated a rebellion in Ireland; furthermore Ormond was doing little to counter this threat and protect the Protestant interest and the reason for this was obvious – he was a crypto-papist.

Orrery was fully aware of Ormond's weak points and immediately focused on contentious issues such as the widespread disobedience to the government's recent proclamations. On 19 November, he stated to Ormond in a letter almost certainly sent to London,

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<sup>97</sup> Sir Robert Southwell to Ormond, 19 Nov. 1678, *Ormonde MSS*, iv, pp 474-8.

<sup>98</sup> Bodl., Carte Ms 118, ff 162-5; Earl of Orrery to Ormond, 10 Dec. 1678, *Ormonde MSS*, iv, pp 270-4.

the mayor and some of the chief Aldermen of Youghal, Cork, and Kinsale, say only one of the regular romish clergy (named Grace) has given in his name to be shipped in those three ports, though this is the end of the time.<sup>100</sup>

Orrery also made use of the plot to aggravate and enlarge the existing fears of Protestants throughout Ireland and England to the detriment of Ormond. In London, Sir Robert Southwell understood perfectly Ormond's contemporary predicament stating,

tis a hard game you have to play when more care is required to obviate the imaginary dangers that malice does create than those real ones which are more apparent, and which a little unanimity and honesty would easily suppress.<sup>101</sup>

The case of Dongan's regiment makes such proceedings apparent. During the 1670s, Charles II had submitted to growing anti-Catholic and anti-French feeling by recalling all his regiments fighting under the banner of Louis XIV.<sup>102</sup> However, contrary to this policy, in early 1678, he issued instructions to Colonel Thomas Dongan to recruit an infantry regiment of twenty-one companies in Ireland with the intention of sending them to aid Louis XIV in France.<sup>103</sup> The paranoia surrounding the Popish Plot made the presence of this regiment a huge embarrassment to Ormond. It was accentuated even more by the arrival in Ireland of Catholic soldiers dismissed from the service of James, duke of Monmouth, but compensated by

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<sup>99</sup> Bodl., Carte Ms 38, ff 657-8; in 1672 at the time of the Third Anglo-Dutch war Orrery had attempted to prevent the readmission of Catholic merchants and traders into towns.

<sup>100</sup> Bodl., Carte Ms 118, ff 154-5.

<sup>101</sup> Sir Robert Southwell to Ormond, 16 Nov. 1678, *Ormonde MSS*, iv, pp 472-4.

<sup>102</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 279-80; J. D. Davies, 'International relations, war and the armed services' in Lionel K. J. Glassey (ed.), *The reigns of Charles II and James VII and II* (London, 1997), p. 219; H. Pichat, 'Les armées de Louis XIV en 1674', *Revue d'histoire*, 37, 109 (January 1910), p. 3; John A. Lynn, *Giant of the Grand Siecle: the French army, 1610-1715* (Cambridge, 1997), p. 367; according to Lynn, in 1674, there were close to six thousand Irish, English and Scots in the French army.

<sup>103</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 280-2; Stephen Webb, *Lord Churchill's coup: the Anglo-American empire and the Glorious Revolution reconsidered* (New York, 1995), pp 46-7; Piers Wauchope, 'Thomas Dongan, second earl of Limerick (1634-1715)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, xvi, pp 523-4; Dongan who was married to Mary Talbot, a sister of Richard, later became lieutenant governor of the city and garrison of Tangiers in the place of Sir Palmes Fairbourne. In 1683, he was appointed governor-general of New York.

Charles II with commissions in Dongan's regiment.<sup>104</sup> The movements of these soldiers led to ugly incidents at Chester in England and Cork and Kinsale in County Cork, where the said officers were disarmed and interned.<sup>105</sup> They occasioned hysterical letters from Orrery who suspected something sinister especially as it seemed to him, 'there are more officers that pretend to be of that regiment than will officer it, at least if it be as other regiments usually are.'<sup>106</sup> In London, he had letters dispersed alleging that in ten or twelve of the companies in Dongan's regiment, there was not a single Protestant bar Sir Richard Parsons and Lord Blaney but over eighty Catholic officers 'ready to head any rebellions, invasions or massacres that have been or are designed in this or that kingdom'.<sup>107</sup>

In England, these incidents precipitated the demise of Sir Joseph Williamson, Secretary of State, as these soldiers had been commissioned without taking the required oaths.<sup>108</sup> It furthermore strained Charles II's already tenuous relationship with his parliament, but more importantly, it highlighted to many in England at a particularly sensitive time how very little the lord lieutenant of Ireland feared and was prepared for a Roman Catholic insurrection. It added further weight behind Orrery's intrigues that Ormond was actually a crypto-Catholic, especially since Dongan's regiment was now headed by his nephew, Justin MacCarthy who had previously served in France under Louis XIV's banner.<sup>109</sup> Orrery tried to use these incidents to corner Ormond or force him into a mistake. He wrote to Ormond on 12

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<sup>104</sup> Certificate by the duke of Monmouth to Donough MacCarthy, 7 Nov. 1678, *Cal. S. P. dom, 1678*, p. certificate by the duke of Monmouth, 9 Nov. 1678, p. 508.

<sup>105</sup> Bodl., Carte Ms 72, f. 412; Bodl., Carte Ms 38, ff 699-701; *Ibid.*, f.617; Bodl., Carte Ms 243, f. 334.

<sup>106</sup> Earl of Orrery to Ormond, 12 Nov. 1678, *Ormonde MSS*, iv, p. 231.

<sup>107</sup> Earl of Anglesey to Ormond, 23 Nov. 1678, *Ormonde MSS*, iv, pp 242-3; Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 280-2.

<sup>108</sup> Aydelotte, 'The duke of Ormonde and the English government of Ireland, 1677-85', p. 281; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 281; Kenyon, *The Popish Plot*, p. 117.

<sup>109</sup> 1 Oct. 1678, *Cal. S. P. dom, 1678*, pp 444-5; Justin MacCarthy replaced Thomas Dongan as the commander of Dongan's regiment.

November, desiring orders in regard to these officers as he was assured from London that none but merchants were to go from England without passes. He tried to tease out Ormond's prior knowledge by desiring a list of such officers as really belonged to Dongan's regiment, so as to discover those who were not to be sheltered under that pretence. Orrery concluded his advice with an indirect condemnation of Ormond's actions in regard to the plot, 'especially till your excellency sees how the Romish clergy obey and the disarming goes on.'<sup>110</sup>

Orrery's letters painted a picture of total anarchy, with murderous armed Catholics fomenting rebellion and a French invasion fleet almost daily expected. The Protestants of Ireland were scared out of their wits and according to Orrery 'every country gentleman and Protestant out of a garrison goes to bed in fears'. The advent of this terror was not far away as a priest had privately advised his brother Francis Boyle, Viscount Shannon, to send his best goods into the nearest garrison town.<sup>111</sup> Despite these imminent threats, the militia in Munster had not yet been effectively raised. He himself had intended to follow his wife to England, 'but [...] was forced from those designs by the universal applications which the poor Protestants made to me'.<sup>112</sup> He made it known to Ormond that

though in the beginning of September the horrid plot was detected, yet till the 11<sup>th</sup> of November not so much as a letter came for the setting up the militia; and when it came, some of those to whom it was directed did not find it answer their hopes or fears.<sup>113</sup>

The officers appointed by Ormond to institute the militia in Munster had petitioned Orrery for his help as they had never lived there and were at a loss to appoint a rendezvous for the militia and order them accordingly. In light of all these developments, Ormond was clearly seen as failing to protect the Protestant interest.

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<sup>110</sup> Earl of Orrery to Ormond, 12 Nov. 1678, *Ormonde MSS*, iv, p. 231.

<sup>111</sup> Earl of Orrery to Ormond, 29 Nov. 1678, *Ormonde MSS*, iv, pp 246-51.

<sup>112</sup> *Ibid.*, pp 246-51.

There may have been a reason for this. On 29 November 1678 Orrery wrote to Ormond to substantiate information recently dispersed around Munster claiming that the lord lieutenant had met with 'one Mr Fitzgerald' of Connacht who had assured him 'that the plot would take effect, there were so many great persons involved in it, and that the Irish, by the help of the French, would be masters of Ireland by March next'.<sup>114</sup>

Ormond's 'pen war' with Orrery was attracting quite an audience in London, thus from an early stage he knew the importance of not been caught out by Boyle and proven negligent in his duties. In regard to Dongan's regiment, Ormond showed acute political awareness by taking pre-emptive action before any incidents occurred. He informed Coventry on the 10 November 1678 that he had 'been in expectation a good while to receive some directions concerning a regiment of Irish here called Colonel Dongan's'.<sup>115</sup> He stated that there had at first been little exception taken to them as they were quietly raised and kept, but since the noise of the plot, 'I have heard of some disorders committed by them'. Ormond was confident that if there were any 'they are such as at another time would not have been taken notice of'.<sup>116</sup> He suggested to Coventry that instead of disbanding them and allowing them to turn tory, 'they might be permitted and assisted to make conditions in some other service'.<sup>117</sup> In London, Ossory was immediately set to work at court and on 26 November before Council, he showed Charles II Ormond's previous letters relating to MacCarthy's regiment, reminding him of what both he and Coventry had

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<sup>113</sup> *Ibid.*, pp 246-51.

<sup>114</sup> Earl of Orrery to Lieutenant-Colonel Meade, 28. Nov. 1678, *Ormonde MSS*, iv, pp 245-6; Bodl., Carte Ms 38, f. 709; John Fitzgerald had been originally arrested in county Sligo after saying mass and was soon suspected of being one of twelve Jesuits sent into Ireland by the pope and French king to seduce the people into rebellion.

<sup>115</sup> Ormond to Henry Coventry, 10 Nov. 1678, *Ormonde MSS*, iv, pp 228-9.

<sup>116</sup> *Ibid.*, pp 288-9.

<sup>117</sup> *Ibid.*, pp 228-9; in seventeenth and eighteenth century Ireland, a tory was the term given to bandits or outlaws.

previously said on that subject to his father. Ossory was successful and two things arose out of this tactic. First, Charles announced in Council that if any ill accident occurred before they were disbanded, 'the blame will neither light on you [Ormond] or me [Ossory]'.<sup>118</sup> Secondly, Coventry informed him that 'this day at Council his majesty declared he would have Colonel MacCarthy's regiment in Ireland disbanded'.<sup>119</sup> Ormond was cautious enough not to be found wanting in the meantime and endorsed Orrery's initial orders concerning Catholic officers arriving in Ireland, that those who cannot produce commissions be immediately interned.<sup>120</sup>

The intense political pressure that Ormond was under cannot be better demonstrated than by his efforts to clear himself of any personal involvement in the plot and to get to the bottom of it. He categorically denied meeting and receiving any information regarding the plot from a Mr Fitzgerald of Connacht. He informed Orrery that he had one by that name, who had been apprehended in Sligo for having said Mass, conducted to Dublin after he claimed he could make great discoveries of those sent into Ireland by Louis XIV and the pope to seduce the people to their service. However upon examination, he was found to be a notorious scoundrel and vagabond friar, 'who has been preaching among the Presbyterians in the north, as one of their way, but discarded by them for his three virtues of lying, drinking and whoring.'<sup>121</sup> In regard to the advertisements and advice given by the priest to Viscount Shannon, Ormond acknowledged in a letter to Orrery that 'if well followed and traced to the fountain, to be the likeliest way I have yet seen offered to discover that damnable plot in all its circumstances of contrivement and conspirators.'<sup>122</sup> As such he ordered Orrery to have the priest in question and others concerned to be

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<sup>118</sup> Ossory to Ormond, 26 Nov. 1678, *Ormonde MSS*, iv, pp 243-4.

<sup>119</sup> Henry Coventry to Ormond, 26 Nov. 1678, *Ormonde MSS*, iv, p. 245.

<sup>120</sup> Ormond to Earl of Orrery, 16 Nov. 1678, *Ormonde MSS*, iv, pp 236-7.

<sup>121</sup> Ormond to Earl of Orrery, 7 Dec. 1678, *Ormonde MSS*, iv, pp 265-9; Bodl., Carte Ms 70, ff 523-4.

speedily sent to Dublin for examination. The Protestants that received the warnings were to be likewise sent to Dublin or, if this was not feasible, Orrery could send their examinations to Dublin.<sup>123</sup>

Ormond denied Orrery's subtle accusation of time wasting, stating he received first notice of the plot on 7 October 1678. He queried whether Orrery had received any earlier notice of the plot, for 'if your lordship had known it sooner I presume you would have thought fit to be imparted to me.'<sup>124</sup> Ormond reassured Orrery that he could show him how the time of the Irish board was spent, both by public acts and the journals of the Council books and indirectly made it clear to him that his opinions were shared by none of the Privy Council by sarcastically wishing that his health had permitted his presence with them:

Because it would have saved us both the pains in writing, and either you would have been better satisfied with our proceedings (which are as hitherto very unanimous) than your letters intimate, or they would have been changed to your liking.<sup>125</sup>

In regard to the militia, which had developed into the most contentious issue between the two, Ormond averred 'that it was proceeded in as fast as the Council thought it convenient'.<sup>126</sup> He pointed out that before any actions in regard to the plot were taken, it had been the Irish government's immediate duty to act upon the king's pleasure, signified by the order of the English Council dated 1 October, 'to set forth the proclamation for the departure of popish titular and regular clergy and in pursuance of his general directions to require the popish laity to bring in their arms'.<sup>127</sup> The militia that had been raised, he had inspected in several counties, and to him they appeared 'well modelled, armed, and commanded'. This made him question

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<sup>122</sup> Ibid., pp 265-9.

<sup>123</sup> Ibid., pp 265-9.

<sup>124</sup> Ibid., pp 265-9.

<sup>125</sup> Ibid., pp 265-9.

<sup>126</sup> Ibid., pp 265-9; Ormond to Orrery, 17 Dec. 1679, *Ormonde MSS*, iv, pp 278-81.

<sup>127</sup> Ormond to Earl of Orrery, 7 Dec. 1678, *Ormonde MSS*, iv, pp 265-9.

how the fears of the Protestants of Munster represented by Orrery could be any greater than in any other part of the kingdom, 'from whence I [Ormond] do not hear but that Protestants that live out of garrisons lie down quietly and rise safely'.<sup>128</sup>

Ormond showed great political ingenuity in dealing with Orrery's initial complaints but the reality of his position at the end of November 1678 was that Orrery's complaints were still affecting him. The reason behind this was quite simple, the initial measures undertaken by the Irish government had very little impact at ground level, and even the Catholic clergy of Dublin remained relatively unmolested. This situation allowed Orrery a reservoir of constant abuses alluding negligence towards the plot by the Irish government. Orrery was weekly providing evidence of large numbers of Catholics illegally mustered in the Irish army and Catholic clergy present in the country.<sup>129</sup> The supposed unanimity of the Irish Privy Council with Ormond's actions and opinions was far from true with Captain Robert Fitzgerald expressing serious concern for the Protestants of Queen's County (Laois). Concerned gentry there had assured him that they were under great trouble, because the Captain of their county militia was reputed to be a papist who regularly had Mass said in his house and had his children christened by Catholic priests.<sup>130</sup> There is no doubt that even Ormond was aware of such problems, and on one occasion even conceded to Orrery that many county militias might not be well ordered 'unless where perhaps there might be the governor of a county, of whom few were resident in their counties, and, I doubt, fewer took pains.'<sup>131</sup>

These weaknesses in dealing with the Catholic threat within the Irish kingdom were immensely damaging to Ormond's position in England at a time when anti-

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<sup>128</sup> *Ibid.*, pp 265-9.

<sup>129</sup> Earl of Orrery to Ormond, 19 Nov. 1678, *Ormonde MSS*, iv, pp 238-9.

<sup>130</sup> Bodl., Carte Ms 247, f. 328; Earl of Orrery to Sir John Mallet, 3 Dec. 1678, *H. M. C. Reports*, 5, pp 318-9.



Catholicism was in the ascendant and it was further exacerbated by the publication and dispersal of many of Orrery's letters there. Southwell reported on 23 November, 'the squabble there between the Irishman and the sentinel about pulling down the proclamation is made matter of news from thence'.<sup>132</sup> Anglesey felt compelled to inform Ormond of information he had received from Ireland reporting widespread dangers to the Protestant interest, despite Ossory's recent attempts to conciliate him.

He was extremely critical of the methods undertaken to disarm the Catholic Irish:

It is written from Ireland that the late proclamation published there for the papists to bring in their arms gives them twenty one days to do it [...] which is looked upon as an advantage held forth to the sectaries, and a warning to the Irish to hide and conceal their arms; whereas in 1663 the poor English were searched by surprises and their arms taken away and not restored to this day.<sup>133</sup>

He finished by encouraging Ormond to safeguard the Protestant interest indirectly expressing his belief that the Irish government were negligent in their duties,

I wish the militia of English and Protestants were as well settled as I saw it, when once I attended his majesty's service in that kingdom; that Dublin and other garrisons and the store house may be so secured that the Protestants may not be a sacrifice to the Irish treachery, and implacable thirst for their blood and estates.<sup>134</sup>

To add to Ormond's woes, a cipher of his Catholic brother in law, Colonel John Fitzpatrick was discovered amongst Edward Coleman's papers, which according to Southwell, 'gives frequent occasion to discourse of him'.<sup>135</sup>

The only way Ormond could refute such rumours at court was outdoing Orrery in his zeal for securing the Protestant interest. On 20 November, the Irish Privy Council issued a proclamation rewarding anyone who discovered any officer or soldier of the army to be a Catholic or hear Mass. The sheriffs of several counties received letters from the Irish Privy Council on 2 December, to be communicated to

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<sup>131</sup> Ormond to Orrery, / Dec. 1678, *Ormonde MSS*, iv, pp 265-8.

<sup>132</sup> Sir Robert Southwell to Ormond, 23 Nov. 1678, *Ormonde MSS*, iv, pp 478-9.

<sup>133</sup> Bodl., Carte Ms 70, f. 519.

<sup>134</sup> *Ibid.*, f. 519.

<sup>135</sup> Sir Robert Southwell to Ormond, 23 Nov. 1678, *Ormonde MSS*, iv, pp 248-9.

the justices of the peace taking notice of their neglect in apprehending Catholic clergy who did not transport themselves according to the proclamation of 16 October 1678. A second proclamation for disarming Catholics was issued under virtually the same conditions as the first. It contained several paragraphs which condemned both the officers of the law and military for 'their great neglect in not making strict search for, and seizing upon all such arms as immediately after the 22<sup>nd</sup> of November last past might be found in the possession of [...] persons of the popish religion'.<sup>136</sup> They were commanded to proceed about their duties with care, diligence and circumspection, otherwise, 'they will answer the contrary at their utmost peril.'<sup>137</sup> Ormond's anxiety can be thus seen at this time in his chastisement of officials found negligent in practices which he himself had turned a blind eye to before the plot. This can be observed in a letter from Lieutenant Richard Locke to Major Henry Brennt in which Locke explained his position in regard to a Mass held in Athy the previous week. Locke finished by hoping Ormond 'will not longer be dissatisfied with me or anybody hereabouts'.<sup>138</sup>

Ormond also tackled Orrery and his tactic of showing vigilance for the Protestant interest. Orrery had advocated a series of measures designed for Connacht and western Ireland where he averred 'the Irish in those wild parts are too well armed and officered.'<sup>139</sup> He proposed that Catholics be turned out of the towns and their leaders secured.<sup>140</sup> Ormond knew if he neglected these measures it would be to the detriment of his position in London if anything happened, whilst on the other hand such extreme measures might very well drive many Catholics into rebellion. The implications of the latter would signify the presence of a plot in Ireland, which would

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<sup>136</sup> Proclamations and public notices chiefly in connection with Ireland, *Ormonde MSS*, ii, pp 340-51.

<sup>137</sup> *Ibid.*, pp 340-51.

<sup>138</sup> Lieutenant Richard Locke to Major Henry Brennt, 30 Nov. 1678, *Ormonde MSS*, iv, p. 256

<sup>139</sup> Bodl., Carte Ms 118, ff 154-5; Earl of Orrery, 19 Nov. 1678, *Ormonde MSS*, iv, pp 238-9.

almost certainly occasion an already suspicious court to pressurise Charles II to remove him. At a meeting of the Irish Privy Council on 15 November 1678 Ormond made his move.<sup>141</sup> He acquainted the board that all directions coming out of England had been put into execution, furthermore, the papists had been disarmed, the militia settled and the garrisons secured, thus he desired the advice of the board what further was to be done. At this juncture, Ormond had Orrery's proposed measures introduced whereupon he demonstrated the dangers inherent within them to the Protestant interest and then proceeded to lead the board in moderating them.<sup>142</sup> He later informed Southwell that it was felt dangerous to remove all papists from towns as it would be detrimental to markets and leave garrisons dangerously in want of food, it was also deemed impracticable to arrest all dangerous subjects because it could not be foreseen to how many this rule would extend to.<sup>143</sup> Ormond pointed out that the latter course of action would drive many Catholic lords upon desperate courses which, although it would inevitably end in their ruin, it 'may be magnified in France and invite an invasion'.<sup>144</sup> Ormond finally tackled these two issues by implementing several practicable measures refusing Catholics' entrance into his majesty's forts without special orders and limiting the numbers of Catholics inhabiting towns to those resident for a period greater than twelve months.<sup>145</sup>

Ormond's recent experience with his parliamentary bills had made him well aware of the fragility of his position and ambitions once figures in England with Irish connections expressed opposition and dissatisfaction towards him. He thus attempted to offset Orrery and his intrigues by securing the support of powerful English figures

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<sup>140</sup> Ibid., pp 238-9.

<sup>141</sup> The date of this meeting is uncertain, and all that can be said for certain is that it occurred between the 15 and 19 of November; Bodl., Carte Ms 38, ff 657-8; Bodl., Carte Ms 70, f. 513.

<sup>142</sup> Ormond to Sir Robert Southwell 19 Nov. 1678 *Ormonde MSS*, ii, p. 279

<sup>143</sup> Ibid., p. 279.

<sup>144</sup> Ormond to Sir Cyril Wyche, 20 Nov. 1678, *Leyborne Popham MSS*, pp 242-3.

with Irish connections like Viscount Conway. The relationship between the two had been tense in preceding years. Conway had been one of the critics of his land bills that autumn, and was also aggrieved at missing out on the viceroyalty whilst Ormond had reportedly stated in 1677 upon hearing that Conway was marked down as Essex's replacement in Ireland that 'he would never visit Ireland while Conway governed it'.<sup>146</sup> The plot necessitated a change in Ormond's attitude. In November, he placated Conway by issuing orders installing several sheriffs endorsed by Conway and relocating several companies of the Irish army to Ulster to hunt tories. Ormond also took care to keep him well informed of his actions regarding the plot, stating in one letter 'we [Ormond and the Irish Privy Council] do all we can to put the Protestants into negligent security', telling Conway what bills had been issued for raising the militia and that the king's instructions regarding Colonel Richard Talbot, and Richard Butler, Viscount Mountgarrett, had been enforced.<sup>147</sup> In a letter of 16 November, an obviously satisfied Conway commended Ormond on his measures regarding the plot,

I perceive they make great a bustle in England about this plot and that the trouble of it reaches to your grace; for my own part I know not what to make of it, but by your grace's letter I should judge they were mistaken in some particulars.<sup>148</sup>

This was a huge endorsement from a potential opposition figure with important connections in London.

Ormond was also quick to vindicate his actions to Anglesey, his old associate in government during the 1660s, especially in regard to allegations of partiality towards Catholics in the matter of disarming in 1678 compared to that of the Protestants in 1663. Ormond informed him that in 1663 there had been a plot

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<sup>145</sup> *Ormonde MSS*, v, pp 24-9.

<sup>146</sup> Bagwell, *Ireland under the Stuarts and Interregnum*, iii, p. 122.

<sup>147</sup> Ormond to Viscount Conway, 12 Nov, *Ormonde MSS*, iv, p. 234.

contrived by one Thomas Blood and others, who called themselves Protestants, 'only because they say they are not papists'.<sup>149</sup> He quickly ascertained after examining several persons that it was too far advanced and 'that if I should follow the thread of the discovery as far as it might lead me, possibly I might bring on that insurrection which they designed and I had rather should be prevented than punished.'<sup>150</sup> He pointed out to Anglesey that this conclusion would have been disastrous for the newly restored monarchy as the Irish countryside and towns were full of Cromwellian planters and disbanded soldiers, therefore he quickly decided to order the disarming of both Catholics and Protestants.<sup>151</sup> Ormond distanced himself from reports that arms were not relinquished to their owners in 1663 by commenting 'if their arms were not afterwards restored to them, pursuant to my directions, embezzlement is no new or extraordinary thing in the execution of such orders.'<sup>152</sup> Instead he reminded Anglesey of the satisfaction soon held at that time amongst Protestants towards his majesty's government because,

They [Irish Protestants] were by his [Charles II] command and my [Ormond's] ready obedience, better armed than they were before, in a great part out of his majesty's stores; and as your lordship is pleased to remember, they were well modelled into troops and companies, and so appeared in the field, amongst whom, I think there was not one papist<sup>153</sup>

Ormond was perfectly aware that Orrery's rumours had played a large role in diminishing the standing of his government amongst Protestants, for instance stating to Southwell, that

I can assure you that the real or pretended fears of some considerable men, have put the common sort of English and Protestants almost out of their wits, especially in Munster, from whence the terror is diffused through the whole kingdom, to the greatest disheartening of the English and encouragement of the disaffected Irish.<sup>154</sup>

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<sup>148</sup> Viscount Conway to Ormond, 16 Nov. 1678, *Ormonde MSS*, iv, pp 235-4.

<sup>149</sup> Bodl., Carte Ms 70, ff 521-2.

<sup>150</sup> Ibid., pp 521-2.

<sup>151</sup> Ormond to Earl of Anglesey, 29 Nov. 1678, *Ormonde MSS*, iv, pp 251-3.

<sup>152</sup> Ibid., pp 251-3.

<sup>153</sup> Ibid., pp 521-3.

<sup>154</sup> Ormond to Sir Robert Southwell, 6 Nov. 1678, *Ormonde MSS*, ii, pp 278-9.

The knock on effects of these hysterias were immensely damaging to his position in London and his anxiety in regard to the movement of uncontrolled information between both kingdoms and within Ireland materialises in several examples which demonstrate that he issued orders to censor and control its flow:

Our last letters were of the 4<sup>th</sup> of this month and yet by interlopers from Chester and Liverpool, we are told from Chester that my Lord Treasurer [Danby] is fled and that the prentices of London are up in arms. The reporter of this I have caused to be secured to answer his spreading of false news if it prove so.<sup>155</sup>

Ormond may have also manipulated information to demonstrate his Protestant credentials by portraying himself as the intended victim of a Catholic conspiracy. In December 1678, officials in Dublin announced the discovery of a conspiracy to assassinate Ormond, after finding several letters scattered about the streets of Dublin. Within days the Irish Privy Council issued a proclamation promising two hundred pounds to any person who would come in and make a full discovery of what was revealed within the said letters.<sup>156</sup> At the same time, Ormond wrote over to London,

it seems now to be the papists turn to endeavour to despatch me, the other non-conformists have had theirs, and may have again, when they shall be inspired from the same place for different reasons to attempt the same thing.<sup>157</sup>

The planting of letters throughout streets was not new to seventeenth century Ireland, previously it had been used to disparage certain individuals or draw attention to potential threats or contentious issues, however what occasions suspicion in this case

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<sup>155</sup> Ormond to Sir Robert Southwell, 21 Jan. 1679, *Ormonde MSS*, ii, p. 283.

<sup>156</sup> Greaves, *Secrets of the kingdom: British radicals from the popish plot to the revolution*, pp 7-8; A young English man, Michael Jephson (although some sources give his name as John or Joseph) was arrested. He was the son of Alexander Jephson who had been executed in 1663 for his role in Blood's abortive plot. In Jephson's confession, four Catholic clergy were implicated as the instigators of the plot, of whom two were later apprehended.

<sup>157</sup> Bodl., Carte Ms 38, ff 676-7.

is that it was generally not in Ormond's cautious and calculating manner to be taken in by such ploys.<sup>158</sup>

The plot, it is important to remember, did not weaken Ormond's position in Ireland; it just created an atmosphere where a wide range of defects within the Irish kingdom and in Ormond's position vis-à-vis Catholicism was highlighted. This information distorted his position in relation to the English court and parliament and whilst it is important to realise that the decision to remove him lay ultimately with Charles II, Ormond could ill afford to fall completely out of favour with those around him. He needed to restore this balance before his opponents could repeat 1667-9 and overwhelm the king with demands for his removal. In Ireland, by the end of December, Ormond was doing all he could to protect the home front, enforcing a further range of measures and appearing eager to get to the bottom of the plot. It was equally important for him to also protect his position in London and towards this purpose, he was represented by several agents and political allies who worked towards a common aim, postulating the safety of the Protestant interest within Ireland, what measures were being taken to secure it and combating any reports to the contrary. It is important to examine their actions, as they provide a further insight into position of viceroy during this period.

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<sup>158</sup> Anon, *The horrid conspiracy of such impertinent traitors as intended a new rebellion in the kingdom of Ireland* (London, 1663); R. T., *A true and perfect account of the discovery of a barbarous and bloody plot lately carried on by the Jesuits in Ireland, for the destroying of the duke of Ormond, his majesties lord lieutenant there. Sent over in a letter from Dublin, to a friend in London; and confirmed by several persons of quality in that nation* (London, 1679). The accused Jephson was obviously a person with a grudge against Ormond, as his confession later revealed, thus he would not have needed much encouragement to assassinate Ormond, if he was not already planning it for some time. Whether Ormond was aware of Jephson's proceedings and decided to utilise them to his advantage, we can only speculate. There is however a simple explanation that Jephson, who may or may not have converted to the Catholic faith, was prevented from marrying a young Catholic heiress thereby improving his social standing. Now driven by revenge and a desire to obtain financial reward, he concocted a plot with a magistrate of Dublin city in which he accused several Jesuits of converting him to the Catholic faith and then persuading him to revenge his father's execution and assure them of the truth of his conversion by murdering Ormond. In return for which he would obtain a Catholic bride.

Sir Robert Southwell's importance during the plot lay as Ormond's agent in London. He was sent transactions of all affairs from Ormond, being especially entrusted to utilise his letters justifying his position vis-à-vis Catholicism, for instance, he made sure that news of Michael Jephson's plot was made public in England by inserting it in the 'gazette'.<sup>159</sup> In the House of Commons, Southwell was Ormond's most vocal and important supporter, reprimanding Sir Thomas Lee on 2 November 1678 for claiming that Ireland was still insecure despite Titus Oates revelations, which were reported to have been 'not unseasonable'.<sup>160</sup> He prudently maintained correspondence with Orrery despite the latter's intrigues against Ormond and justified it by stating, 'I [Southwell] received some other observations, neither so unseasonable or material, and therefore suit my answers accordingly, for if I should quarrel down right I might not hear no more.'<sup>161</sup> Southwell was thus able to supply Ormond with a constant stream of information regarding Orrery's intrigues and other potentially contentious issues. He encouraged Ormond to combat Orrery in essentially two ways, firstly, by sending over transactions of all affairs of importance, for 'giving frequent accounts of doing something on that side, will furnish your friends wherewithal to answer impertinent informations hither, which are to have the effect of complaints.'<sup>162</sup> Secondly, that those from whom the complaints emanated like Orrery, should not lack commissions or orders to exercise their supposed zeal because 'then it would soon appear how much less active they were in reformation than in complaint.'<sup>163</sup> It also appears that Southwell came up with the idea of instituting a club for Ormond's followers as this letter from Ormond

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<sup>159</sup> Sir Robert Southwell to Ormond, 24 Dec. 1678, *Ormonde MSS*, iv, pp 490-1.

<sup>160</sup> Sir Robert Southwell to Ormond, 2 Nov. 1678, *Ormonde MSS*, iv, pp 466-7; Stuart Handley, 'Sir Thomas Lee, first baronet (bap. 1635, d. 1691) in Matthew and Harrison (ed.), *Oxford D.N.B.*, xxxiii, pp 124-5; Lee (MP for Aylesbury) was a firm believer in the authenticity of the plot and later voted for the exclusion of the duke of York from the throne in 1680.

<sup>161</sup> Sir Robert Southwell to Ormond, 19 Nov. 1678, *Ormonde MSS*, iv, pp 474-8.



testifies, 'I offer to your club Sir Cyril Wyche, an honest gentleman and a good protestant'.<sup>164</sup> The purpose of this club was to put in place an appropriate plan of action to protect Ormond's position at court.

Ossory was Ormond's formal representative at court, Council and the Lords. He used his influence at the start of the plot to dispel initial threats and intrigues against Ormond. He did not hesitate to defend Ormond's position in London launching an attack on Strafford's earlier remarks in the Lords by retorting 'that what linkboys did (such as I supposed those actors were if any) was not worth minding'.<sup>165</sup> Ormond and his allies at court seemed not altogether satisfied with Ossory's brash cavalier tactics given the contemporary state of affairs. Ormond pressured him to give more time and commitment to his cause, stating 'I am of [the] opinion you should resign the charge you have in Holland'. He also informed him:

When you have a mind to be informed of the affairs of this place you must take the pains to be it sufficiently, and not venture your interposition in them without full information; if you do you will be under great disadvantage, and some will be glad to find you so.<sup>166</sup>

In being so informed, Coventry, Southwell and Wyche would best serve him.

Ormond stressed the importance of maintaining the utmost loyalty to the monarchy, as he knew more than most where the ultimate decision to replace him rested. In late November 1678, when the opposition in parliament were trying to force Charles II to divorce Queen Catherine after Oates alleged before them that she had engaged her physician, Sir George Wakeman, to kill her husband, Ormond reminded Ossory:

I am sure I need not now put you in mind of the great obligation you and your family have to the queen, and how well it will become you to show it at this time by diligent attendance and by all the services your greater duty to the king and country will permit.<sup>167</sup>

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<sup>162</sup> Sir Robert Southwell to Ormond, 16 Nov. 1678, *Ormonde MSS*, iv, pp 472-4.

<sup>163</sup> *Ibid.*, pp 472-4.

<sup>164</sup> Ormond to Sir Robert Southwell, 11 Nov. 1678, *Ormonde MSS*, iv, p. 279.

<sup>165</sup> Ossory to Ormond, 23 Oct. 1678, *Ormonde MSS*, iv, pp 219-20.

<sup>166</sup> Ormond to Ossory, 26 Oct. 1678, *Ormonde MSS*, iv, pp 222-3.

<sup>167</sup> Ormond to Ossory, 4 Dec. 1678, *Ormonde MSS*, iv, p. 261.

Ossory carried out Ormond's commands and soon became a real asset at court during this period. On the morning of 16 November 1678 he spoke to Charles II concerning rumours in London that 'the French ambassador has given out that his master would see the Irish have the benefit of the peace the Catholics made with [Ormond]'.<sup>168</sup> In light of this rumour, Ossory reminded him of a report from France of ships being fitted out, of ten thousand men moving to the coast and that Bernardin Gigault, marquis de Bellefonds, who had promoted a scheme for a diversion to be made on Ireland during the second Anglo-Dutch war was now back in favour at Saint Germain.<sup>169</sup> Ossory begged Charles II to find out the truth behind these movements and afterwards if he saw cause, to provide for the security of Ireland. In regard to Dongan's regiment, he continued to pressurise Charles II. On 28 November after James Scott, duke of Monmouth, had informed the Lords, that the king's orders for removing Catholics from the English army had been performed, Ossory publicly took occasion to enquire whether such orders might also be signified to MacCarthy's regiment. When the day's business was finished, he spoke privately with the duke of York, lord chancellor Finch and the duke of Monmouth concerning Ormond's fears and requested a guarantee that his father would not be inconvenienced by the absence of orders regarding Dongan's regiment.<sup>170</sup> He undermined Orrery's intrigues in front of the whole Privy Council by informing Charles II, how busy he 'was in alarming all persons in Ireland and here with his informations of the dangerous posture of affairs by the desperate condition the Protestants and English took themselves to be

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<sup>168</sup> Ossory to Ormond, 16 Nov. 1678, *Ormonde MSS*, iv, p. 235.

<sup>169</sup> Ossory to Ormond, 16 Nov. 1678, *Ormonde MSS*, iv, p. 235; François Bluche, *Louis XIV* (Oxford, 1990), pp 126-7; Emmanuel Le Roy Ladurie, *The Ancien Régime: a history of France, 1610-1774* (English translation, Oxford, 1996), p. 170; the French court was still at Saint Germain as Versailles was still being built and only finally completed in 1691.

<sup>170</sup> Ossory to Ormond, 28 Nov. 1678, *Ormonde MSS*, iv, p. 246.

in by the [...] evil designs of the Irish.’<sup>171</sup> This tactic was a success as Charles II replied with the following endorsement of Ormond that ‘he knew him [Orrery] to be a rogue, and that he would ever continue so.’<sup>172</sup>

The other members of Southwell’s club played prominent roles in rehabilitating Ormond both with court and parliament at this time. The earl of Longford hosted the majority of its meetings at his St James’s Square residence and on several occasions disseminated information throughout the Commons regarding Ormond’s proceedings.<sup>173</sup> Sir Cyril Wyche played a far more prominent role, possibly because of his detailed knowledge and experience of Irish affairs dating from the time of Essex’s viceroyalty. This was why Ormond sent him to explain the proposed parliamentary bills to Charles II on 26 October and why Ormond later urged Ossory to seek his counsel.<sup>174</sup> In the Commons he watched carefully as the true extent of plot was revealed and informed Ormond on 26 October, that Oates had formally acquainted the House of what part each man was to bear both in an Irish and English context. These he immediately relayed back to Ormond with the observation ‘I thought it necessary your grace should have some account of what strange scene is acting here.’<sup>175</sup> He was foremost among those tackling Orrery’s insinuations at ground level and was soon able to report to Ormond ‘though I find my lord Orrery’s agents have been busy in making insinuations, yet your grace’s proceedings carry those reasons with them that I meet with no man that is not fully satisfied.’<sup>176</sup> Finally, Wyche was an innovative tactician encouraging Ormond for example on the benefits of composing a narrative regarding his proceedings in

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<sup>171</sup> Ossory to Ormond, 26 Nov. 1678, *Ormonde MSS*, iv, pp 243-4.

<sup>172</sup> *Ibid.*, pp 243-4.

<sup>173</sup> Sir Cyril Wyche to Ormond, 26 Oct. 1678, *Ormonde MSS*, iv, p 221-2.

<sup>174</sup> *Ibid.*, pp 221-2; Ormond to Ossory, 26 Oct. 1678, *Ormonde MSS*, iv, pp 223-4.

<sup>175</sup> Sir Cyril Wyche to Ormond, 26 Oct. 1678, *Ormonde MSS*, iv, p. 222.

<sup>176</sup> Sir Cyril Wyche to Ormond, 26 Nov. 1678, *Ormonde MSS*, iv, p. 244.

response to the Catholic plot. Charles II could then view the contemporary state of the Irish kingdom allowing him to see in Wyche's words,

[...] the utmost that can be done at present (till a parliament shall have provided further) for the safety of the nation; and when upon such a naked representation His majesty's opinions and commands upon the whole shall be desired, I cannot see how your grace can suffer by any private whispers or insinuations.<sup>177</sup>

By mid-December 1678, Ormond was also winning the battle against Orrery and his agents in London. Ossory informed his father, that 'my lord of Anglesey seemed much satisfied with a letter he told me he had received from you.'<sup>178</sup> A letter from Coventry dated 10 December reveals, however, that this improvement derived only partly from Ormond's protective measures but more so, from the highly charged atmosphere in London at this time. Ormond's opponents had more important fish to fry, namely James, duke of York, Thomas Osbourne, earl of Danby, and Queen Catherine of Braganza. Coventry stated that

he [Orrery] writeth many circular letters to parliament men and lords of the Council...but they make not as yet much noise, whether in respect of your grace or disrespect to him, or what is worse, to expect a better opportunity, I cannot determine.<sup>179</sup>

This is substantiated by a letter from Wyche at the end of November wherein he informed Ormond that he was unable to gain admittance to Charles II, for

[...] matters now begin to come to a crisis. Oates has gone as high in his accusation as he can possibly, for he has positively and upon oath before the king and Council charged the queen herself with having consented to the death of the King.<sup>180</sup>

Titus Oates and another informer, Captain William Bedloe, had concocted this accusation in the hope of reward because it would bring about a royal divorce, which was desperately sought by the opposition in parliament, allowing Charles II to

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<sup>177</sup> Sir Cyril Wyche to Ormond, 10 Dec. 1678, *Ormonde MSS*, iv, p. 270.

<sup>178</sup> Ossory to Ormond, 10 Dec. 1678, *Ormonde MSS*, iv, p. 274.

<sup>179</sup> Henry Coventry to Ormond, 10 Dec. 1678, *Ormonde MSS*, iv, pp 268-9.

<sup>180</sup> Sir Cyril Wyche to Ormond, 10 Dec. 1678, *Ormonde MSS*, iv, p. 270; Kenyon, *The Popish Plot*, pp 126-7.

remarry and produce an heir, thus preventing the crown from passing to his Catholic brother.<sup>181</sup>

This relaxation of pressure against him in London appears to have moved Ormond into taking direct action against Orrery. He stated to Southwell,

[...] I have thought it high time for me to come to plain dealing with him, that his professing to be my friend (perhaps to others as well as me) may not give credit to what he acts as an enemy.<sup>182</sup>

The spark, which ignited it, was the issue of the militia. In early December, Ormond had attempted to answer Orrery's complaints in regard to the supposed negligence of the Commissioners of Array in Munster in constituting its militia by appointing governors in every county to command its militia. He also took on board Southwell's advice by according Orrery an opportunity to exercise his zeal. As Major General of the army, it would be his responsibility to decide cases of presidency between captains of the militia and furthermore, upon emergencies, he was legally allowed to take command of the militia as well as the army in Munster.<sup>183</sup> Orrery continued to express doubts however both in regard to the terms of his new commission and the posture of the militia in Munster, so much so that Ormond was forced to send new Commissions of Array and instructions into Munster.<sup>184</sup>

On 17 December 1678, Ormond finally confronted Orrery after the latter once again expressed his disappointment over the delay in constituting the militia at the beginning of the plot. Ormond retorted,

All I can say of the setting up of the militia (to avoid bringing our discourse upon it into volumes) is that it was proceeded in as fast as the Council thought it convenient, that we held it our duty, immediately upon the kings pleasure signified by the order of Council of the 1<sup>st</sup> of October, to set forth the proclamation for the departure of the popish titular and regular clergy, and in pursuance of his general directions to require the popish laity to bring in their arms—whether this method or that your

<sup>181</sup> K. H. D. Haley, *The first earl of Shaftesbury* (Oxford, 1968), pp 483-5; Kenyon, *The Popish Plot*, pp 125-30; Fraser, *King Charles II*, p. 363.

<sup>182</sup> Ormond to Sir Robert Southwell, 18 Dec. 1678, *Ormonde MSS*, iv, pp 282-3.

<sup>183</sup> Bodl., Carte MS 118, ff 678-9.

<sup>184</sup> Bodl., Carte MS 118, f. 166.

lordship supposes would have been more safe and effectual would have been best, I have not leisure this way to debate<sup>185</sup>

Ormond conceded that every privy councillor had a right to advise and offer his opinions, however he pointed out to Orrery that his proceedings were not within these rights and as such were detrimental to both him and the rest of the Council, for

[...] If any councillor, after acts of Council are past and emitted, shall say they should have come out sooner, or in other manner or method, when the time is irrecoverably elapsed and the acts impossible to be recalled, if he should be in the right, yet is he not overbold with his fellows, and is he very friendly to them and to what end can such remonstrances serve? How can they be otherwise interpreted than to lay negligence, or weakness, or some worse fault upon the government, the foundations of accusations in proper time and hands?<sup>186</sup>

After chronicling Orrery's behaviour, Ormond finally confronted him stating,

[...] I must plainly declare that I do not understand how your lordships proceedings in this conjuncture is suitable to or in discharge of your renewed professions of friendships and favours to me, or yet a just return to the respect and freedom with which I began to treat you and correspond with you since my last coming to this government, in pursuance of my promise to your brother, my lord of Burlington.<sup>187</sup>

Ormond added further pressure by expressing his grievances to many of Orrery's allies in London such as his brother, Richard Boyle, earl of Burlington. Such actions along with his plain dealing with Orrery were successful, for on 20 December, Orrery wrote to Ormond wherein he solemnly swore that nothing had been further from his intentions than to traduce the Irish government. He added, 'but since therein I have erred in your grace's judgement, I am sorry. I am more plainly instructed in the way you like best, and your excellency shall have my obedience to it.'<sup>188</sup> In London, Southwell reported a marked change in the letters and reports coming from Munster,

I have just now [...] read that of the 20<sup>th</sup> from Munster and that in a style quite metamorphosed, for it says [...] that the Protestants have of late been very hearty, the militia in all places being now mustering and setting

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<sup>185</sup> Ormond to Earl of Orrery, 17 Dec. 1678, *Ormonde MSS*, iv, pp 278-81.

<sup>186</sup> *Ibid.*, pp 278-81.

<sup>187</sup> *Ibid.*, pp 278-81.

<sup>188</sup> Bodl., Carte MS 118, ff 168-70.

up, and several very welcome proclamations having been lately issued to animate them and mortify the papists.<sup>189</sup>

Ormond's intensive efforts to combat Orrery's zeal for the Protestant interest and perceptions of such both in Ireland and England was only part of the reason for his improved position with regard to Orrery, London and Catholicism. That Ormond himself was perfectly aware of this can be discerned from his comments to Henry Bennet, earl of Arlington, regarding his Pen War with Orrery, 'our skirmish seems to be come to a period, and compared with the great things now on foot, is but a storm in a cream bowl.'<sup>190</sup> The danger to Ormond's position had been defeated, but his insecurity in regard to changing politics in London had been clearly demonstrated. The development of a similar state of affairs would once again allow his opponents opportunities to remove him from the office of viceroy.

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<sup>189</sup> Sir Robert Southwell to Ormond, 31 Dec. 1678, *Ormonde MSS*, iv, pp 494-6.

<sup>190</sup> Ormond to earl of Arlington, 28 Dec. 1678, *Ormonde MSS*, iv, pp 291-2.

## **CHAPTER TWO**

### **THE REALIGNMENT OF THE STUART POLITY, 1679.**



The purpose of this chapter is to demonstrate the inherent weaknesses in the position of James Butler, duke of Ormond and lord lieutenant of Ireland, because of political events in London and Scotland in 1679, as the full political fallout of the events of 1678 discussed in the previous chapter became clear. These were in chronological order: the fall of Charles II's chief minister, Thomas Osbourne, earl of Danby, the partial resolution of political and religious strife in Scotland after the Battle of Bothwell Brig, 22 June 1679, and finally the sharpening of the exclusion crisis after the return of James, duke of York, to London on 2 September 1679. During these periods, Ormond's standing in regard to a series of fixed points such as the court and parliament in London and Protestants in Ireland, was distorted, and his unique position in regard to Catholicism was further highlighted. Furthermore, the king upon whom he depended for support was put in a very awkward position whereby Charles II was forced to countenance many of his bitter enemies. As such, Ormond was compelled to undertake a series of drastic measures, that under normal circumstances he would not, to safeguard his interests and offices. He altered his stance towards Catholics in Ireland, manipulated the press in various ways, confiscated letters of perceived opponents and finally attempted reconciliation with former enemies. At the same time whilst emphasising the various mechanisms and strategies that Ormond and his allies in London adopted to secure his position, it must be highlighted that they were only partially effective. The re-establishment of his position in all cases examined below actually resulted from the contrivance of political events over which he had no say and was powerless to effect. In the first Exclusion Parliament the breakdown in the relationship between the Lords and the Commons and the contentious nature of the exclusion bill divided many of his opponents. Deep divisions within the English Privy Council and the escalation of tension between Episcopalians and Presbyterians in Scotland further strengthened his position.

Moreover in late autumn, Ormond's removal from office was only prevented, by a fortuitous, if unexpected royal invitation to James, duke of York, to return to supervise Scotland. Betokening a shift in royal policy this upturn in the fortunes of Ormond's key ally was accompanied by the removal of Shaftesbury from office and the prorogation of the English parliament till the following January.

In late December 1679 the English crown's run of good fortune ended as a series of blunders came back to haunt it. The most important of these were letters produced in parliament by Ralph Montagu, the former English ambassador to France. These letters proved Danby's duplicity, as he had been in negotiations with France that previous year whilst simultaneously asking parliament for funds to fight Louis XIV. The effect of such revelations was utter pandemonium, the Lords were furious whilst an enraged Commons tried to impeach Danby, though his allies and the bishops in the Lords defeated it.<sup>1</sup> The resultant deadlock between both houses put Charles II in a very awkward situation; there was little chance that the Commons would now pass a supply bill, which he desperately required, to disband part of the army. Instead he was faced with the possibility of more embarrassing secrets being revealed. The king therefore took the decision on 27 December 1678 to prorogue parliament till 4 February, which was subsequently extended to 25 February. This decision shocked many even within his court, as it was a clear indication that he was protecting Danby. Furthermore, it was seen as a tactic for the continuance of a standing army and preventing any further investigation into the plot especially since two new witnesses, Stephen Dugdale and Miles Prance came forward at the end of December and corroborated the evidence of Oates and Bedloe.<sup>2</sup> These actions sowed the seeds of deep distrust hitherto not held towards the monarchy since the third

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<sup>1</sup> K. H. D. Haley, *The first earl of Shaftesbury* (London, 1968), pp 487-91; G. M. Trevelyan, *England under the Stuarts* (paperback edn, London, 2002); J. R. Jones, *Country and court, England 1658-1714* (London, 1978), pp 203-4.

Anglo-Dutch war. London was full of wild rumours that the country had been sold to the French, which were fuelled by the lord mayor's actions in chaining the streets and doubling the guards.<sup>3</sup> It was reported by correspondents from France, that 'the king of England had left his parliament and betaken himself to an island, and that the French king was coming over with thirty thousand men to succour him.'<sup>4</sup> Henry Coventry sent Ormond a copy of a letter he received from an officer sent to view the French naval preparations at Brest, with the following ominous warning 'it is said the Baltic is intended, but our exchange will hardly find merchants will ensure England or Ireland.'<sup>5</sup>

In Ireland, Ormond's brief respite created by the political manoeuvrings at the end of 1678 was over. Fears of absolutism and anti-Catholicism returned to the fore of English politics. On 14 January, an informer swore before the English Privy Council that he had lately heard Jesuit correspondence read aloud which intimated that Ireland was to be invaded along with England.<sup>6</sup> Henry Coventry's sources convinced him that Ireland was Louis XIV's sole target, 'Mr Brisban's letter [...] and our Amsterdam letters confirm [...] that the design is Ireland'.<sup>7</sup> This climate of uncertainty gave fresh alarm to Orrery and he wrote several letters to Ormond and other members of the Irish Privy Council complaining that in the light of a French invasion which was daily expected, the preparations to meet it were still insufficient. He likewise reiterated his former suggestions regarding the removal of Catholics from towns and the apprehension of their nobles and clergy, stating to Michael Boyle, that

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<sup>2</sup> John Kenyon, *The Popish Plot* (London, 1972), p. 151. Miles Prance accused two lay Catholics Robert Green and Lawrence Hill and a Protestant named Henry Berry of murdering Sir Edmund Berry Godfrey.

<sup>3</sup> John Kenyon, *Stuart England* (London, 1978), p. 229; Referred to in Ronald Hutton, *Charles the Second, king of England, Scotland and Ireland* (Oxford, 1989), p. 365; Haley, *The first earl of Shaftesbury*, pp 495-6.

<sup>4</sup> Joseph Williams to Henry Coventry, 1 Jan. 1679, *Ormonde MSS*, iv, pp 297-8.

<sup>5</sup> Henry Coventry to Ormond, 7 Jan. 1679, *Ormonde MSS*, iv, pp 296-7.

<sup>6</sup> Henry Coventry to Ormond, 14 Jan. 1679, *Ormonde MSS*, iv, p. 303; Bodl., Carte MS 228, f. 147; There were also reports from Portugal at this time that there was of a squadron of Spanish ships carrying troops intended for Ireland.

<sup>7</sup> Henry Coventry to Ormond, 11 Feb. 1679, *Ormonde MSS*, iv, 322.

tis hardly to be [...] believed that they [the French] will engage in such a design but on assurance of a great party in this place either to join with them at their landing or to surprise some good places at remote distances for them against they come, or a little before their invasion.<sup>8</sup>

He pointed out to Boyle that it was apparent both to him and to the poor Protestants of Munster that this could be easily effected. There were multitudes of Catholics within the walls of every seaport in that province, apart from Cork, and the surrounding countryside was full of Catholic clergy and gentry who were eager to regain possession of lands they had previously forfeited.<sup>9</sup> With his recent pen war with Orrery in mind, Ormond took great care to have Michael Boyle answer his fears, whilst at the same time sending copies of Boyle's recent correspondence with Orrery to London, stating to Southwell, 'because that good lord seldom covers his candle under a bushel and may have prepared that discourse for other eyes and uses than my lord chancellor's and mine'.<sup>10</sup>

These uncertain times brought many more opponents and critics out of the woodwork. In Cork, Lieutenant John Chinnery, a justice of the peace for the said county, openly declared that Ormond had done ill in suppressing a late design by the Dublin apprentices for putting down Mass houses there.<sup>11</sup> Captain Francis Annesley, half brother to Arthur Annesley, earl of Anglesey, was found to be dispersing libels against Ormond under the title of 'intelligence from a Privy Councillor of Ireland'.<sup>12</sup> Captain William Ivory of Ross was reputed to be scattering twenty-four anonymous articles about the country, which he received from a secretary in Dublin Castle. These articles accused Ormond of direct involvement in the plot alleging, for instance, that Ossory's return to Ireland that previous winter had nothing to do with the military matters but rather to see how ready the Catholics were to cut the throats of the Protestants. It was further alleged

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<sup>8</sup> Earl of Orrery to Lord Chancellor Boyle, 28 Feb. 1679, *Ormonde MSS*, iv, pp 337-8

<sup>9</sup> *Ibid.*, pp 337-8.

<sup>10</sup> Bodl., Carte MS 118, ff. 186-7; Ormond to Sir Robert Southwell, 8 Mar. 1679, *Ormonde MSS*, ii, pp 284-5.

<sup>11</sup> Richard Aldworth to Ormond, 3 Mar. 1679, *Ormonde MSS*, iv, pp 340-1.

<sup>12</sup> Bodl., Carte MS 146, f. 158.

that despite several proclamations to the contrary, Catholic lords, such as Dongan, Clanricarde, Purcell, Dempsey and Dillon, regularly attended Ormond and Arran in Dublin Castle, where they played cards till three in the morning.<sup>13</sup> It is evident from the wording of many of these articles that they were drawn up specifically for English audiences,

the papists here told us before Christmas that your parliament was to be prorogued or dissolved before the 31<sup>st</sup> of December [...] We hear the commissions taken at Chester were to raise the Irish to cut the throats of the parliament, yours and ours. God deliver us both.<sup>14</sup>

Many similar libels were found to be emanating from the Netherlands, and Coventry discovered that they were 'addressed to the same men that are disposers of those that come from Ireland', of whom one was found to be a certain Bonnell who was a 'constant and dangerous correspondent' with the ill-affected in Ireland.<sup>15</sup>

In England the elections that followed the dissolution of parliament were a complete disaster for the crown, as most of Danby's followers from the Cavalier parliament were not re-elected.<sup>16</sup> Ormond's position was likewise eroded as many of his supporters were removed. On 4 March 1679 Henry Thynne informed him, 'my Lord Longford has just now returned from Surrey where he has lost his election, though he has spent, I believe, at least £1500 or £2000'.<sup>17</sup> Ormond's position was further diminished as Charles II took a series of precautionary measures to improve his position vis-à-vis the opposition in parliament by bringing figures more amenable to them into government. Ossory wrote to his father, 'I am told Mr Secretary Coventry is to be removed, and that

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<sup>13</sup> Anonymous accusations against Ormond, *Ormonde MSS*, iv, pp 361-4; Bodl., Carte MS 118, ff 188-9.

<sup>14</sup> *Ibid.*, pp 361-4.

<sup>15</sup> Henry Coventry, 21 Jan. 1679, *Ormonde MSS*, iv, pp 306-7; Ormond to Henry Coventry, 22 Jun. 1679, *Ormonde MSS*, v, p.142; D. W. Hayton, 'James Bonnell (1653-1699)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, vi, pp 551-2. This is almost certainly James Bonnell, a non-conformist who spent part of his youth in Ireland. In 1673, he graduated with a BA from St Catherine's College, Cambridge and crucially he had spent the whole of 1678 in the United Provinces as a tutor to Ralph Freeman, the son of a Hertfordshire politician.

<sup>16</sup> Antonia Fraser, *King Charles II* (London, 1979), p. 366; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 367-8; Barry Coward, *The Stuart age, England 1603-1714* (3<sup>rd</sup> edition, London, 2003), pp 320-1; Jones *Country and court, England 1658-1714*, pp 206-7.

Sir Lionel Jenkins was to have succeeded him; but now that Sir William Temple is fixed upon.<sup>18</sup> Temple refused to replace Coventry who kept his job, but the latter by his own words was already in the political wilderness by this stage, 'concerning his [Ryder's] negotiations here he will best acquaint you himself, for I have not of late been invited to any of those meetings.'<sup>19</sup> Ormond's anxiety heightened as Charles II contemplated removing him from the post of lord steward, and using it to gratify James Cecil, earl of Salisbury.<sup>20</sup> Ormond was determined not to lose such an important position in the king's household without adequate compensation, especially since, as he intimated to Ossory, he expected to be attacked by the disaffected party in parliament. He elaborated more on its importance during that juncture to Coventry, stating

The staff, as slender as it is, is no small support to me in the state of affairs here, and would certainly be a great one taken from me, contenting as I do against those that would be glad to see any sign of the diminution of my credit with my master.<sup>21</sup>

This anticipated move did not develop and on 18 February 1679, Ossory informed him, 'I find the king very kind, and hear no more of the matter.'<sup>22</sup>

Charles II tried to relieve another source of tension between the crown and the political nation by appearing to be convinced of the reality of the Popish Plot. He signed the death warrants for two of the three Jesuits convicted upon the information of Oates, Bedloe and Stephen Dugdale, and, on 28 February 1679, he issued instructions ordering

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<sup>17</sup> Henry Thynne to Ormond, 4 Mar. 1679, *Ormonde MSS*, iv, p. 341.

<sup>18</sup> Ossory to Ormond, 15 Feb. 1679, *Ormonde MSS*, iv, pp 324-5

<sup>19</sup> Henry Coventry to Ormond, 28 Feb. 1679, *Ormonde MSS*, iv, p. 355; G. E. Aylmer, 'The first duke of Ormond as patron and administrator' in Toby Barnard and Jane Fenlon (ed.), *The dukes of Ormond, 1610-1745* (London, 2000), p. 126; William Ryder was another individual who was entrusted with the second farm of the Irish revenue however he fell out with Sir James Shaen over the running of it and with Ormond's support attempted to gain control over the syndicate.

<sup>20</sup> Kenyon, *The Popish Plot*, p. 154; through this initiative Charles II intended to re-establish his position in relation to the English political nation by trying the Catholic lords and others accused of complicity in the plot in the absence of parliament before a select group of peers nominated by a lord steward who was not linked to either Danby or the duke of York.

<sup>21</sup> Ormond to Ossory, 14 Feb 1679, *Ormonde MSS*, iv, pp 323-4; John Miller, *James II* (Yale, 2000), p. 91.

<sup>22</sup> Ossory to Ormond, 18 Feb. 1679, *Ormonde MSS*, iv, p. 327.

the duke of York to go abroad.<sup>23</sup> He also showed concern for the security of his Protestant subjects in his western kingdom. On 25 February Ossory learned that he twenty companies of foot were being sent to Ireland.<sup>24</sup> This body of men, or Dumbarton's regiment as contemporaries called it, was a nuisance as far as Ormond was concerned. First, it raised the annual establishment budget by nearly £20,000, an increase the Irish revenues could ill afford which ultimately forced Ormond to suspend payments on pensions for several months.<sup>25</sup> Secondly, with the fever of the plot reaching its peak, Charles II was sending over a regiment tainted with popery, as it had previously fought under the banner of Louis XIV and its commander was reputed to be a Catholic.<sup>26</sup> This was something Ormond perfectly understood stating to Ossory

it is not unknown what my Lord Dumbarton's religion is, and that tho' all his men and officers should be Protestants, yet their having been much under his command will render them suspected, and consequently very unwelcome at this time.<sup>27</sup>

They would thus occasion the suspicions and instant hostility of Irish Protestants and because of this, be almost impossible to billet.

Ormond was worried by the manoeuvres both by the crown and opposition across the water. In London's coffee houses there had been widespread criticism of Dumbarton's regiment who were said to be pro-French and crypto-papists, furthermore, it was alleged that Ormond had sought such an addition. Ormond conceded to Ossory that it was impossible to escape such criticism, as

Those who take the boldness to asperse my lord chancellor and me [Ormond] as papists without colour will lay hold on such an instance as this, and be able to make worse use of it than of anything that has yet happened; for it will not easily be believed [...] that such an election and

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<sup>23</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 366-8; Bodl., Carte MS 81, f. 609; Kenyon, *The Popish Plot*, p. 164; Charles II ordered the execution of two of the three Jesuits convicted on Oates's information on 24 January, William Ireland and John Grove.

<sup>24</sup> Ossory to Ormond, 25 Feb. 1679, *Ormonde MSS*, iv, p. 333.

<sup>25</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 196.

<sup>26</sup> M. R. Glozier, 'George Douglas, earl of Dumbarton (c. 1636-1692)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, xvi, pp 550-1; Douglas took military service under Louis XIV in 1656 and by 1677 he had risen to the rank of lieutenant general in the French army.

<sup>27</sup> Ormond to Ossory, 8 Mar. 1679, *Ormonde MSS*, iv, p. 354.

reinforcement would be made with consulting me and without my inclination.<sup>28</sup>

The rapidly changing atmosphere in London alarmed Ormond's supporters who informed him of 'many libels spread abroad and put into the hands [...] of parliament men'.<sup>29</sup> Ossory found many discontented from Ireland keeping great company with leading opposition figures like Anthony Ashley Cooper, earl of Shaftesbury, especially Roderick Mansell, whom Ormond had cashiered out of the Irish army the previous year.<sup>30</sup> Southwell discovered that a club of Adventurers and their associates met in London where many things were brewed and fomented for the lords that desired to speak on the subject of Ireland, in particular 'at the prodigious grants he [Ormond] has had from the king and the public in Ireland'.<sup>31</sup> Finally, with the convening of parliament approaching, many eminent figures within the House of Lords such as Charles Powlett, marquis of Winchester, were deeply suspicious of Ormond as the duke of York had sponsored his appointment. They also noted that Colonel John Fitzpatrick had held several private meetings with Edward Coleman when he was negotiating Ormond's return and that Ormond himself had discoursed privately with Arundel of Wardour at Bedford's house in 1677.<sup>32</sup> In light of these developments and his contemporary situation, his supporters in London advised him to draw up a list of ready answers to combat potential accusations that might be lodged against him in parliament.<sup>33</sup>

Ormond disagreed with their suggestions stating to Ossory

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<sup>28</sup> *Ibid.*, p. 354.

<sup>29</sup> Ormond to Ossory, 20 Mar. 1679, *Ormonde MSS*, iv, pp 364-5.

<sup>30</sup> Roderick Mansell to earl of Arran, 29 Dec. 1677, *Ormonde MSS*, iv, pp 94-5; p. 99; p. 107; p. 117; Mansell became associated with a discredited Presbyterian minister, William Douglas. He further ostracised himself by making libellous accusations against the Lord Marshall of the Irish army, Arthur Forbes, earl of Granard, that he favoured non-conformists in the southwest of Scotland who were opposed to the Restoration Religious settlement there.

<sup>31</sup> Memorandum on public affairs by Sir Robert Southwell, 19 Apr. 1679, *Ormonde MSS*, iv, preface, pp xviii-xxxiv.

<sup>32</sup> *Ibid.*, pp xxii-xxiii; Ossory to Ormond, 25 Mar, 1679, *Ormonde MSS*, v, pp 1-2; Arundel of Wardour was one of several English Roman Catholic peers accused by Oates of planning the plot.

<sup>33</sup> *Ibid.*, pp xxii-xxiii.



most of them I have seen are so false, and the rest so foolish, that no man that knows me; my way of life, and this country, but is able to refute them [...] so that I do not think it is fit to anticipate my defence by answers any further than I have done in letters to some friends which they can announce when and where they think fit.<sup>34</sup>

His private views on his contemporary circumstances can be discerned from a letter to his near relation and confidante, George Mathews, that

if such intelligence from hence as this [...] I send you a copy shall gain credit in the House of Commons, I have no reason to expect that my stay here will be long; and therefore I am to prepare for a remove.<sup>35</sup>

This attitude certainly explains his actions in the weeks prior to parliament; Ossory was commissioned to ask Charles's advice concerning the libels and also whether he would command his place-men in the Commons to get Ormond fair play at least.<sup>36</sup> Southwell was pressed to make use of his connections to discover the origin and destination of the libels, whilst in Ireland, Ormond sought to do likewise by having Captain Annesley's papers seized.<sup>37</sup> Ormond also attempted to do everything within his power to prevent further accusations and sent Mathews the following hint enclosed within a full copy of the accusations against him, 'upon the view of this letter most of the papist lords and gentlemen forbear coming to the castle, half that discretion at first would have been more useful.'<sup>38</sup> Finally, he commissioned an unnamed non-conformist to write a long letter intended for publication countering the various accusations against his government. It was titled *a letter from a dissenter to his friend against the calumnies [in relation to the government of Ireland] thrown upon the duke of Ormond*.<sup>39</sup>

In England political tension grew, Danby had quarrelled with the Commons over the issue of the speaker-ship and soon all hopes of co-operation with a relatively

<sup>34</sup> Ormond to Ossory, 20 Mar. 1679, *Ormonde MSS*, iv, pp 364-5.

<sup>35</sup> Ormond to George Mathew, 11 Mar. 1679. *Ormonde MSS*, iv, pp 354-5.

<sup>36</sup> Ormond to Ossory, 20 Mar. 1679, *Ormonde MSS*, iv, pp 364-5.

<sup>37</sup> Bodl., Carte MS 146, f. 158; Ormond to Sir Robert Southwell, 1 Mar. 1679, *Ormonde MSS*, ii, p. 284.

<sup>38</sup> Ormond to George Mathew, 11 Mar. 1679, *Ormonde MSS*, iv, pp 354-5.

<sup>39</sup> Bodl., Carte MS 115, ff 190-5.

inexperienced parliament were lost.<sup>40</sup> Charles II compounded matters by allowing the despised Danby, who lay under impeachment for high treason to retire with a marquise and a pension.<sup>41</sup> Shaftesbury took notice in the Lords 'that he heard a person under so black a character as high treason was to be promoted'.<sup>42</sup> George Savile, earl of Halifax followed him by presuming it so improbable, 'nay so monstrous, that he gave no credit to it.'<sup>43</sup> Danby resigned in the face of this pressure and surrendered to parliament in April to prevent being attainted. His fall had enormous ramifications; not least it disturbed a set of political relations that had been relatively consistent since 1674.<sup>44</sup> Three politicians soon filled this vacuum, James, duke of Monmouth, Robert Spencer, earl of Sunderland, and Sir William Temple. This triumvirate as they became known sought to stabilise politics by conciliating many of the crown's leading opponents, a move that could not but further undermine Ormond's position in London.<sup>45</sup> As in 1667, it was expected that the fall of the supreme minister in England would be followed by that of his counterpart in Ireland; many that had been among the leading critics of Ormond's government during the latter half of 1678, such as Shaftesbury, Halifax and Thomas Bennet, now held sway in parliament.<sup>46</sup> The important question that remained was whether this coalition could make use of complaints against his government to create conditions at court and parliament that would persuade or even compel Charles II to believe that a change in the Irish viceroyalty was in the royal interest.

This question was posed several days after Danby's resignation. Shaftesbury was determined to divert parliament's attention from the politically ruined Danby to the more

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<sup>40</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 368-9; Jones, *Country and court, England 1658-1714*, p. 207.

<sup>41</sup> Haley, *The first earl of Shaftesbury*, pp 503-7.

<sup>42</sup> Colonel Edward Cooke to Ormond, 18 Mar. 1679, *Ormonde MSS*, iv, pp 359-60.

<sup>43</sup> *Ibid.*, pp 359-60.

<sup>44</sup> Hutton, *Charles the second, king of England, Scotland and Ireland*, pp 368-9.

<sup>45</sup> *Ibid.*, pp 370-1.

<sup>46</sup> *Ibid.*, pp 370-1; Haley, *The first earl of Shaftesbury*, pp 506-7.

important issue of succession.<sup>47</sup> He attempted to do this by bringing the Popish Plot and alleged Catholic conspiracies back to the fore in the Lords and where better to derive such complaints, but Ireland. On 22 March, at a committee of examinations about the plot, drawn up after both houses 'expressed great concern and zeal against papists and popery', Halifax pressed Lord Strafford to speak of the dangerous condition of Ireland.<sup>48</sup> Afterwards Shaftesbury 'shook his head and said he did not like the management of affairs there.'<sup>49</sup> On 25 March, Shaftesbury openly attacked Ormond in the Lords during a motion into 'the state of the nation'. He remarked in a speech based on one of the lesser-studied books of the bible that

We [England] have a little sister, and she hath no breasts; what shall we do for our sister in the day, she shall be spoken for? If she be a wall, we will build on her a palace of silver; if she be a door, we will enclose her with bonds of cedar'.

Shaftesbury then proceeded to identify the 'little sisters without breasts' as the Huguenots in France, who were 'the only wall and defence to England', and the kingdoms of Scotland and Ireland as the 'two doors, either to let in good or mischief upon us'.<sup>50</sup> After a brief pause, he then proceeded to attack the government of John Maitland, duke of Lauderdale in Scotland. As for Ireland, he sarcastically pointed out that Douglas's regiment, which had formerly fought for the French had been sent there to secure its Protestants.<sup>51</sup> The seaports and inland towns were full of Catholics who had lately been restored to their arms and all this, when there was a wicked plot in existence to destroy the Protestant religion and subvert the monarchy. Shaftesbury put it to the Lords 'that this

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<sup>47</sup> Haley, *The first earl of Shaftesbury*, p. 510.

<sup>48</sup> Ossory to Ormond, 22 Mar. 1679, *Ormonde MSS*, iv, pp 366-7; Colonel Edward Cooke to Ormond, 22 Mar. 1679, *Ormonde MSS*, iv, pp 368- 71.

<sup>49</sup> *Ibid.*, pp 366-7; *Ibid.*, pp 368- 71.

<sup>50</sup> Bodl., Carte MS 72, ff 470-1; Thomas Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688* (3 vols, London, 1736), ii, appendix p. 90; Haley, *The first earl of Shaftesbury*, pp 509-11; This author gives a detailed account of this speech in both a Scottish and Irish context. The book of the bible used by Shaftesbury was the *Song of Songs*, viii, pp 8-9; Shaftesbury's speech in the House of Lords on 25 March 1679 was later printed in 1688 under the following title; Anon, *The English statesmans the Protestant oracle being the earl of Shaftesbury's famous speech...* (London, 1688)

<sup>51</sup> He almost certainly meant Dumbarton's regiment.

kingdom cannot long continue in the English hands, if some better care be not taken of it.<sup>52</sup> He therefore encouraged them to take Ireland into their consideration when they were making laws for England as ‘there can be no safety here [England] if these doors be not shut up and made sure.’<sup>53</sup>

Ossory sprung to his father’s defence attacking the accusation that Dumbarton’s regiment was riddled with Catholics, replying ‘that the duke of Monmouth being general could answer, as [...] he undertook that all officers and soldiers were Protestants and had taken oaths’.<sup>54</sup> He then proceeded to respond to Shaftesbury’s speech announcing to the House

I am very sorry, and do much wonder to find that noble lord so apt to reflect upon my father, when he is so pleased to mention the affairs of Ireland. It is well known that he was the chief person that sustained the king’s and the Protestant interest, when the Irish rebellion first broke out.<sup>55</sup>

Ossory highlighted the fact that both Charles I and English parliament were so satisfied with his father’s services that parliament had voted him a rich jewel after the battle of Kilrush, and that during the Interregnum Charles II had depended upon him to rescue the young duke of Gloucester from being converted to Catholicism in Paris.<sup>56</sup> After highlighting several more examples of Ormond’s zeal for the Protestant interest, Ossory shifted his line of response by indirectly condemning Shaftesbury’s history vis-à-vis that same interest, ‘having spoke of what he [Ormond] has done, I presume with the same

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<sup>52</sup> Anon, *The English states-mans the Protestant oracle being the earl of Shaftesbury’s famous speech...* (London, 1688).

<sup>53</sup> Ibid.

<sup>54</sup> Ossory to Ormond, 25 Mar. 1679, *Ormonde MSS*, v, pp 1-2.

<sup>55</sup> Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688*, ii, appendix p. 90.

<sup>56</sup> J. C. Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond* (Belfast, 1990), p. 26; The battle of Kilrush took place on 15 April 1642; Anon., *The last joyful news from Ireland. Wherein is related, a most famous and victorious battle between the Protestants and the rebels, at Kilrush in the county of Kildare: At which place the English with 3000 foot and horse, valiantly set upon the enemies, being 12000 in number, killed near upon 600 of them, took abundance of arms and ammunition from them, and brought 3 heads of their chief commanders to Dublin...* (London, 1642).

truth to tell your lordships, what he has not done.’<sup>57</sup> He never advised the breaking up of the Triple League, a Protestant alliance comprising England, Holland and Sweden. In 1672, he refused to support the Declaration of Toleration and the falling out with the Dutch and the alliance with France against them. Finally, Ormond was not the author of ‘Delenda est Carthago that Holland, a Protestant country, should contrary to the true interest of England be totally destroyed’.<sup>58</sup> Ossory finished by begging the lords present to judge his father and all men, ‘according to their actions and council.’<sup>59</sup>

Ossory’s outburst put Shaftesbury on the defensive and he protested that his reflection was not intended to implicate Ormond, but Colonel John Fitzpatrick, who was the ‘single person which could not be understood to be the duke’.<sup>60</sup> Despite this, Ossory failed to edify the House of Lords who moved ‘that inquiry be made what care is taken for the safety and preservation of his majesty’s kingdom of Ireland at this time of danger’.<sup>61</sup> He was ordered to give the House an account on 31 March of what Ormond had done since the discovery of the plot for the security of the Protestant interest.<sup>62</sup> This order disturbed Ormond’s agents in London. Wyche informed him that ‘the best account his lordship [Ossory] will be able to give will be but an imperfect one, and therefore not such as will be fully for your grace’s service’.<sup>63</sup> Longford was of the opinion that this was a matter to be well considered before Ossory delivered it to the House ‘because the state of Ireland is desired by some not so much to receive satisfaction from your grace’s

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<sup>57</sup> Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688*, ii, appendix p. 90.

<sup>58</sup> *Ibid.*, p. 90.

<sup>59</sup> Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688*, ii, appendix p. 90; The declaration of Toleration 1672 was another facet of the pro French and pro Catholic policy adopted by Charles II after the treaty of Dover, May 1670. It removed all the penal laws against Catholics and Protestant dissenters; J. D. Davies, ‘Thomas Butler, sixth earl of Ossory (1634-1680),’ in Matthew and Harrison (ed.), *Oxford D.N.B.*, ix, pp 226-9; Ossory and Shaftesbury had a history of mutual antagonism. For instance, in 1667 during a heated debate on the issue of Irish beef being imported into London, Ossory was forced to withdraw from the House of Lords after labelling Shaftesbury a Cromwellian collaborator.

<sup>60</sup> Captain John St Ledger to Henry Gascoigne, 1 Apr. 1679, *Ormonde MSS*, v, p.23.

<sup>61</sup> *Bodl.*, Carte 72, ff 486-7.

<sup>62</sup> *Bodl.*, Carte 72, f. 487; pages 477-88 are also very informative as they supply notes of the proceedings of the House of Lords upon the state of Ireland during late March and early April.

proceedings there as to find an occasion of carping at them to prejudice your grace.'<sup>64</sup> Ormond concurred with Longford's opinion stating to Mathews that if Ossory's decision was voluntary, he was too forward. If it was required of him, he might well have desired time to inform him of the House's pleasure, 'that I [Ormond] being most concerned might have some knowledge of what was expected from me, and have time to prepare and transmit it to them'.<sup>65</sup> He intimated these views to Ossory with the following observation, 'I presume you have not bound yourself and much less me to what you can then produce'.<sup>66</sup>

Despite Ormond's misgivings, Ossory and other supporters took a series of drastic and necessary measures before 31 March to safeguard his interest. Ossory sought out and told the marquis of Winchester that he hoped Ormond's prior services might secure him from any suspicions and that reflections would not be made or aspersions laid upon him without some grounds.<sup>67</sup> He accosted Charles II in parliament, after the heated session of the 25 March, and produced before him, in front of several lords, a letter from Ormond that specified the recruits he desired were to be English Protestants.<sup>68</sup> Longford and Coventry reiterated the importance of Ormond's son, the earl of Arran, in such times; he was an eyewitness to all transactions, and 'can answer any objections that shall be made better than any upon the place here'.<sup>69</sup> Arran was also a member of the Lords and entitled to attend its committee of Irish affairs when he pleased. Most importantly he had good credit with Charles II, and as such 'has the ready method of finding opportunities to speak to his majesty, and preventing the impressions that may be made by

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<sup>63</sup> Sir Cyril Wyche to Ormond, 29 Mar. 1679, *Ormonde MSS*, v, p. 5.

<sup>64</sup> Earl of Longford to Ormond, 29 Mar. 1679, *Ormonde MSS*, v, pp 3-5.

<sup>65</sup> Ormond to Captain George Mathews, 5 Apr. 1679, *Ormonde MSS*, v, p. 30.

<sup>66</sup> Ormond to Ossory, 31 Mar. 1679, *Ormonde MSS*, v, pp 13-5.

<sup>67</sup> Paraphrased from the following letter, Ossory to Ormond, 25 Mar. 1679, *Ormonde MSS*, v, pp 1-2.

<sup>68</sup> *Ibid.*, pp 1-2.

<sup>69</sup> Earl of Longford to Ormond, 29 Mar. 1679, *Ormonde MSS*, v, pp 3-5

misrepresentations of things.’<sup>70</sup> It is also evident that Ormond’s supporters club sprung into action again; Southwell and Ossory requested the earl of Longford, Sir Cyril Wyche, Henry Coventry and Colonel Edward Vernon, newly arrived from Ireland, to meet them at Ossory’s lodgings on 30 March and to carry with them all the proclamations and letters they had received from Ireland since the discovery of the plot. Wyche deemed that these actions would serve only as a delaying mechanism, and thus desired Ormond to send over a more complete narrative, ‘which will at once satisfy their lordships and clearly answer all those scandalous libels or false reports or malicious interpretations which have filled the town’.<sup>71</sup>

Ormond had prudently undertaken such a design when he heard of the resolution taken in the House of Lords on 25 March. By 5 April 1679, a full narrative of his proceedings since the discovery of the plot had been drawn up, endorsed by the Irish Council and transmitted to England.<sup>72</sup> This document is a clear acknowledgement that Ormond understood how events in England had altered his position in relation to the king, court, parliament, and English and Irish Protestants. Ormond recognized that unless he undertook a series of drastic measures, which under normal circumstances he would not, he would be at the very least, greatly inconvenienced. It contained no acts or details of actions against Catholicism from the end of December 1678 to February 1679, while the month of March 1679 is littered with a constant stream of acts and proclamations. On 31 March 1679, the day that Ormond received a copy of Shaftesbury’s speech in the Lords, the lord mayor and sheriffs of Dublin were finally ordered to suppress Mass houses throughout the city and its suburbs. The removal of Catholic inhabitants from Galway, Limerick, Waterford, Kilkenny, Clonmel and Drogheda was likewise ordered, except for those necessary for the said towns and garrisons. This was a massive

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<sup>70</sup> Ibid., pp 3-5.

<sup>71</sup> Ibid., pp 3-5; Sir Cyril Wyche to Ormond, 29 Mar. 1679, *Ormonde MSS*, v, p. 5.

turnaround in policy, as Ormond had written several letters over the previous six months in which he stated the reasons that forbade the persecution of Catholics in Dublin and other cities and towns in Ireland as in England.<sup>73</sup> Ormond's anxiety at this time can also be perceived from the tough stance, which he adopted in regard to two persistent problems within the Irish kingdom: the large number of Catholic clergy present in the country, and the discontented Catholic lords, turned bandit, who were termed tories by contemporaries. Ormond issued a proclamation promising £5 sterling for every friar, and £10 sterling for every Jesuit, bishop and archbishop apprehended; whilst the parish priests and nearest relations of every tory were to be committed to prison till the said rebels were captured or killed.<sup>74</sup> These measures shocked many Catholics in Ireland. Patrick Brady, a Catholic living in Dublin, wrote to a correspondent in London 'this is more than ever was done in Cromwell's time.'<sup>75</sup>

Ormond undertook further steps in the days after this narrative was transmitted to London to counter what he perceived as contentious issues. On 11 April, he ordered the lord mayor and sheriffs of Dublin to make returns of the names of the proprietors of houses in that city in which unusual meetings of persons of the 'Romish religion' had been held.<sup>76</sup> He sent Ossory a full account of disorders that had taken place at and after the suppression of a Mass house in Dublin city wherein one of the lord mayor's officers who struck a priest was viciously assaulted, remarking

this account I give you of that affair because it may be otherwise represented by letters hence [...] these things, as light as they are, may make noise there as everything does, and therefore I send accounts of them.<sup>77</sup>

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<sup>72</sup> Memorandum of the Irish Privy Council, 5 Apr. 1679, *Ormonde MSS*, v, pp 24-9.

<sup>73</sup> *Ibid.*, pp 24-9; Bodl., Carte MS 146, ff 161-3; Ormond to Sir Cyril Wyche, 20 Nov. 1678, HMC., *Leyborne Popham MSS*, pp 242-3.

<sup>74</sup> *Ibid.*, pp 24-9.

<sup>75</sup> Bodl., Carte 70, f. 544.

<sup>76</sup> Bodl., Carte MS 70, f. 541.

<sup>77</sup> Ormond to Ossory, 12 Apr. 1679, *Ormonde MSS*, v, pp 40-1.



On 18 April, letters were sent from the lord lieutenant and Council to the Commissioners of Array throughout Ireland. The commissioners were authorised to appoint a muster master, who was to draw up a muster role containing the names of each militiaman and the quality of his arms. Furthermore, they had to certify whether the troops were trained since they had been arrayed, how often, when they were last so exercised and also what places were appointed for the general rendezvous of the companies and for lodging their arms, drums and colours.<sup>78</sup> Ormond had showed no concern for these details before Christmas when he was able to aver to Orrery, without being in a position to know, that the militia throughout the country was properly constituted and ordered.

On 31 March, the anticipated assault on Ormond's position did not materialise as Ossory had taken care to mobilise his friends in the Lords, and his narrative sufficiently allayed the fears and suspicions of others.<sup>79</sup> Ormond would later write to him, 'the paper you gave in to the Lords House could not be composed to more advantage, nor anything added to it but what has been lately done, of which Mr Coventry has an account from me'.<sup>80</sup> The danger was not completely removed, however, as Shaftesbury prudently decided to reserve his opinions and resolutions regarding Ireland to the subcommittee of the Lords. It met after the House adjourned following Ossory's speech. Here he was guaranteed the support and cooperation of the majority of its members, notably, Essex, Strafford and John Robartes. Ossory was powerless to act as the House of Lords concurred with the resolutions of this committee and proceeded to legislate for the Irish kingdom, without desiring the advice of its government. The lord chief justice of the Court of Common Pleas, along with the attorney general, were ordered to prepare a bill whereby all the inhabitants of Dublin and other ports and forts in Ireland would be

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<sup>78</sup> Lord Lieutenant and Council to the Commissioners of Array of the several counties of Ireland, 18 Apr. 1679, *Ormonde MSS*, v, pp 52-3.

<sup>79</sup> Earl of Ossory's memorandum on the state of Ireland, *Ormonde MSS*, v, pp 15-20; Ossory's title in the House of Lords was Lord Butler of Moor Park.

required to take the oaths of Allegiance and Supremacy, thereby distinguishing Catholics from Protestants. In the same bill, it was inserted that members of both houses of parliament, practising lawyers, clerks of the court and sheriffs, would have to take the oaths. The House finally moved that Colonel John Fitzpatrick was to be prohibited from coming within twenty miles of Ormond's court in Dublin, to which Ossory dared not protest, later informing his father, 'the motion concerning Colonel Fitzpatrick was very quick and impossible to prevent'.<sup>81</sup>

Over the course of the following days, Shaftesbury tried to hurt Ormond in other ways, by encouraging members of parliament to reflect upon contemporary grievances in Ireland against Michael Boyle in the Commons. It was alleged that Boyle was endeavouring to engross the great offices of church and state in his own family. This referred to the advancement of his son in law, Sir William Davys to the position of Irish lord chief justice on the death of Sir John Powey. Coventry informed Ormond that if this occurred, it 'would make that flame that already smokes and [...] it will be of great prejudice both to my Lord Primate and your grace [Ormond]'.<sup>82</sup> Southwell perceived that Shaftesbury's principal objective was 'to make as many places void as to gratify those that concur to gratify him'.<sup>83</sup> The prospect of office in Ireland was held up to Essex to make him quit pretensions in England and for a while at least, the former viceroy swallowed Shaftesbury's bait. Ossory informed his mother on 19 April, 'if very strange informations and circumstances be true I have reason to believe my lord of Essex is one of the bitterest enemies my father has'.<sup>84</sup> Essex was soon discovered to be utilising his

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<sup>80</sup> Ormond to Ossory, 7 Apr. 1679, *Ormonde MSS*, v, p. 34

<sup>81</sup> Bodl., Carte MS 72, ff. 477-88; Ossory to Duchess of Ormond, 19 Apr. 1679, *Ormonde MSS*, v, pp 53-4; Ossory to Ormond, 1 Apr. 1679, *Ormonde MSS*, v, p. 21.

<sup>82</sup> Henry Coventry to Ormond, 8 Apr. 1679, *Ormonde MSS*, v, pp 35-6.

<sup>83</sup> Memorandum on public affairs by Sir Robert Southwell, 19 Apr. 1679, *Ormonde MSS*, iv, preface xx-xxi.

<sup>84</sup> Ossory to Duchess of Ormond, 19 Apr. 1679, *Ormonde MSS*, v, pp 53-4.

old connections in Ireland to attain proof that an Irish Catholic plot existed.<sup>85</sup> On 12 April 1679 he brought an issue to the attention of the Lords committee on Ireland that was undoubtedly envisaged to paint Ormond as pro-Catholic. Essex stated that during his viceroyalty, he carefully endeavoured to have Donough MacCarthy, Lord Clancarty, educated in the Protestant religion, upon which Shaftesbury pressed for an 'account of what minors were so bred up since that law passed'.<sup>86</sup> Essex was also instrumental in procuring a copy of a controversial quit rents that had been granted to Fitzpatrick, which Shaftesbury brought into the Lords on 15 April, 'casting many reflections upon it and upon the person [Fitzpatrick], all which were seconded very vigorously by [...] Essex.'<sup>87</sup>

Ormond's representatives were also active at court and parliament during this period. Wyche acquainted many with his attempts to transplant French Huguenots to Ireland, whilst Ossory sent him lists of those who made favourable mention of him during the debates regarding the state of Ireland in the Lords. Ossory also pressed Ormond to quickly bring to his attention the issue of large numbers of Catholics residing within the towns and cities of Ireland, and requested information regarding creatures from there associated with Shaftesbury's party, especially 'one Mansel, that was cashiered', stating 'I think it were not amiss if you sent me the reasons for the proceedings against him'.<sup>88</sup> He made use of Ormond's narrative not only around Whitehall and Westminster but also had it inserted in several journals and gazettes, stating, 'I am careful [...] to let the world see your care for preventing any mischief from the Irish.'<sup>89</sup> Southwell was also involved in the manipulation of the press patronising a printer who was an associate or former associate of those dispersing articles regarding

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<sup>85</sup> *A letter to the right honourable A. earl of Essex, from Dublin. Declaring the strange obstinacy of papists, (as here, so) in Ireland; who being [...] convicted and condemned for criminal causes, yet at their death... absolutely deny the fact* (London, 1679).

<sup>86</sup> Ossory to Ormond, 12 Apr. 1679, *Ormonde MSS*, v, p. 40.

<sup>87</sup> Ossory to Ormond, 15 Apr. 1679, *Ormonde MSS*, v, pp 45-6.

Ormond in London. This person whom Southwell called 'my Dutch friend' was entrusted with propagating the letter written on Ormond's behalf by the dissenter and Ossory's narrative, to which he added a preface.<sup>90</sup> Ossory's adoption of more dishonest instruments indicates his apprehension over his father's position. On 18 April, he came to plain dealing with Shaftesbury, wherein he presented before him an embarrassing reference in favour of Fitzpatrick, when he had been one of the Treasury ministers. He gave Shaftesbury a copy at his desire, but assured him that he would make use of it unless he ended his prosecution of that gentleman, to which Shaftesbury acquiesced.<sup>91</sup> Southwell however, was immensely sceptical of such an assurance and passed on the following hint to Ormond,

I could wish that Fitzpatrick would be persuaded to go and travel with what speed he can. For if it be left to your grace to clap up suspected persons and your grace leave him out there will be a cry raised upon it.<sup>92</sup>

Ormond took Southwell's suggestions on board informing him on 23 April, 'Colonel Fitzpatrick is gone beyond [the] sea and according to the time I was told he took shipping, I suppose he may be landed somewhere.'<sup>93</sup> He told Ossory the same day in no uncertain terms that he was willing to play the same games as Essex and Shaftesbury,

it is not hard to guess by whom the inquiry concerning the grant supposed to be for the benefit of Fitzpatrick is set on; and since things of that nature are come into play, possibly I may be able to inform of some much less justifiable than that in question.<sup>94</sup>

At the same time, Ormond urged Ossory to continue close relations with Shaftesbury stating, 'if he keeps his word and finds it not to be his interest not to be satisfied, I am

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<sup>88</sup> Sir Cyril Wyche to Ormond, 1 Apr. 1679, *Ormonde MSS*, v, pp 21-2; Ossory to Ormond, 5 Apr. 1679, *Ormonde MSS*, v, pp 29-30.

<sup>89</sup> Ossory to Ormond, 12 Apr. 1679, *Ormonde MSS*, v, p. 40.

<sup>90</sup> Sir Robert Southwell to Ormond, 15 Apr. 1679, *Ormonde MSS*, iv, p. 303.

<sup>91</sup> Ossory to Duchess of Ormond, 19 Apr. 1679, *Ormonde MSS*, v, pp 53-4.

<sup>92</sup> Memorandum on public affairs by Sir Robert Southwell, 19 Apr. 1679, *Ormonde MSS*, iv, preface p. xxiv.

<sup>93</sup> Ormond to Sir Robert Southwell, 23 Apr. 1679, *Ormonde MSS*, ii, pp 286-7.

<sup>94</sup> Ormond to Ossory, 23 Apr. 1679, *Ormonde MSS*, v, pp 60-1.

confident he may receive satisfaction'.<sup>95</sup> He adopted a new stance on the subject of Catholics within towns and garrisons by shifting the blame to others. He reminded Ossory, that

I doubt it is not known or remembered there [London] that in the time of my lord Berkeley's government there issued a proclamation to let all papists at one blow into corporations, and if Mr Bridgeman be examined, he is able to tell at whose solicitation the letter commanded such a proclamation was procured.<sup>96</sup>

Ormond took several pragmatic steps also, including trying to amend his relationship with Orrery, especially since the latter was intending to attend parliament in London in May. Such an initiative was prudent, as Orrery's deputation in London in 1668 had helped bring about Ormond's removal as viceroy, when he severely criticised his mismanagement for aggravating the deficit in the Irish budget. It was relatively successful for on 25 April, Orrery wrote to him,

I have in this written my heart without disguise to your excellency, who will on due examination find me a plain but honest man. When I am in London I shall make it my proposal to rectify any mistakes which may have been run into on any of my letters to any of my friends there.<sup>97</sup>

This state of affairs was dramatically transformed on 22 April 1679, by enormous changes in the composition and functions of the English Privy Council.<sup>98</sup> Charles II had been persuaded that such change accompanied by bringing leading opposition figures into government was necessary. They would do his bidding as the appointment of the earl of Essex as a Treasury Commissioner had demonstrated. He also envisaged that such transformations would be proof enough to the opposition in parliament that he had honest

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<sup>95</sup> Ormond to Ossory, 26 Apr. 1679, *Ormonde MSS*, v, p. 66.

<sup>96</sup> Ormond to Ossory, 23 Apr. 1679, *Ormonde MSS*, v, pp 60-1

<sup>97</sup> Earl of Orrery to Ormond, 25 Apr. 1679, *Ormonde MSS*, v, pp 61-4; Ronald Hutton, 'The triple-crowned islands' in Lionel K. J. Glassey (ed.), *The Reigns of Charles II and James VII & II* (London, 1997), pp 81-2.

<sup>98</sup> It now contained thirty members instead of forty-six, furthermore the much maligned against foreign affairs committee and the practice of informal consultations were done away with; See E. R. Turner 'The Privy Council of 1679' in *English Historical Review*, xxx (1915), pp 251-66; Fraser, *King Charles II*, pp 376-7; J. P. Courtenay (ed.), *Memoirs of Sir William Temple* (2 vols, London, 1836), ii, pp 34-44.

advisors who were not 'popishly affected', thus they would be more compliant.<sup>99</sup> These changes once again moved the goal posts between Dublin and London that had been set after the fall of Danby, by dramatically altering Ormond's status in relation to his opponents in London. Southwell observed these alterations with apprehension and wrote, 'so little is Ormond secured by the king that all these are the men whose favour is courted by him at any rate.'<sup>100</sup>

This new Council was packed with Ormond's opponents, especially the key posts. Shaftesbury became Lord President, Essex, Chief Treasury Commissioner, while Halifax, Robartes and Winchester gained commissions.<sup>101</sup> These appointments were doubly disastrous, as Ossory was denied a place at Council and could but complain to Charles II, 'that, if anything hard did ever befall me, I [Ossory] had reason to believe it would proceed from the ill-will of others, having had many and sufficient proofs of your graciousness towards my family and myself in particular.'<sup>102</sup> The new committees constituted by this Council were likewise deprived of Ormond's supporters; the all-important committee for Ireland was made up almost exclusively of his opponents or those of dubious loyalty such as Anglesey, Essex, Salisbury, Halifax, Robartes and Edward Seymour.<sup>103</sup> There were other alterations proposed which would undoubtedly affect Ormond. Wyche acquainted him on 22 April, 'that it is said that the lieutenancy of Ireland shall likewise be in commission.'<sup>104</sup> This proposal originated with Essex who deemed it as a quick indirect method of removing Ormond.<sup>105</sup> These changes

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<sup>99</sup> Trevelyan, *England under the Stuarts*, p. 389.

<sup>100</sup> Memorandum on public affairs by Sir Robert Southwell, 19 Apr. 1679, *Ormond MSS*, iv, preface; George Clark, *The later Stuarts, 1660-1714* (Oxford, 1956), p. 98; Haley, *The first earl of Shaftesbury*, pp 512-4.

<sup>101</sup> HMC., *Portland MSS*, iii, p. 362.

<sup>102</sup> Ossory to Ormond, 22 Apr. 1679, *Ormonde MSS*, v, pp 54-5.

<sup>103</sup> Sir Robert Southwell to Ormond, 22 Apr. 1679, *Ormonde MSS*, iv, pp 504-5.

<sup>104</sup> Sir Cyril Wyche to Ormond, 22 Apr. 1679, *Ormonde MSS*, v, pp 58-9.

<sup>105</sup> Earl of Longford to Ormond, 29 Mar. 1679, *Ormonde MSS*, v, pp 3-5; Richard L. Greaves, 'Arthur Capel, first earl of Essex (bap. 1632, d. 1683)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, ix, pp 976-

dramatically distorted Ormond's position with London, Ossory instantly recognised this informing Ormond that 'great whispers are against you, as Sir Robert Southwell informed you. I hope in God the worst they can do will be to remove you from your present station.'<sup>106</sup>

Ormond himself immediately saw parallels to 1668, when many of his fiercest opponents had been brought into government after the fall of Clarendon. He wrote to Coventry, 'I do not remember any session of parliament held when I was out of England but that I was hotly alarmed by my friends of preparations and contrivances to accuse me'.<sup>107</sup> He believed that the chief grounds for the intrigues against him were not because of his perceived favouritism towards Catholicism but were malicious, 'because I would not bear calumny and envy to the places I hold'.<sup>108</sup> He planned a drastic course of action to protect his position and desired Coventry to request Charles II to send permission for him to attend him at court, where he intended to re-establish his position by undergoing the strictest inquiry and trial of his actions.<sup>109</sup> At the same time, Ormond understood perfectly the advantages inherent in taking this decision at that time. On 26 April, the English Commons had finally resolved to sit the next day to consider ways of protecting the Protestant religion against Catholics, both in the reign of Charles II and his successor. The day Shaftesbury had longed for had finally arrived, an opportunity to exclude the duke of York from the succession. However, the arrival of Ormond in London intent on refuting accusations against him would spoil this by diverting the attention of the Lords and Commons from the exclusion bill, which he so desperately sought. In a letter of 30 April to Ossory dealing with the request he recently made of Coventry, Ormond cleverly

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82; Essex also urged a committee of the Lords to enact a bill preventing the lord lieutenant of Ireland from acquiring any estate by royal grant or from selling any offices.

<sup>106</sup> Ossory to Ormond, 22 Apr. 1679, *Ormonde MSS*, v, pp 54-5.

<sup>107</sup> Ormond to Henry Coventry, 30 Apr. 1679, *Ormonde MSS*, v, p. 72.

<sup>108</sup> *Ibid.*, p. 72.

<sup>109</sup> *Ibid.*, p. 72.

added 'perhaps if my lord of Shaftesbury or any other that may wish this government in other hands saw how I am disposed in the matter it might do no hurt.'<sup>110</sup>

Ormond's decision split his supporters right down the middle; Coventry and Southwell opposed Arlington in exposing the folly of such an action. He would be charged with deserting his post at a time of great uncertainty, which would create further backing for those planning to impeach him; whereas distance, as Southwell stated, 'may afford several advantages by length of time, etc.'<sup>111</sup> They instead stressed the importance of undertaking some necessary actions, such as swallowing his pride in regard to Shaftesbury. During the heated debates in the Lords at the end of March 1679, Ossory had made several libellous accusations regarding Shaftesbury's conduct in the early 1670s. Considering Shaftesbury's newly acquired dominance within Council this now came back to haunt both father and son.<sup>112</sup> Southwell felt that the occasion required that Ormond must write to Shaftesbury disowning his son's mistake and furthermore that Ossory must present it himself.<sup>113</sup> This initiative mirrored the duke of York's own strategy to arrive at a *modus vivendi* with Shaftesbury. Since he was now on good terms with the king, he might also afford to let bygones be bygones. The importance of ingratiating himself with the new power brokers at Whitehall such as Sir William Temple was also emphasised

It may not be a miss if you congratulate Sir William Temple who is a sort of tutor to the great secretary Sunderland and may influence that cabal to divert mischief, especially if you desire him to call on [Sir Robert Southwell] to be informed how matters stand, that so [Ormond] be not be run down, at least [Sir William Temple] may properly be put on this work.<sup>114</sup>

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<sup>110</sup> Ormond to Ossory, 30 Apr. 1679, *Ormonde MSS*, v, p. 73,

<sup>111</sup> Sir Robert Southwell to Ormond, 29 Apr. 1679, *Ormonde MSS*, iv, pp 506-8.

<sup>112</sup> Richard Bagwell, *Ireland under the Stuarts and during the Interregnum* (3 vols, London, 1909), iii, pp 130-1; according to Bagwell, Ossory falsely accused Shaftesbury of advising the stop of the Exchequer in 1673, when the latter was part of the group of ministers called the "CABAL" that dominated Stuart politics at this time

<sup>113</sup> Captain John St Leger to Henry Gascoigne, 1 Apr. 1679, *Ormonde MSS*, v, p. 22; Sir Robert Southwell to Ormond, 22 Apr. 1679, *Ormonde MSS*, iv, pp. 504-5; Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond*, p. 118.

<sup>114</sup> *Ibid.*, pp 504-5.



The gravity of Ormond's position compelled his supporters in London to undertake more drastic measures. On 26 April 1679 Coventry, Longford and Ossory waited on Charles II concerning reports that impeachments were prepared against several lords for 27 April, the day appointed by the Commons for considering ways to protect the Protestant religion against Catholics.<sup>115</sup> Ossory went further and openly accused Richard Jones, Viscount Ranelagh, of gathering articles to be used against Ormond in the Commons. Charles was horrified and took great pains to reassure Ossory declaring, 'that if it could be proved, or that if he could have grounds to believe that [...] that lord [Ranelagh] held such practices he should not continue an hour in his place.'<sup>116</sup> Ossory was also endeavouring to implicate Shaftesbury in underhand practices and pressed John St Leger, an Irish Privy Councillor, with connections to many of Ormond's opponents, to procure him a copy of libellous queries in the hands of one of Shaftesbury's creatures, Thornhill.<sup>117</sup> Finally, Southwell and his 'Dutch Friend' pragmatically adopted tactics, which Ormond associated with his enemies, such as manufacturing propaganda on his behalf, 'your grace will here see in print what some friend thought necessary to be so, and Arlington as well as Ossory liked the draft [...] in the figure of an Adventurer reconciled to truth.'<sup>118</sup>

In any event Ormond was saved by a series of circumstances outside his control. The entrance into Council of many of his opponents actually diminished their status as they were suspected of selling out to the court, for as Southwell highlighted to Ormond

That whoever is of the highest estimation among the people, or in either house of parliament, if he go or be called to a secret consultation, and

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<sup>115</sup> Sir Robert Southwell to Ormond, 26 Apr. 1679, *Ormonde MSS*, iv, pp 505-6; Ossory to Ormond, 26 Apr. 1679, *Ormonde MSS*, v, p. 70.

<sup>116</sup> *Ibid.*, p. 70.

<sup>117</sup> Ossory to Ormond, 13 May. 1679, *Ormonde MSS*, v, pp 94-5.

<sup>118</sup> Sir Robert Southwell to Ormond, 29 Apr. 1679, *Ormonde MSS*, iv, pp 506-8.

especially if he touch at preferment, he is immediately looked upon as a man infected and lopped off from the body where he had credit before.<sup>119</sup>

Shaftesbury became stuck in the middle between the Commons and Charles II. He agreed with the policies of the former such as punishing Danby for his treasonous actions and depriving the duke of York of the throne, but Charles II expected that his appointment would make the Commons more compliant and that once in power Shaftesbury would carry out his will. Ossory informed Ormond on 6 May 'I do not perceive that my lord of Shaftesbury grows in credit since his being a Councillor, or that since his dignity he gains much with his own or that which ill men call the court party.'<sup>120</sup> The tensions contained within the new Privy Council were soon exasperated by attempts in the Commons to pass an exclusion bill. Shaftesbury, Monmouth, and other exclusionists were forced out into the open, whilst moderates like Temple, Halifax, Sunderland and Essex favoured legislation that would limit the prerogatives of any future Catholic sovereign.<sup>121</sup> This unpleasant state of affairs soured relations between the court and Commons but, most importantly for Ormond, it divided and diverted the attention of many on the new Council, who may hitherto have clamoured his removal. It is also significant that Ormond, whose demise was hitherto anticipated from the changes in Council, was actually a beneficiary from them.<sup>122</sup> Essex was distracted from the affairs of Ireland and became resolved to attain the post of Lord Treasurer. He was also instrumental in launching a campaign to force his old enemy Ranelagh and his partners to return to Ireland to give a full and final account of his undertaking. This was a devastating setback

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<sup>119</sup> Memorandum on public affairs by Sir Robert Southwell, 19 Apr. 1679, *Ormonde MSS*, iv, preface, p. xvii; Jones, *Country and court, England 1658-1714*, p. 207.

<sup>120</sup> Ossory to Ormond, 6 May. 1679, *Ormonde MSS*, v, p. 87.

<sup>121</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 373-4; Haley, *The first earl of Shaftesbury*, p. 517.

<sup>122</sup> *Ibid.*, p. 372.

to Ranelagh who had been endeavouring to raise the animosities of the Commons to prevent such an occurrence.<sup>123</sup>

Ormond was saved by several other factors such as the breakdown in the relationship between both houses of parliament, as they disagreed whether the trial of Danby or that of the five Catholic lords accused by Oates should take precedence.<sup>124</sup> In the Commons, the rumours of intended proceedings against Ormond proved ill founded as members instead lighted upon allies of the duke of York more close at hand such as Samuel Pepys, secretary to the Admiralty, and John Maitland, duke of Lauderdale, and Secretary of State for Scotland. Pepys was accused of being a closet Catholic and passing information to France, whilst Lauderdale's bitter rival William Douglas, duke of Hamilton, had managed, unlike Orrery, to take residence in London during the meeting of parliament, where he allied himself with Lauderdale's English enemies in attempting to oust him.<sup>125</sup> Southwell informed Ormond of this

there was great expectation this day of an assault in parliament upon the duke of Lauderdale, which may, in this conjuncture, end much to his prejudice, and 'tis not likely to be long deferred, and many talk as if things in Scotland were grown insupportable and at the point of coming to blows.<sup>126</sup>

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<sup>123</sup> Ibid., pp 372-3; Sir Robert Howard to Ormond, 15 May. 1679, *Ormonde MSS*, v, p. 104; Ormond to Sir Robert Howard, 24 May. 1679, *Ormonde MSS*, v, p. 113; Primate Boyle to Lady Ranelagh, 4 Apr. 1679, *Ormonde MSS*, v, pp 42-5; C. I. McGrath, 'Richard Jones, earl of Ranelagh (1641-1712),' in Matthew and Harrison (ed.), *Oxford D.N.B.*, xxx, pp 606-8; Ranelagh was in a precarious position after the fall of his key ally Danby. As such he employed many strategies in an attempt to secure his position with the king and prevent his enemies from bringing him to book for his corrupt practices during the 1670s. There were rumours that he sought to make his eldest daughter a mistress to the king. Ranelagh and his wife Elizabeth Jones, née Willoughby, also dispersed many accusations against Ormond and Michael Boyle in an attempt to alleviate his own position and stifle their inquiries into his undertaking. Ranelagh based a large proportion of his accusations on correspondence with Orrery and other relatives in Ireland such as Captain Robert Fitzgerald; Ormond to Ossory, 22 Mar. 1679, *Ormonde MSS*, v, pp 365-6.

<sup>124</sup> Haley, *The first earl of Shaftesbury*, pp 522-6.

<sup>125</sup> Stephen Coote, *Samuel Pepys's: a life* (New York, 2000), pp 285-90; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 374-5; William Douglas, duke of Hamilton was an exponent of toleration to Presbyterians; William Douglas, duke of Hamilton, *Some further matter of fact relating to the administration of affairs in Scotland, under the duke of Lauderdale. Humbly offered to his majesties consideration, in obedience to his royal commands. That the duke of Lauderdale was concerned in the design of bringing in popery and arbitrary government...* (London, 1679).

<sup>126</sup> Sir Robert Southwell to Ormond, 3 May. 1679, *Ormonde MSS*, iv, pp 508-9.

Tension in Scotland between Presbyterians and the Episcopalians escalated further that May after Covenanters murdered the archbishop of St Andrews, James Sharp. Southwell was soon of the opinion, 'that neither Ireland nor any man in it can at present be thought of in this crowd of things depending and of near concern.'<sup>127</sup> As such, Coventry took the prudent decision not to present Charles II with Ormond's desire to attend him at court, stating to him

How far his majesty will struggle, or run with this tempest, I know not. But you being in the House of Lords at the time must needs upon daily occasion oblige you either to weaken your interest there or increase the animosities in the House of Commons, where as yet I do not perceive them increase.<sup>128</sup>

Southwell agreed with Coventry's actions and advised Ormond to write the exact same letter again, though this time without a date 'to be presented in such a conjuncture as may require it'.<sup>129</sup>

On 27 May 1679 Charles II avoided the controversial issue of exclusion by proroguing parliament till 14 August. He informed both houses that it was the only expedient left as the animosities between them had frustrated his designs.<sup>130</sup> An important question to be addressed at this juncture is the degree to which an exclusion bill or an act limiting the prerogatives of the duke of York would have affected Ormond. It would have placed him in an invidious position between the wishes of parliament and those of his traditional ally. Ormond understood that any such bill would be accompanied by an oath that all considerable officers and Privy Councillors would be required to take, to make such an act of parliament effectual. This troubled him deeply, and reflecting upon it in a letter to Ossory, he stated

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<sup>127</sup> Sir Robert Southwell to Ormond, 10 May. 1679, *Ormonde MSS*, iv, p. 509; Fraser, *King Charles II*, p. 378.

<sup>128</sup> Henry Coventry to Ormond, 17 May. 1679, *Ormonde MSS*, v, pp 105-6.

<sup>129</sup> Sir Robert Southwell to Ormond, 10 May. 1679, *Ormonde MSS*, iv, p. 509.

<sup>130</sup> Henry Coventry to Ormond, 27 May. 1679, *Ormonde MSS*, v, pp 117; Haley, *The first earl of Shaftesbury*, pp 525-6.

How I shall be able to digest such an oath I cannot judge till I see it; only I tell you I am somewhat tender in the point of oaths. The matter must be true in my opinion, just in what they bind to, and compatible with other lawful oaths formerly taken by me, or else I shall refuse them, cost me what they will.<sup>131</sup>

The prorogation of parliament saved Ormond from this dilemma and Ossory wrote back to him that day 'by what you hear has passed this day, you will see there will be time enough to consider the contents of your letter.'<sup>132</sup> During the previous three months, Ormond's position had been shown up by the rapidly changing body politic after the fall of Danby; the marriage of convenience, however between Charles II and many of his opponents had collapsed because of the confluence of several forces: the issue of exclusion, the need to punish Danby, and Scottish affairs. The resolution of the last of these factors was to end the stalemate between Charles and the opposition, and bring many opposed to Ormond into a position where they could once again force Charles II to remove him.

In June 1679 matters came to a head in Scotland; the Presbyterians in the western lowlands had risen and crown forces were compelled to abandon the country west of Stirling including the city of Glasgow.<sup>133</sup> The implications of these events were immediately felt in Dublin, as there was a large non-conformist population in the north east of Ulster which had strong links with Scotland. Ormond had been aware for some time through his agents and informers in Belfast of growing restlessness amongst Presbyterians and that it had been occasioned by increasing numbers of Scottish refugees and malcontents arriving in Ulster. The murder of Archbishop Sharp had been openly celebrated in Londonderry, whilst elsewhere seditious books such as *The wrestling's of the Kirk of Scotland for the kingdom of Christ* were widely available and preachers proclaimed openly 'that when sin is not punished by the magistrate, it is then the peoples

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<sup>131</sup> Ormond to Ossory, 21 May. 1679, *Ormonde MSS*, v, p. 109.

<sup>132</sup> Ossory to Ormond, 27 May. 1679, *Ormonde MSS*, v, pp 116-7.

duty to supply that defect'.<sup>134</sup> Ormond had also good reason to believe that many officers of the army and militia in Ulster kept correspondence with disaffected both there and in Scotland.<sup>135</sup> He therefore took it upon himself, before any orders arrived from London, to exert his authority in Ulster lest discontent there and in Scotland precipitate a 'fanatic rebellion'.<sup>136</sup> In early June, he ordered eleven troops of horse to rendezvous at Charlemont under the command of Arthur Forbes, earl of Granard.<sup>137</sup> Extra troops were also despatched to landing points from Scotland such as Donaghadee where arrivals were interned and examined for information. While in Dublin, Ormond ordered the opening of all the letters of those suspected of keeping correspondence with the disaffected in either England or Scotland.<sup>138</sup>

On 10 June, the English Privy Council ordered that Ormond be directed to give immediate orders for marching towards the north of Ireland of as many troops that could be safely spared. When they arrived there they were to wait the further directions of the Scottish Privy Council.<sup>139</sup> Ossory warned:

I need not remind you how much it concerns you in regard of the king, the kingdom you govern, and yourself well to consider of the safety of the north, and what number you can spare without hazarding the loss of the country entrusted to your care.<sup>140</sup>

Ormond did not need to be told to act diligently and on 17 June orders were despatched for 2,300 foot and horse to assemble around Dublin where there would be better shipping available to transport them, if need be, to Scotland or Ulster.<sup>141</sup> This, like so many of

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<sup>133</sup> Henry Coventry to Ormond, 10 Jun. 1679, *Ormonde MSS*, v, p. 127; G. B. McNeill and Hector L. Macqueen (ed.), *Atlas of Scottish history to 1707* (Edinburgh, 1996), pp 145-7.

<sup>134</sup> Bodl., Carte MS 45, f. 482; *Ibid.*, f. 486; Bodl., Carte 146, f. 172; Bodl., Carte MS 240, f. 377; It was also reported in several intelligences sent from Ulster in April that the great conventicler John Welsh was hiding out in Ulster; Phil Kilroy, *Protestant dissent and controversy in Ireland, 1660-1714* (Cork, 1994), p. 236.

<sup>135</sup> Bodl., Carte MS 221, f. 394.

<sup>136</sup> Bodl., Carte MS 45, f. 500.

<sup>137</sup> Ormond to Henry Coventry, 11 Jun. 1679, *Ormonde MSS*, v, p. 128.

<sup>138</sup> Bodl., Carte MS 45, f. 500; Ormond to Henry Coventry, 22 Jun. 1679, *Ormonde MSS*, v, p. 142.

<sup>139</sup> Order in Council for Despatch of troops to North of Ireland, 13 Jun. 1679, *Ormonde MSS*, v, pp 128-9.

<sup>140</sup> Ossory to Ormond, 10 Jun. 1679, *Ormonde MSS*, v, pp 127-8.

<sup>141</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 270-3.

Ormond's decisions, shocked Orrery and many Protestants in Ireland, that a substantial part of the army could be sent out of the country when there were disturbances in Ulster and a purported Catholic conspiracy still in existence.<sup>142</sup> He wrote to Ormond

tis but too probable if the rebellion there be prosperous it may have too much influence on the Scots of Ulster, who may be also the more incited to assist their associates if they see the forces which should awe them sent into Scotland. And who knows if the discontented Scots in Ulster should rise, but the discontented Irish may do the like, and both do it with the less apprehension by the absence of a large part of this little army.<sup>143</sup>

Fortunately for Ormond, such a scenario did not develop, as the non-conformist rebels were defeated at the battle of Bothwell Brig on 22 June by English and Scottish troops under the command of James, duke of Monmouth.<sup>144</sup> During the following weeks, Ormond took care to prevent disorder spreading to Ireland by placing large numbers of troops along the north east coast of Ulster to prevent fugitives from Scotland sheltering with their brethren there, and a proclamation was issued commanding all subjects of Charles II to aid them in apprehending Scottish rebels.<sup>145</sup>

The events in Scotland held other implications for Ormond as they brought about a dramatic *volte-face* in court politics in London. After the prorogation, Ormond's position was relatively secure as those in favour around Charles were moderate ministers like Arthur Capel, earl of Essex, George Savile, marquis of Halifax, and Robert Spencer, earl of Sunderland, who were prepared to work with him and to do his bidding.<sup>146</sup> The resolution of affairs in Scotland put Shaftesbury back into the political driving seat; Monmouth, his political ally in Council during the previous year had gained a lightning victory in Scotland. The prestige of this cabal was subsequently increased by

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<sup>142</sup> Ibid., p. 271; Richard L. Greaves, *Gods other children: Protestant nonconformists and the emergence of denominational churches in Ireland, 1660-1700* (Stanford, 1997), pp 116-7.

<sup>143</sup> Earl of Orrery to Ormond, 24 Jun. 1679, *Ormonde MSS*, v, pp 143-4.

<sup>144</sup> Rosalind Mitchison, *A history of Scotland* (3<sup>rd</sup> edition, London, 2002), p. 264.

<sup>145</sup> Bodl., Carte MS 59, f. 587; Proclamation by the lord lieutenant and council, *Whereas there hath been a notorious and unnatural rebellion lately raised in Scotland...* (Dublin, 30 June, 1679)

<sup>146</sup> Despite the relative security of his position, behind the scenes in London both Essex and Halifax were endeavouring to supplant Ormond, it appears that Ormond anticipated such an alteration as Ossory was

Monmouth's lenient treatment of defeated rebels.<sup>147</sup> On hearing of this victory, the ministers around Charles pressed him to dissolve parliament rather than allow it to fall under the control of the Shaftesbury group. Charles acted on this advice and called a new parliament for October 1679. However he did so without consent of the majority of Council, infuriating many parliamentarians. Henry Thynne intimated to Ormond

We are likewise very busy in all parts in order to new elections of members of parliament, and by what can be guessed at, most of the same faces will appear there again, which, if they do, I believe they will not be in much better humour for having spent a great deal of money for the same place they had most of them paid dear for before.<sup>148</sup>

In London Ossory noticed that the prestige of his enemies had correspondingly increased. He found Shaftesbury's emissaries busily scheming against Ormond for not being careful enough for the Protestant interest: 'they complain of the excessive rates of powder, and do little value truth in what they affirm.'<sup>149</sup> In 1679 the 'Licensing Act' had expired. As such there was nothing to restrain the press or more importantly the opposition from utilising it to disparage various individuals.<sup>150</sup> Ormond's character or more precisely his religion was once again brought into question. Longford informed him 'the enclosed print I have sent your grace that you may see with what industry your enemies endeavoured to reflect upon you in the account of Colonel Talbot's liberty'.<sup>151</sup> It was also represented in print that during the late rebellion in Scotland Ormond was dissatisfied with Protestants and viewed them as more dangerous to his government than Catholics. Longford informed him that this derived from the following lines in a letter

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privately looking for a suitable residence for him in England. Ossory to Ormond, 22 Jul. 1679 and same to same, 19 July 1679, *Ormonde MSS*, v, pp 160; 158

<sup>147</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 376-7; Fraser, *King Charles II*, p. 379; Sir Robert Hamilton, *For the right noble and potent Prince James, duke of Buccleugh [sic] and Monmouth, general of his majesties forces now in Scotland the humble supplication of the non-conformists in the west, and other parts of the kingdom, now in arms in their own name, and in the name of all the rest of those who adhere unto us in this Church and kingdom of Scotland* (Glasgow, 1679).

<sup>148</sup> Henry Thynne to Ormond, 18 Jul. 1679, *Ormonde MSS*, v, p. 157.

<sup>149</sup> Ossory to Ormond, 17 Aug. 1679, *Ormonde MSS*, v, pp 182-3.

<sup>150</sup> The Licensing Act had hitherto been the mechanism whereby the government controlled the publication of seditious books and pamphlets.



written to Coventry on 1 July 'that the fanatics there who began to prick up their ears upon the Scotch rebellion do now pull in their horns since the defeat of the rebels'.<sup>152</sup> He believed the design of Ormond's enemies was clear 'to give the approaching parliament a very ill impression of you [Ormond], and consequently to prepare them for whatever attack is intended against you.'<sup>153</sup> Coventry felt that those who dispersed this rumour intended to disaffect those under his government in Ireland for 'they could make any great advantage of it here (London) but by the clamour from hence.'<sup>154</sup> This interpretation is certainly plausible as occurrences in England were closely observed and discussed in Ireland; Dublin's first coffee house had opened in 1665. In September 1679, when Ormond was unable to find the addresses of the previous parliament relating to Ireland he asked Michael Boyle to 'desire Dr Topham or any other to make search among the booksellers and coffee-houses, where such things possibly may be kept.'<sup>155</sup>

Shaftesbury and his associates did not have to look hard to find accomplices in their intrigues against Ormond, an atmosphere of anti-Catholicism and a hostile court had a magnet-like effect of bringing those disaffected with Ormond out of the woodwork. In London, Longford found Sir Henry Ingoldsby, a member of the Irish Privy Council, foremost amongst these.<sup>156</sup> In plain English Ingoldsby told him

That your grace [Ormond] puts greater confidence in the papists than the Protestants, that when the plot was first discovered in Ireland your grace [Ormond] took so little notice of it, that though the papists thronged then

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<sup>151</sup> Earl of Longford to Ormond, 5 Aug. 1679, *Ormonde MSS*, v, pp 167-9; Same to same, 2 Sep. 1679, *Ormonde MSS*, v, pp 196-7.

<sup>152</sup> *Ibid.*, pp 167-9.

<sup>153</sup> *Ibid.*, pp 167-9.

<sup>154</sup> Henry Coventry to Ormond, 9 Sep. 1679, *Ormonde MSS*, v, pp 202-3.

<sup>155</sup> Ormond to Michael Boyle, 18 Sep. 1679, *Ormonde MSS*, v, p. 210; Aytoun Ellis, *The penny universities: a history of the coffee houses* (London, 1956) p. 200.

<sup>156</sup> Longford to Ormond, 5 Aug. 1679, *Ormonde MSS*, v, pp 167-9; Timothy Venning, 'Sir Henry Ingoldsby (bap. 1623, d. 1701)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, xxix, pp 276-7; Ingoldsby was a brother of the regicide, Sir Richard Ingoldsby and a distant relation of Oliver Cromwell. He led a parliamentary regiment in Ireland during the late 1640s and fought at the sieges of Drogheda and Limerick. At the Restoration he was permitted to retain the lands that he had acquired during the Interregnum and was made an Irish Privy Councillor. In the summer of 1679, Ingoldsby was full of acrimony against Ormond for having disobliged him in preferring Drury Wrey to the command of a militia troop in Limerick instead of his brother George.

to Dublin and into the castle in greater numbers than they had done formerly, yet your grace [Ormond] did not think fit to double the guards though pressed to it by himself [Ingoldsby] and others.<sup>157</sup>

Ingoldsby's behaviour was extremely worrying to Longford and he stated to Ormond 'when he talks with this freedom to me I leave your grace to judge what his behaviour is toward you amongst others.'<sup>158</sup> Ingoldsby was soon found to have great acquaintance amongst the party 'now getting into the saddle'.<sup>159</sup> Shaftesbury wasted no time in utilising this newly acquired asset and throughout September the renegade councillor accompanied him to many meetings of the English Privy Council. The Whigs also exposed him in many of London's coffee houses where he gladly traduced Ormond and his government.<sup>160</sup>

In Ireland, Orrery, who fell out with Ormond again that summer, was now presented with the perfect climate to damage Ormond and he wasted no time in demonstrating his zeal for the Protestant religion. He wisely made use of Ormond's main weakness, the court in London, to cast doubts over his religion and his proceedings in regard to the plot. On 20 September, Coventry informed Ormond that he was employing many of his old tricks:

My lord of Essex telleth me this night that he hath by this post received a letter from my lord Orrery mentioning the report of a master of a ship coming from France that a ship was ready to sail for Cork from thence that brought 6000 horse arms, and that he [Orrery] had given orders for the seizing of them if they came. If the intelligence be true, I wish he had acquainted your grace first with it that notice might have come from you.<sup>161</sup>

In London, Ossory had further cause for concern as alarming news filtered through from Munster. He immediately wrote to his father, 'I received a letter from Sir Robert Southwell giving an account of my lord of Orrery having a discovery made him of a plot

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<sup>157</sup> Ibid., pp 167-9.

<sup>158</sup> Ibid., pp 167-9.

<sup>159</sup> Ibid., pp 167-8.

<sup>160</sup> Arran to Ormond, 13 Nov. 1680, *Ormonde MSS*, v, p. 486; Account of John Fitzgerald of his first coming into England, 8 feb. 1682, *Cal. S. P. dom.*, 1682, pp 65-6.

<sup>161</sup> Henry Coventry to Ormond, 20 Sep. 1679, *Ormonde MSS*, v, pp 210-1.

that had been carrying on these two or three years.’<sup>162</sup> A County Limerick gentleman, David Fitzgerald, exposed the plot in question; he accused Lord Theobald Brittas, Colonel Pierce Lacy and others of plotting to seize the citadel of Limerick and bring in the French. Ossory had immediate suspicions about Orrery’s intentions as the latter wrote his letter on 16 September whilst intimation from Ormond only arrived on 27 September. Coventry and Ossory were unable to respond and it did not but appear that Ormond was concealing evidence. Orrery’s schemes had evidently hurt Ormond as Ossory made a point of representing them to Charles who called him a ‘rogue’ and was ‘much incensed.’<sup>163</sup>

In the face of this pressure, Ormond’s representatives in London were fighting a dogged rearguard action. Sir Richard Stephens forced Ingoldsby to acknowledge before Shaftesbury and the English Privy Council that Ormond had actually proposed at the beginning of the plot that the Irish should be immediately disarmed, as many Protestants were at the time of Blood’s Plot ‘but that matter was overruled by another person, with whose opinion the Council there concurred.’<sup>164</sup> Ossory meanwhile dismissed as feints reports that Shaftesbury had spoken kindly of Ormond to Stephens after this meeting. He warned him ‘whatever my lord of Shaftesbury may say to Sir Richard Stephens I am of opinion that according to the course he steers he will endeavour to remove from posts of power all persons of your principles.’<sup>165</sup> Ossory advised him quickly to bring to his consideration the events of the previous year especially the addresses of the House of Lords relating to Ireland, that satisfactory reasons may be given why they were not complied with. It was also prudent to have someone present who was witness to his

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<sup>162</sup> Ossory to Ormond, 10 Oct. 1679, *Ormonde MSS*, v, p. 220.

<sup>163</sup> *Ibid.*, p. 220; David Fitzgerald, *A narrative of the Irish popish plot, for the betraying that kingdom into the hands of the French, massacring all the English Protestants there, and the utter subversion of the government and Protestant-religion; As the same was successively carried on from the year 1662* (London, 1680), pp 7-12.

<sup>164</sup> Earl of Longford to Ormond, 5 Aug. 1679, *Ormonde MSS*, v, pp 167-9; Sir Richard Stephens was a page of the backstairs to the queen at this time though he later received a warrant for a grant of the office of Sergeant at Law.

<sup>165</sup> Ossory to Ormond, 6 Sep. 1679, *Ormonde MSS*, v, pp 198-9.

proceedings during this period 'I doubt not but you will think it proper to send over my brother [Arran] towards the time of the parliaments sitting'.<sup>166</sup> Ossory's warning and advice was soon justified. On 23 September he wrote 'I am informed that an impeachment is to be delivered against you [Ormond] at the meeting of the parliament; and I am promised the particulars and notice of these proceedings from a man of quality.'<sup>167</sup>

Ormond was too politically astute not to notice the changing tide of politics in London and the subsequent manoeuvres of his enemies there and in Ireland. He was determined not to be found wanting and informed Michael Boyle that he was ready to journey to Dublin within twenty-four hours notice.<sup>168</sup> His main weakness during such times was his supposed Catholic proclivities and while in Kilkenny he undertook various strategies to shore up his position. Ormond took on board Ossory's recent advice and replied to him 'you advise well that the addresses of the parliament concerning Ireland should be considered. We are here upon them, and shall give the best account we can of them'.<sup>169</sup> It is obvious that the approaching parliament occasioned a transformation in how Ormond now perceived Catholicism

The most difficult to come well out of for you and myself it is that relating to the guardianship of the children of papists, wherein we are both bound in £10,000 to see young Aylmer educated as a Protestant, which has been neglected and the boy is in France, but I will do the best I can to have him suddenly brought over and then take order with him.<sup>170</sup>

Ormond was frustrated by the behaviour of his representatives in London being of the opinion that they already had the requisite material from him to counter Ingoldsby's accusations, which were no more than libels set down by Edward Brabazon, earl of

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<sup>166</sup> Ossory to Ormond, 9 Aug. 1679, *Ormonde MSS.* v, pp 175-6.

<sup>167</sup> Ossory to Ormond, 23 Sep. *Ormonde MSS.* v, pp 212-3.

<sup>168</sup> Ormond to Primate Boyle, 17 Sep. 1679, *Ormonde MSS.* v, p. 210.

<sup>169</sup> Ormond to Ossory, 26 Aug. 1679, *Ormonde MSS.* v, pp190-1.

<sup>170</sup> *Ibid.*, pp190-1.

Meath.<sup>171</sup> Ingoldsby's importance lay not so much in the content of his accusations, but the sheer fact that Ormond was being denounced as a crypto-papist by a member of his own Privy Council before parliament was due to meet. It is evident from Henry Coventry's letter of 9 October 1679 that Ormond undertook action to snuff out this threat 'the letter you [Ormond] wrote me that related to Sir Henry Ingoldsby I gave my lord of Ossory to show his majesty [...] and yesterday he [Ossory] sent me word that his majesty consented to what your grace proposed in that point'.<sup>172</sup> This, as Ossory's correspondence reveals, was Ingoldsby's removal from the Irish Board.<sup>173</sup>

In Ireland, Ormond proceeded with haste and diligence into all matters that involved the plot. As demonstrated elsewhere in this thesis, he was keenly aware and sensitive of the implications of any of his kin being involved in rebellion. He soon had to act on these words, when treasonous information appeared against his half brother Colonel John Fitzpatrick. The Catholic Fitzpatrick now became a 'papist' in so much as he was now a threat to the established order; the information was quickly brought before the Irish Privy Council and despatched to London, lest it be claimed by his enemies that he was failing to properly prosecute the plot. Ormond was able to take such a stance as he had sent Fitzpatrick out of the country a few months earlier.<sup>174</sup> The English Privy Council subsequently ordered that Fitzpatrick be indicted for treason upon the said evidence against him and outlawed if he failed to appear before the indictment. Such advice no doubt put Ormond in a very awkward position, between protecting the Protestant interest and ostracising many of his supporters within Ireland. Ormond queried Secretary of State Sunderland on the legitimacy of such proceedings as the like were not done with fugitives in England. At the same time, he ordered the Irish chief justice to carry out its

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<sup>171</sup> Winifred Gardner, *The life of James first duke of Ormonde 1610-88* (2 vols, London, 1912), ii, pp 371-3.

<sup>172</sup> Henry Coventry to Ormond, 9 Oct. 1679, *Ormonde MSS*, v, p. 219; Ormond to Arran, 12 Aug. 1679, *Ormonde MSS*, v, p. 178.

<sup>173</sup> Ossory to Ormond, 5 Oct. 1679, *Ormonde MSS*, v, p. 218.

instructions in case exception was taken, but attached the following words 'according to the course of law and justice'.<sup>175</sup>

On 23 August 1679 the Irish Privy Council assembled at Kilkenny to debate the readmission or exclusion of the Catholics of Galway city. Ormond chose this meeting to acquaint the Irish Board with Coventry's letter of 9 August. In it both he and Charles repudiated that they had ever received information from Ormond during the late rebellion in Scotland that intimated his dissatisfaction with Protestants in Ireland. The Irish Board was not in a position to affirm or deny that he had written such, but in his defence, as he stated to Coventry

What they have thought fit to say makes it very improbably I should have so little wit as to charge all the Protestants of this kingdom who only were armed and drawn together to suppress the Scotch rebellion (if need should be) with favour of it.<sup>176</sup>

The above proceedings demonstrate Ormond's anxiety over such accusations in light of the upcoming parliament, and he sent a copy to Coventry suggesting 'if his majesty shall think it may serve to any good use to have it made public, you may easily find the way of doing it.'<sup>177</sup> In regard to Ireland he felt 'Protestants should not believe they are falsely and maliciously represented by me'.<sup>178</sup> He therefore distributed copies of the letter to members of the Council, which he believed was 'no ill-way of publishing the contents of it.'<sup>179</sup>

Ormond was clearly troubled by Orrery's role in souring his reputation with many in London. Regarding David Fitzgerald's recent discovery he protested to Ossory that before his examination was completed 'my lord of Orrery got notice of it, writ it over,

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<sup>174</sup> Sir Robert Southwell to Ormond, 19 Apr. 1679, *Ormonde MSS*, v, preface, pp xvii-xxiv.

<sup>175</sup> Henry Coventry to Ormond, 20 Sep. 1679, *Ormonde MSS*, v, p. 212; Ormond to earl of Sunderland, 27 Sep. 1679, *Ormonde MSS*, v, p. 215; Bodl., Carte MS 146, f. 218.

<sup>176</sup> Lord lieutenant and Council to Henry Coventry, 23 Aug. 1679, *Ormonde MSS*, v, pp 188-9; Ormond to Henry Coventry, 24 Aug. 1679, *Ormonde MSS*, v, p. 190.

<sup>177</sup> *Ibid.*, p. 190.

<sup>178</sup> *Ibid.*, p. 190.

<sup>179</sup> *Ibid.*, p. 190.

and so it is gotten into print, with such reflections and remarks as I doubt not he designed.’<sup>180</sup> Ormond’s counterstrategy against the charlatan of Munster can easily be reconstructed from his letters.<sup>181</sup> The first entailed demonstrating that Orrery’s zeal was misplaced. At the time of the impending French invasion, Ormond was at his house at Carrick on Suir, twenty miles from Waterford. He commented several weeks later to Southwell that although at the time it seemed implausible to him to comprehend that the French would land such a quantity of firearms in such a location ‘where our troops and companies, both of the army and militia lie thickest, and where the country is well inhabited by English’, he had prudently maintained Orrery’s initial orders.<sup>182</sup> His initial misgivings were soon proved correct, when the ship from whence Orrery derived his alarm arrived and was found to be laden with nothing more dangerous than salt.<sup>183</sup> Secondly, Ormond endeavoured to show that Orrery was actually endangering the Protestant interest by preventing him from getting to the bottom of the plot in Ireland. He reinforced his own proceedings by having an account of Fitzgerald’s plot dispersed amongst his supporters in London. Ossory also received some additional remarks on the negative impact of Orrery’s disclosures

If there be any reality in the discovery (as very well there may be) the publishing of it in print will in a great measure frustrate the success of any further inquiry, instruct such as may be guilty what defence to make, and perhaps warn them to fly away from justice.<sup>184</sup>

Despite these hindrances, Ormond wanted Ossory to make it known ‘I have sent to take and secure them [those guilty] by an express before the print can come into their hands.’<sup>185</sup>

<sup>180</sup> Ormond to Ossory, 18 Oct. 1679, *Ormonde MSS*, v, pp 223-4.

<sup>181</sup> The nickname that Ossory had given to the earl of Orrery.

<sup>182</sup> Ormond to Southwell, 8 Oct. 1679, *Ormonde MSS*, ii, pp 291-3.

<sup>183</sup> *Ibid.*, pp 291-3; Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond*, p. 116.

<sup>184</sup> Ormond to Ossory, 18 Oct. 1679, *Ormond MSS*, v, pp 223-4.

<sup>185</sup> *Ibid.*, pp 223-4; Ormond to Southwell, 8 Oct. 1679, *Ormonde MSS*, ii, pp 291-3.

Notwithstanding his best efforts, the precarious nature of his position in regard to events in London was clearly emphasised during a three-week period at the end of September. At the beginning of that month, James, duke of York arrived back in England on the invitation of Sunderland, Essex, Halifax and Louis Duras, earl of Feversham as they feared that Monmouth who controlled the army would seize the throne after Charles II fell ill.<sup>186</sup> The hostile reception that James expected did not materialise and sensing a turn around in his fortunes, he launched several initiatives of his own. Monmouth was stripped of his military commands and would likewise have to go into exile along with James before parliament assembled in October.<sup>187</sup> As Ronald Hutton contends these actions should not be seen as evidence of the duke of York's growing prestige and dominance. In fact the brash way in which he dwelt with those who had sided with his opponent's sharpened tensions and efforts at reconciliation.<sup>188</sup> It became evident to such people that they would receive no favour if he secured the throne, thus self-interest compelled many to now support the exclusionists. Shaftesbury's preparations to attack York in the upcoming parliament now proceeded with renewed vigour that September, whilst the latter was sent back to Brussels where he remained isolated and powerless to shape his faith.<sup>189</sup>

In London, the anxiety of Ormond's supporters grew correspondingly, and the details of a meeting between Ossory and Southwell on 20 September 1679 testify to their awareness that previous methods of protecting his position there were now redundant. Ossory was disturbed that he would not be able to defend Ormond from such previously discredited accusations as Edward Brabazon's claims of the illegal quartering of troops

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<sup>186</sup> Miller, *King James II* (Yale, 2000), p. 99; Miller, *Charles II* (London, 1991), pp 315-6; Fraser, *King Charles II*, p. 383.

<sup>187</sup> *Ibid.*, pp 381-3; John Miller, *Charles II*, pp 316-7; Trevelyan, *England under the Stuarts*, p. 381.

<sup>188</sup> Haley, *The first earl of Shaftesbury*, pp 546-7; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 381.

<sup>189</sup> *Ibid.*, pp 381-2.



shortly after the Restoration. He suggested that Ormond request a pardon from Charles II, for this or any other transgressions. Southwell disagreed, however, as it would justify all the accusations that had hitherto been cast upon him and only embolden his enemies to attack him in parliament. At the same time Southwell conceded that even this accusation if introduced into the Commons in their present mood would certainly occasion his removal from the viceroyalty. Ormond's main advisor in London was thus resigned to hoping that maybe he might not be attacked in parliament, as 'there will not be room to hearken to it in so busy an age of fresh and higher things elsewhere.'<sup>190</sup> Ormond's response to these events and advices clearly emphasise his acknowledgement of his own powerlessness to influence events in which he was concerned, and as such he adopted the tactic of remaining inconspicuous, in anticipation that the dark storm clouds would blow over or converge on others. On 29 September 1679, he wrote to Southwell:

If it were not too late to put on the armour prepared against the next conflict (as I think it is), yet I am convinced that it would be of no defence against the great guns that are expected, at least to me, who know no reason why I should fear anything beyond the changing of my station, and I have the vanity to think it may concern others more than immediately it does me, that I should hold it for a time.<sup>191</sup>

As quickly as events in London threatened to run his career aground, the winds of fortune dramatically changed in Ormond's favour. On 7 October 1679, the duke of York received a royal invitation to return from Brussels and supervise Scotland.<sup>192</sup> Shaftesbury was aggrieved at this decision as his ally Monmouth would have to remain in exile. He exploited his position as Lord President of the English Board and immediately summoned it to discuss this rumour. Charles refused to countenance his protest and for his impertinence sacked him. He followed this up a week later on 17 October by proroguing

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<sup>190</sup> Ossory to Ormond, 20 Sep. 1679, *Ormonde MSS*, v, p. 211; Sir Robert Southwell to Ormond, 20 Sep. 1679, *Ormonde MSS*, iv, pp 535-7.

<sup>191</sup> Ormond to Sir Robert Southwell, 27 Sep. 1679, *Ormonde MSS*, iv, p. 291.

<sup>192</sup> Miller, *James II*, pp 100-1; Hugh Ouston, 'From Thames to Tweed departed; the court of James, duke of York in Scotland, 1679-82' in Eveline Cruickshanks and David Starkey (ed.), *The Stuart courts* (Stroud, 2000), pp 266-7.

parliament till 25 January 1680. Ormond's allies in London welcomed these alterations; Longford was of the opinion that 'by which means our friends will be freed from some trouble which was intended against them by malicious people.'<sup>193</sup> He confidently stated that Ormond had out rid hitherto all the storms his enemies had endeavoured to raise against him and more importantly he would continue too as 'his majesty being immovable in his resolution of continuing him there in the government.'<sup>194</sup>

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<sup>193</sup> Earl of Longford to Captain George Mathew, 18 Oct. 1679, *Ormonde MSS*, v, pp 225-6.

<sup>194</sup> *Ibid.*, pp 225-6.

## **CHAPTER THREE**

### **OLIVER PLUNKETT AND THE IRISH PLOT, 1679-80.**

This chapter examines Ormond's position during a series of destabilising crises ending in May 1680 with the failure of his opponents in London to sufficiently persuade the English Privy Council that he had suppressed evidence regarding a Catholic conspiracy hatched by Oliver Plunkett, archbishop of Armagh. The first of these crises was the complete disintegration of the coalition of moderate ministers with whom Charles II cooperated after the reconstitution of the English Privy Council in April 1679. This was followed by the political resurgence of Shaftesbury and other advocates of the exclusion of James, duke of York from the throne and the removal his allies, including Ormond, from office. The second was a direct result of the heightening of the exclusion issue. Shaftesbury and his supporters were unable to coerce Charles II into meeting parliament wherein they could enact legislation against the duke of York. Instead he dissolved parliament in January 1680 and demonstrated his support for York by inviting him to return from Scotland. The Whigs were therefore compelled to utilise other means in order to reassert their position in relation to the crown. The most important of these was fostering an atmosphere of intense anti-Catholic hysteria by manufacturing a bogus Irish Catholic plot to introduce the French into Ireland and England.

Shaftesbury's removal from the English Privy Council and the prorogation of parliament on 17 October 1679 was a decision Charles II was soon to regret. Shaftesbury's appointment as Lord President in April had greatly diminished his political standing amongst the opposition especially in the Commons leaving him frustrated and powerless to effect the constitutional change he desired. Shaftesbury had therefore been labouring for his own removal since mid-August for as Southwell observed, 'he appears to undervalue his station, and would affect to be discharged

harshly as the way to enhance himself elsewhere.’<sup>1</sup> Such a scenario was ultimately produced by the bungling attempts of a group of Catholics associated with James, duke of York, to frame Shaftesbury with involvement in a secret Presbyterian plot against the monarchy. Their informer Thomas Dangerfield, alias Willoughby a notorious villain and forger, deceived them by fabricating evidence and after the first proper investigation was forced to change his story.<sup>2</sup> He turned on his Catholic patrons and accused them of involvement in the plot that was revealed by Titus Oates. The former added that two of the Catholic lords imprisoned in the Tower of London had offered him £2,000 to kill the king and £500 to kill Shaftesbury.<sup>3</sup> Charles was horrified when this news broke a week before parliament was due to assemble. In one stroke it destroyed the possibility of the calm political climate he had sought by sending both the duke of York and Monmouth out of the country. It left him with no alternative but to prorogue parliament or else allow control of both Houses to pass to Shaftesbury and other advocates of the plot.

This decision outraged a large segment of the English political nation and re-established the legitimacy of the Popish Plot which had been waning after several high profile trials had highlighted the flaws in Oates’s evidence. Sir Robert Howard commented to Ormond, ‘the business has given new ferment to that which seemed more quiet than formerly, and has now confirmed belief and wakened apprehensions, rendering most men of modest principles eager for a parliament.’<sup>4</sup> Shaftesbury’s biographer, Kenneth Haley is of the opinion that it made him a ‘public martyr’ as it

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<sup>1</sup> Sir Robert Southwell to Ormond, 20 Aug. 1679, *Ormonde MSS*, iv, pp 534-5.

<sup>2</sup> Ronald Hutton, *Charles the Second, king of England, Scotland and Ireland* (Oxford, 1989), p. 383.

<sup>3</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland* p 383; Richard L. Greaves, *Secrets of the kingdom: British radicals from the popish plot to the revolution* (Stanford, 1992), pp 10-2; K. H. D. Haley, *The first earl of Shaftesbury* (London, 1968), pp 554-6; John Kenyon, *The Popish plot* (London, 1972), pp 216-7; G. M. Trevelyan, *England under the Stuarts* (paperback edition, London, 2002), pp 383-4; Antonia Fraser, *King Charles II* (London, 1979), p. 385; Roderick Mansell, *An exact and true narrative of the late popish intrigue, to form a plot, and then cast the odium thereof upon the Protestants* (London, 1680).

confirmed what he had been claiming since the exoneration of the queen's physician, Sir George Wakeman of plotting to poison the king, that Charles II was deliberately failing to prosecute the plot. As such Shaftesbury was now propelled to the head of a loose coalition of groups opposed both to court corruption and the succession of the duke of York to the English crown.<sup>5</sup> Charles II aggravated his position further by refusing to consult the advice of his own Council before he prorogued parliament. This made nonsense of his promise in April before them, 'that he would have all his affairs here debated freely' and as such, he alienated the moderates within it who had cooperated with his designs throughout the summer.<sup>6</sup> Essex and Halifax were deeply aggrieved at being publicly rebuffed by a king who was clearly numb to the wishes of both parliament and Council. The former expressed his dissatisfaction by resigning his commission in the treasury whilst the latter, along with Sir William Temple absented himself from court.<sup>7</sup>

The Meal Tub plot, as Dangerfield's plot soon became known, and its associated consequences both political and religious affected Ormond and the Irish kingdom in several ways. It dashed any initial aspirations he may have had of securing a meeting of the Irish legislature upon hearing of the prorogation in England. Southwell informed him, 'our prosecutions here have as it were quite laid asleep the thoughts of the Irish bills'.<sup>8</sup> At the same time, it paradoxically copper fastened the desire of many in London to enact the exact same penal legislation in Ireland as in England, something the English House of Lords had unsuccessfully attempted between the 31 March and 15 April 1679. In Ireland the bulk of the legislation against

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<sup>4</sup> Sir Robert Howard to Ormond, 12 Nov. 1679, *Ormonde MSS*, v, pp 237-8.

<sup>5</sup> Haley, *The first earl of Shaftesbury*, pp 548-9; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 383-4; Sir Robert Southwell to Ormond, 18 Oct. 1679, *Ormonde MSS*, pp 545-9.

<sup>6</sup> W. C. Costin and Steven. J. Watson (ed), *The law and the working of the constitution: Documents 1660-1783* (London, 1952) i, pp 329-30.

<sup>7</sup> Haley, *The first earl of Shaftesbury*, pp 549, 556.

Roman Catholics such as the Act of Supremacy which required all clergy and secular officials to swear an oath accepting the supremacy of the English crown against all foreign jurisdictions dated from Queen Elizabeth's reign. However in practice they were not sufficient from deterring many Catholics from holding public office and sitting in both the Irish Lords and Commons.<sup>9</sup> On 1 December 1679, Charles II conceded to the wishes of opposition politicians and indeed many of his remaining advisors. He ordered Ormond to prepare bills for a future parliament in Ireland 'for the preventing papists from sitting in either house thereof and from holding any public office'.<sup>10</sup> This order was received civilly but privately it displeased Ormond. Although it was customary for most legislation passed in England to be likewise enacted in Ireland, he and others such as Michael Boyle firmly believed that all legislation affecting the kingdom of Ireland should receive its first hearing in the Irish Council.<sup>11</sup> Reports from London also spoke of 'a new stratagem', which aimed to render his service in the government ineffectual.<sup>12</sup> If Ormond refused to transmit such bills he would be attacked for failing to properly secure the Protestant interest whereas if he sanctioned severe legislation against Catholics as in England, it might very well drive them into rebellion, devastating the kingdom and its revenues.<sup>13</sup> Finally, although in favour of the exclusion of Catholics from the lower house,

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<sup>8</sup> Sir Robert Southwell to Ormond, 18 Nov. 1679, *Ormonde MSS*, pp 558-60.

<sup>9</sup> J. E. Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85' (unpublished Ph.D dissertation, University of Iowa, 1975), pp 111-2; S. J. Connolly (ed), *Oxford companion to Irish history* (Oxford, 2002), p. 558.

<sup>10</sup> Bodl., Carte MS 39, f. 81.

<sup>11</sup> Col. Edward Cooke to Ormond, 15 Apr. 1679, *Ormonde MSS*, v, pp 48-50.

<sup>12</sup> This is alluded to by Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 111.

<sup>13</sup> Ormond to Ossory, 27 Apr. 1680, *Ormonde MSS*, v, pp 312-3; Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 111. Aydelotte contends that this order may have reflected a plan by Shaftesbury and his associates to embarrass and ultimately remove Ormond and in the process obtain new confiscations of land there for Protestants.

Ormond opposed their removal from the Lords, as it would violate the inherent rights of nobles that they were immune from the requirements of oaths.<sup>14</sup>

The most obvious significance of the Meal Tub plot was the resurgence in anti Catholicism and the distrust of those associated with James, duke of York that accompanied it. In England at this time there was a genuine fear that another Irish rebellion on the scale of 1641 could very easily reoccur. That same year, Sir John Temple's anti-Irish tract of 1646, *The Irish Rebellion*, had been republished twice.<sup>15</sup> In London's coffee houses, Ormond's Catholic proclivities once again appear to have been a popular topic of conversation, so much so that he was included within a pack of cards and paper of verses made by a prisoner, James Carroll, about the plot.<sup>16</sup> Many complaints, which he had hitherto countered, were readily countenanced so much so that Ossory advised him to order another seizure of arms as 'great exceptions have been taken at you giving the Irish time to bring in their arms, and not making a private and strict search as you did when the conspiracy of Blood was on foot.'<sup>17</sup> It was alleged that Richard Talbot, who had been released on bail by Ormond on account of an illness, was now in Paris and displaying great health while in Ireland Ormond was hindering the investigation of the plots that had been discovered by David Fitzgerald, Hubert Burke and John MacNamara. These informers had accused Lord Theobald Brittas, Colonel Pierce Lacy, the earl of Tyrone, Richard Power, and other gentry in

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<sup>14</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 111-2.

<sup>15</sup> Sir John Temple, *The Irish rebellion: or, an history of the beginnings and first progress of the general rebellion raised within the kingdom of Ireland upon the three and twentieth day at October, in the year 1641. Together with the barbarous cruelties and bloody massacres which ensued thereupon* (London, 1646); Samuel Gellibrand who had printed the original in 1646 was responsible for reprinting it again in 1679. A second reprint was produced that same year for one Edward Gellibrand. Sir Robert Southwell to Ormond, 5 Jul. 1679, *Ormonde MSS*, iv, pp 529-30.

<sup>16</sup> Sir Robert Southwell to Ormond, 3 Jan. 1679, *Ormonde MSS*, pp 569-70; Kevin Herlihy, 'The Irish Baptists, 1650-1780' (unpublished Ph.D dissertation, University of Dublin, 1992), p. 94; James Carroll, *A narrative of the popish plot in Ireland... Discovered by me James Carroll, in the year 1672. With an account of my sufferings for discovering the same* (Dublin, 1681).

<sup>17</sup> Ossory to Ormond, 29 Nov. 1679, *Ormonde MSS*, v, pp 243-4.



Munster of planning to introduce the French to massacre their Protestant neighbours.<sup>18</sup>

Ossory advised him,

I doubt not that all diligence is used to search into the truth of that matter, as it is necessary that it should be manifest to the world the care that is taken, since my lord of Shaftesbury and many others indicate the contrary.<sup>19</sup>

In late 1679, such accusations whether they contained any truth or not were extremely dangerous as the Licensing Act, the means by which the Crown had controlled the publication and dispersal of political information in England since 1662 had lapsed.<sup>20</sup> Ormond would now have to suffer the implications of rumours and insinuations not only at court and around Westminster in London but throughout the three kingdoms of the Stuart monarchy. Many in Ireland were not oblivious to such alterations. Southwell informed Ormond on 6 December, 'I have the honour of your grace's of the first instant, and observe how the plot begins to ferment, or at least the informations to increase on that side.'<sup>21</sup> In Waterford, a dispute between several companies of Dumbarton's regiment garrisoned there and its citizens that had been immediately pounced upon by the unlicensed press in London was found to have been largely contrived and calculated for it by disaffected individuals instructed out of England.<sup>22</sup> To add to Ormond's woes, a narrative of the heated events of the 1640s

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<sup>18</sup> David Dickson, *New foundations: Ireland 1660-1800* (new edition, Dublin, 2000), p. 20; Anon, *A full and true relation of a new hellish plot in Ireland, carried on by the papists in Munster...* (London, 1679); Julian C. Walton, 'Richard Power, first earl of Tyrone (1629/30-1690)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, xlv, pp 141-2; During the Irish rebellion of 1641, Power's father became a lunatic. Legally this meant his land could not be touched during the Cromwellian plantation. During the 1650s, he added to his inherited estates by marrying into the New Protestant interest by marrying Dorothy Annesley, the eldest daughter of the earl of Anglesey.

<sup>19</sup> Ossory to Ormond, 30 Dec. 1679, *Ormonde MSS*, v, pp 260-1; Henry Coventry to Ormond, 2 Nov. 1679, *Ormonde MSS*, v, p. 233. Ossory's was referring to the information against Richard Power, earl of Tyrone in this advice.

<sup>20</sup> John Miller, 'Public opinion in Charles II's England', in *History*, lxxx, no. 260, (Oct, 1995), pp 362-3; Harold M. Weber, *Paper bullets: print and kingship under Charles II* (Kentucky, 1996), p. 134.

<sup>21</sup> Southwell to Ormond, 6 Dec. 1679. *Ormond MSS*, v, pp 564-6.

<sup>22</sup> Ormond to Southwell, 8 Nov. 1679, *Ormonde MSS*, ii, p. 293-5; The two plots in question were first, the information of David Fitzgerald against Lord Brittas and others and second, the information of Hubert Burke and John MacNamara against Richard Power, earl of Tyrone. An indictment brought against Tyrone for conspiring to raise men to aid a French invasion had already been ignored by the Grand Jury of Waterford on 14 August 1679. Coventry to Ormond, 2 Dec. 1679, *Ormonde MSS*, v, p.

was due to be published by a Chester physician, Edmund Borlase who had lampooned him in several pamphlets already that year.<sup>23</sup>

In England, the investigation of the Meal Tub plot was entrusted to the English Privy Council. Many of its members were clearly disaffected in light of Charles II's actions and began courting Shaftesbury. Essex was reported to have consulted Shaftesbury on whether the former should vacate his position on the Privy Council and was observed to have become active in investigating the plots.<sup>24</sup> Southwell suspected that Essex's ultimate aim was to compel Charles II to lure him away from the opposition, because a year previous to this he held a post in the Treasury, and by 1679 he was anxious to seize control of the key position of viceroy which he had once held.<sup>25</sup> He was certainly prominent amongst those criticising Ormond's proceedings regarding the plot and questioned his zeal for the Protestant interest in Ireland. At the Council table when it was noted how the Catholics had set Willoughby on to incriminate Shaftesbury and Roderick Mansell, Essex observed that he had also heard of a parallel plot in Ireland for pulling down the Mass houses of Dublin by the apprentices. It had failed and upon inquiry it was found that Ormond's brother in law,

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248; John Napper to the Farmers of the Customs, 19 Nov. 1679, *Ormonde MSS*, v, p. 240; Captain Julius Lockhart to Ormond, 22 Nov. 1679, *Ormonde MSS*, v, p. 240-1; Ormond to Mayor of Waterford, 25 Nov. 1679, *Ormonde MSS*, v, p. 242-3; Ormond to Ossory, 10 Dec. 1679, *Ormonde MSS*, v, p. 252; Bodl., Carte MS 70, f. 449.

<sup>23</sup> Edmund Borlase, *The history of the execrable Irish rebellion trac'd from many preceding acts, to the grand eruption the 23. of October, 1641. thence pursued to the Act of Settlement, MDCLXII* (London, 1681); Nicolas Canny, *Making Ireland British, 1580-1650* (Oxford, 2001), p. 463; Sir Robert Southwell to Ormond, 5 Jul. 1679, *Ormonde MSS*, v, pp 529-30; Borlase was a son of Sir John Borlase who was joint Lord Justice of Ireland when the 1641 rebellion erupted. Sir Robert Southwell to Ormond, 5 Jul. 1680, *Ormonde MSS*, iv, pp 528-9; J. C. Beckett, *The cavalier duke: a life of James Butler, 1<sup>st</sup> duke of Ormond* (Belfast 1990), p. 23; Aidan Clark, 'Edmund Borlase (c. 1620-1682)' in Matthew and Harrison (ed.), *Oxford dictionary of national biography*, vi, pp 660-1.

<sup>24</sup> Haley, *The first earl of Shaftesbury*, p. 556.

<sup>25</sup> Anon. *A letter to the right honourable Earl of Essex, from Dublin, declaring the strange obstinacy of papists, (as here, so) in Ireland; who being... convicted and condemned for criminal causes, yet at their death... absolutely deny the fact* (London, 1679); In this letter, it can be observed that Essex had been writing to correspondents in Ireland since the beginning of the plot in order to acquire evidence to increase his position among the opposition.

Colonel John Fitzpatrick was behind it.<sup>26</sup> On 8 November 1679 Southwell informed Ormond that this person's name 'is upon frequent occasions made use of as the poison against [Ormond].'<sup>27</sup> Shaftesbury, still angry with both Ormond and Ossory on account of the latter's reaction to his speech in the Lords on 25 March 1679, intended to make it appear that Fitzpatrick had corresponded with Colonel Thomas Blood who had also been implicated in Dangerfield's plot. What added menace to such information were reports from London that Charles II, desperate to improve his position vis-à-vis the English political nation, was having second thoughts about Shaftesbury's removal from the Council and was holding secret discussions with him through Sunderland wherein according to Southwell, Shaftesbury had been offered 'the Treasurers staff and to make all the other great officers such as he should like'. However Shaftesbury had apparently sent back word that 'he had already declared his conditions; and without them he would never enter, nor was there any good to be done.'<sup>28</sup>

This was not the only alarming information received by Ormond during this period for on 28 October 1679 enclosed within a letter from Henry Coventry was report of a rumour circulating around Brussels,

That in or about May or June last Colonel Fitzherbert [Fitzpatrick] delivered to the pope's Internuncio at Brussels a letter and a paper signed by four Roman Catholic bishops, two of whom were Plunkett, archbishop of Armagh and [Patrick] Tyrell, bishop of Clogher, recommending Fitzherbert [Fitzpatrick] to be the only person fit to be entrusted general of an army for establishing the Roman Catholic religion in Ireland, under French sovereignty.<sup>29</sup>

To the neutral observer such a report was certainly plausible as Fitzpatrick was closely associated with most of the Irish Roman Catholic hierarchy throughout the

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<sup>26</sup> Sir Robert Southwell to Ormond, 28 Oct. 1679, *Ormonde MSS*, iv, pp 552-3.

<sup>27</sup> Sir Robert Southwell to Ormond, 8 Nov. 1679, *Ormonde MSS*, iv, pp 557-8.

<sup>28</sup> *Ibid.*, pp 557-8; Same to same, 18 Nov. 1679, *Ormonde MSS*, v, pp 558-60; Haley, *The first earl of Shaftesbury*, pp 550-1.

1670s especially Plunkett.<sup>30</sup> During the viceroyalty of Sir John Berkeley, Fitzpatrick obtained passports for both Plunkett and Thady Keogh, archbishop of Tuam that they might travel around Ireland unmolested. In 1679 during the height of the Popish Plot, Plunkett lamented his absence from Ireland in a letter to Urbano Cerri, Secretary of Propaganda in Rome stating 'Colonel Fitzpatrick [...] was a greater benefactor to me than the whole diocese of Armagh and all my friends and relatives in this country'.<sup>31</sup> The Brussels rumour was almost certainly framed however to harm Plunkett more than his patron. His hostility to tories and determination to implement Tridentine reforms in the Irish church combined with his old English background had led him to fall out with a large segment of the native Irish clergy in Ulster, in particular the Franciscans, against whom he gave a decision in favour of the Dominicans in 1671 regarding questing or begging rights.<sup>32</sup>

In light of recent events, Ormond immediately perceived that such information was quite possibly an indirect attack aimed at his removal and he quickly reacted to stifle this threat and protect his position. He wrote to a member of the Irish Privy Council and a senior law officer in north Leinster and south Ulster, Sir Hans Hamilton, stating that it would be in the best interests of the king if Oliver Plunkett and Patrick Tyrell were apprehended. He failed to mention the nature of the crime they were charged with only that it 'is of more than ordinary importance'.<sup>33</sup> On 30

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<sup>29</sup> Paper presented to the king by the duke of York, 20 Oct. 1679, H. M. C., *Appendix to the fifth report*, p. 318.

<sup>30</sup> John Hanly, 'Oliver Plunkett [St Oliver Plinkett] (1625-1681)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, xlv, pp 526-532. A member of a prominent Old English family Plunkett was ordained a priest in Rome in the 1650s. In 1669, he was appointed archbishop of Armagh upon the death archbishop Edmund O'Reilly.

<sup>31</sup> John Brady, 'The arrest of Oliver Plunkett' In *I. E. R.*, 5<sup>th</sup> ser, lxxxii (Jan-Jun 1954), p. 85; John Hanly (ed), *The letters of saint Oliver Plunkett 1625-81, archbishop of Armagh and primate of all Ireland* (Dublin, 1979), pp 529-31.

<sup>32</sup> Patrick J. Corish, *The Catholic community in the seventeenth and eighteenth centuries* (Dublin, 1981), pp 67-8; Tomas O Fiaich, 'The fall and return of John Mac Moyer', in *Seanchas Ardmhaca*, iii, (1958-59), pp 58-60; Brendan Jennings, 'An appeal of the Ulster Franciscans against blessed Oliver Plunkett' in *Seanchas Ardmhaca*, ii (1956-57), pp 114-5.

<sup>33</sup> Ormond to Sir Hans Hamilton, 28 Oct. 1679, *Ormonde MSS*, v, p. 231.

October 1679 Ormond replied to Coventry wherein he protected himself by deliberately making no mention of Fitzpatrick, who after all, was the main figure implicated in the rumour. Instead he focused on the clerical conspirators and the impossibility of authenticating the evidence against them affirming that there were no more than seven or eight Catholic prelates present in Ireland and that if such a plot were in existence it would be near impossible to verify even if he managed to apprehend any of them upon which he added 'nor can I image from what other hand, or by what other means to go about the discovery of a thing the knowledge and concealing whereof is so criminal.'<sup>34</sup>

During the following weeks, Ormond's anxiety regarding the Brussels rumour is most apparent in his attempts to distance himself from the charge of partiality in Fitzpatrick's affairs. In late November 1679, he finally brought the earlier charge of treason against him before the Irish Board in his absence, which he had hitherto procrastinated over. However his accuser Darby Costigan retracted his information in front of them stating there was no truth in his initial accusation, 'that it was a mere contrivance betwixt him and others; who had suborned and set him on in that manner to accuse the said Colonel [Fitzpatrick]'.<sup>35</sup> In rather suspicious circumstances, Ormond was thwarted from getting to the bottom of this sham plot as Costigan escaped, supposedly through the negligence of his gaoler, before he could be prosecuted for perjury. Other precautions were also taken; Ormond mockingly dismissed out of hand the idea that Fitzpatrick would be in league with Colonel Thomas Blood who had, after all, plotted ten years previously with the duke of Buckingham to bring about his murder adding 'I should so soon have expected it

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<sup>34</sup>Ormond to Henry Coventry, 30 Oct. 1679, *Ormonde MSS*, v, pp 231-2.

<sup>35</sup> Lord Lieutenant and Council to Henry Coventry, 9 Dec. 1679, *Ormonde MSS*, v, pp 249-50.

betwixt him and the Mufti for the establishment of Alcoran [the Koran].'<sup>36</sup> The ludicrous nature of such reports was no small comfort to Ormond as he appears to have been painfully aware that once such information was in Shaftesbury's hands, it mattered little whether it contained a grain of truth or not in light of his increased prestige and the fawning attempts of the crown to win him over again. He despondently concluded upon this subject,

Since Shaftesbury is able to make that appear, I do not wonder that he should be courted by Charles II, and all the world; for he seems to have everybody's destiny in his hands, at least by his proposal he seems to think so<sup>37</sup>

Ormond was perfectly aware of the monarchy's instability but more importantly that concerning his own position in London at this time. During these months he hurriedly prepared and transmitted several explanations to England regarding actual or perceived accusations against him. On 10 November 1679 he had Arthur Turner, Deputy Constable of Dublin Castle certify Colonel Richard Talbot's state of health prior to his release on bail and retained for future use information apparently extracted from Talbot in return for his freedom, most importantly a memorandum on the illegal conveyance of arms and ammunition in Ireland.<sup>38</sup> Ormond was evidently perturbed that comparisons would be made in London upon the treatment of Catholics there and in Dublin, for by the end of November a list of Catholic convents, chapels and parish priests were drawn up.<sup>39</sup> He attempted to counter the incursions of the unlicensed gazettes by supplying his supporters in London with a full account of the late

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<sup>36</sup>Ormond to Southwell, 16 Nov. 1679, Appendix to Thomas Carte, *An history of the life of James Duke of Ormonde from his birth to his death in 1688* (3 vols, London, 1736 ed.), vol ii, p. 93; Ormond intended to say the Koran when he said Alcoran; Alan Marshall, *Intelligence and espionage in the reign of Charles II, 1660-85* (Cambridge, 1994), pp 190-2; It appears that Buckingham enlisted Blood to kidnap Ormond and hang him at Tyburn though other sources reveal that Blood carried out this deed of his own initiative in order to ransom Ormond for ten or twenty thousand pounds.

<sup>37</sup> *Ibid.*, p. 93.

<sup>38</sup> Bodl., Carte MS 243, f. 343; Bodl., Carte MS 221, f. 367; Kilkenny Borough Council Archive: The White Book of Kilkenny Corporation 1656-88, fol. 119; on 6 May 1680 Arthur Turner replaced Richard Ryves as Recorder of Kilkenny.

<sup>39</sup> Bodl., Carte MS 308, f. 695.

disorders in Waterford whilst he dealt with the root of the problem by exerting his authority over the city's mayor and corporation. He reprimanded them for the inferences drawn upon his government because of their negligence in reporting the supposed violence committed upon them post haste to Dublin.<sup>40</sup> At the same time, Ormond tried to conciliate them promising that 'whatsoever they have to complain of shall be readily and impartially heard and justice as impartially done to them or any of them that shall appear to have been wronged.'<sup>41</sup> Finally he was once again obliged to legitimise and explain his proceedings concerning the disarming of Catholics and arming of Protestants at the outset of the plot. In what Sir Robert Southwell called, a 'closely argued paper', Ormond cleverly defended his decision to allow Catholics twenty days to surrender their arms by hiding behind the law. He stated there was no stipulation in force in Ireland prohibiting them from having arms or authorising their removal from any subject. In fact, what Ormond propounded was the most practical alternative available to him and was a clear example of his foresight and vigilance for the Protestant interest. He estimated that in Ireland there were fifteen papists for every Protestant, which meant that if there had been a Catholic plot afoot, he could have given them no greater advantage than to disperse the army throughout the country searching for arms, 'to be destroyed [...] with clubs, stones, swords and skeins'.<sup>42</sup> To those that complained of the exorbitant prices of the arms and powder imported into Ireland, Ormond affirmed 'it does not much belong to me to answer for the price set upon arms and ammunition, having no share in the merchandise' and if Protestants

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<sup>40</sup> Bodl., Carte MS 146, f. 230; Ormond to mayor of Waterford, 25 Nov. 1679, *Ormonde MSS*, v, pp 242-3.

<sup>41</sup> Ormond to mayor of Waterford, 25 Nov. 1679, *Ormonde MSS*, v, pp 242-3.

<sup>42</sup> Ormond to Sir Robert Southwell, 8 Nov. 1679, *Ormonde MSS*, iv, pp 294-6; Southwell was pleased with this paper except for Ormond's estimation that there were fifteen Catholics to every Protestant in Ireland. He informed him that Sir William Petty had estimated the Irish population at eleven hundred thousand, which worked out at three Catholics to every Protestant; Sir Robert Southwell to Ormond, 18 Nov. 1679, *Ormonde MSS*, iv, pp 558-60.

complain of the rates, 'it was an argument that either they did not want them; or that they were not really in those apprehensions that were represented.'<sup>43</sup>

Ormond also took care to protect himself from any future charges of failing to discover Catholic conspiracies. On 10 December, he issued a proclamation commanding all persons with knowledge of any plots to make them known before the last day of February 1680, after which time no pardon was to be expected for such treasons or misprision of treason.<sup>44</sup> He deliberately appointed a vehement anti Catholic, Henry Jones, bishop of Meath as head of a committee set up to examine and prosecute the earl of Tyrone, Lord Brittas and others implicated in the plots recently discovered but wisely held the Brussels rumour implicating Plunkett and his relative Fitzpatrick from him. Southwell acknowledged the prudence of this appointment stating;

tis well to employ the bishop of Meath in the works of that nature, because his authority weighs with many, and will not only satisfy expectation that there could no more be made of the matter, but that it also could not sooner be finished.<sup>45</sup>

By the end of December, Jones and his committee had been unable to bring any of the information to such a conclusion that would allow him to report anything of substance to London. Furthermore what was revealed did not in any way materially concur with the discoveries revealed in England; in fact the evidence was so flimsy that many of the accused were released on bail.<sup>46</sup> This created uproar in the English Council where the articles against Tyrone and Brittas were held to import clear proofs

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<sup>43</sup> Ibid., pp 294-6.

<sup>44</sup> Proclamation by the Lord Lieutenant of Ireland, 10 Dec. 1679.

<sup>45</sup> Sir Robert Southwell to Ormond, 18 Nov. 1679, *Ormonde MSS*, iv, pp 558-60; Aidan Clarke, 'Henry Jones (1605-1682)' in Matthew and Harrison (ed.), *Oxford D.N.B.*, xxx, pp 511-13. Jones was a brother of Michael Jones who defeated Ormond at the battle of Rathmines in 1649 and a nephew of archbishop James Ussher. Upon Cromwell's arrival in Ireland, Jones was appointed scoutmaster-general of the army and during the 1650s his service to the Commonwealth and Protectorate were rewarded with several forfeited estate in County Meath. In 1661, he became Church of Ireland bishop of Meath and a member of the Irish Privy Council.

<sup>46</sup> Lord Granard to Lord Conway, 26 Nov 1679, *Cal. S. P. dom., 1678-9*, p. 290.



of treason. On 7 February 1680, a clearly embarrassed and angry Coventry advised Ormond to immediately reorder their arrest,

That there being an information of so great a treason as aiding a French invasion that the Council of Ireland that was so scrupulous in the case of the Talbot's and others as not to bail them, though never so rich, without acquainting the board here, it is a thing divers here seem surprised at to see that all the men accused of the plot are allowed their liberties upon bail.<sup>47</sup>

Ormond was sufficiently protected from the ramifications of their release for as Southwell correctly pointed out, 'it falls out very well that the bishop of Meath presides in the examination of the plot, since the work proves so dilatory.'<sup>48</sup>

In London, Ormond set in action several stratagems through his allies in order to protect his position there. Their actions can be categorised along the following lines. First, their determination to avoid any potential embarrassment. Second, utilising the press to improve his position and finally, maintaining the utmost loyalty to the monarchy despite the consequences. In London, Southwell visited and reassured one of Ormond's key Catholic allies, the Remonstrant cleric Peter Walsh who was aggrieved at his refusal to maintain correspondence with him. Southwell informed him that Ormond was anxious to avoid potential embarrassment either by writing or receiving letters from him and encouraged him in that 'busy time' to search over his papers and extinguish 'every shadow of inconvenience'.<sup>49</sup> Southwell and Walsh also arrived at the opinion that Ormond should counter the history of the Irish rebellion put forward by Edmund Borlase by encouraging a certain Mr. Hill, a former minister to the English at Flushing in the Netherlands, a man acquainted with books and the press to resume improving a pamphlet entitled *The affairs of Ireland from 1641-60*. Hill had brought it to Southwell's attention in 1677 as it was a great

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<sup>47</sup> Henry Coventry to Ormond, 7 Feb. 1680, *Ormonde MSS*, v, p. 272.

<sup>48</sup> Sir Robert Southwell to Ormond, 3 Jan. 1680, *Ormonde MSS*, v, pp 569-73.

<sup>49</sup> Sir Robert Southwell to Ormond, 10 Jan. 1680, *Ormonde MSS*, iv, pp 571-3.

vindication of Ormond's actions during the 1640s but for some unknown reason, Ormond terminated this project in 1678.<sup>50</sup>

Throughout November and December 1679, Coventry and others took care to give the English public full and proper accounts of Irish affairs, for instance having the circumstances surrounding the Waterford disorders and the directions issued thereafter by Ormond inserted in several journals. On 27 November, the duke of Monmouth, the Protestant alternative to the duke of York, returned from the Netherlands without the king's permission at the instigation of Shaftesbury who was determined to pressurise Charles into meeting parliament.<sup>51</sup> In London, Monmouth's residence was soon full of obsequious courtiers and politicians anxious to ingratiate themselves with the faction generally perceived to be in the ascendant. Ossory was perfectly aware where the ultimate decision to remove his father lay and steadfastly refused to undertake such a course of action. He reassured Ormond, 'I will prefer decency to my master to all other considerations, and I think it is not consistent with that to complement any that stands in his present circumstances.'<sup>52</sup>

By January 1680, it can be ascertained that Ormond perceived his position in regard to Catholicism and the plot as relatively secure for he was now primarily concerned with the possibility of securing a meeting of the Irish legislature and enacting within it his solution to what was regarded by many contemporaries as an incomplete and divisive Restoration land settlement. On 9 January, his ambition

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<sup>50</sup> Sir Robert Southwell to Ormond, 9 Oct. 1677, *Ormonde MSS*, iv, pp 377-9. Ormond possibly feared that such a work on his behalf would draw upon him rejoinders from figures that had different interpretations of the events of the 1640s and 1650s and his actions during this period. This course of action was very much true to his character for on many occasions throughout his political career, Ormond shied from conflict by in effect letting sleeping dogs lie.

<sup>51</sup> Haley, *The first earl of Shaftesbury*, pp 557-9; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 385-6; Miller, *Charles II*, p. 328. Both Haley and Miller suggest Shaftesbury possibly instigated Monmouth's return. Whilst Hutton does not engage with this question, instead he highlights the fact that Charles II had promised Monmouth that he could return to England once parliament was over.

received a boost when the king in the Council laid aside the bills transmitted from Ireland in the summer of 1678 and ordered a new transmission of bills. Ormond was advised that all the old bills could be retransmitted without alterations except the land bill, which was to be laid aside.<sup>53</sup> This bill was extremely contentious and had been highlighted previously by his opponents as an instance of his Catholic sympathies. For instance, in the aftermath of the 'Meal Tub plot' Ossory wrote to him, 'I am informed that my lord of Essex does very maliciously inveigh against the bill of confirmation and that of settlement, as partial to the Irish and consequently prejudicial to the Protestant interest.'<sup>54</sup> Not surprisingly during periods when anti-Catholicism was in the ascendant in London, Ormond had distanced himself from this bill by down playing its value and encouraging the English Council to reject it as it would in no way retard the determination of the Dublin parliament to vote the king's subsidies. Ormond now back tracked on this policy by asking for clarification of the last part of Charles II's order hypocritically warning that if some sort of confirmation bill was not prepared the Irish parliament might very well refuse supplies till they had something before them to set them at ease.<sup>55</sup> Coventry was astonished by Ormond's stance and reminded him on 6 March that the majority of the English Council were still of an opinion against that bill wherefore he urged him to accept a compromise solution that he himself had previously advocated, 'if you shall find upon the meeting of the parliament that there is a desire to have such a bill and upon what terms, your grace and the Council would transmit it hither.'<sup>56</sup> Ormond refused to contemplate such initiatives and on 9 March, his stubbornness was rewarded, when Charles II ordered

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<sup>52</sup> Ossory to Ormond, 2 Dec. 1679, *Ormonde MSS*, v, p. 246; Ossory to Ormond, 6 Dec. 1679, *Ormonde MSS*, v, pp 248-9.

<sup>53</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 115-7.

<sup>54</sup> Ossory to Ormond, 17 Jan. 1679, *Ormonde MSS*, v, pp 263-4; Ossory to Ormond, 13 Dec. 1679, *Ormonde MSS*, v, p. 253.

<sup>55</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85, p. 115.

the Irish Privy Council to include within its new transmission 'a short bill for settling and confirming estates'.<sup>57</sup>

This stance is testament to the effectiveness of the initiatives adopted by Ormond and his allies during the preceding months. The most successful of these was his handling of the Brussels rumour involving Fitzpatrick. On 6 December 1679 Oliver Plunkett was arrested in Dublin but neither he nor the information against him was handed over to Jones. Instead Ormond placed him in solitary confinement in Dublin Castle as he was relatively secure in the knowledge that no further information had appeared to corroborate that contained in Coventry's letter of 21 October. Ormond was still apprehensive of further revelations appearing and therefore on 7 December, he queried Coventry whether he should interrogate the prisoner, to which Coventry replied that no further information against Plunkett or any others had come to light. This would have delighted Ormond, for although he was personally confident of the old cleric's innocence, embarrassing information regarding Fitzpatrick or other Catholic relatives would almost certainly appear if Plunkett was transferred before Jones and his committee.<sup>58</sup> Coventry only added the following instructions 'that unless his [Plunkett] papers discover some further grounds I doubt little will be got from him.'<sup>59</sup> It was therefore left to Ormond's discretion to ply Plunkett with further questions otherwise the sheer fact that he was in the kingdom contrary to a proclamation of 16 October 1678 justified his imprisonment. Ormond was also greatly encouraged by the fact that the Irish and English plots were in no ways linked and that the prospect of further discoveries by unscrupulous individuals was greatly

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<sup>56</sup> Henry Coventry to Ormond, 6 Mar. 1680, *Ormonde MSS*, v, p. 287.

<sup>57</sup> Francis Gwyn to Ormond, 9 Mar. 1679, *Ormonde MSS*, v, pp 287-8; Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 118.

<sup>58</sup> Henry Thynne to Ormond, 16 Dec. 1679, *Ormonde MSS*, v, pp 253-4; Brady, 'The arrest of Oliver Plunkett', pp 90-2.

diminished as the proclamation granting pardons for speedy and full discoveries of Catholic conspiracies had expired at the end of February. Thus with the credibility of the Irish plot waning, Ormond anticipated that there would be little opposition to his proposed land confirmation bill especially since the death of Orrery removed his life long antagonist from the scene.<sup>60</sup>

In England, Charles II had found his feet after the crisis following the prorogation of parliament and the Meal Tub plot revelations. He discontinued talks with Shaftesbury when the latter refused to enter government unless Charles repudiated his brother and wife.<sup>61</sup> The overt recalcitrance of Shaftesbury, Monmouth and other lords only emboldened him to exert his authority and he took revenge on his 'favourite son' by stripping him of all his offices and pensions and barring him from court. The Whigs attempts to pressurise concessions out of Charles through the use of mass petitions had failed and in fact drove him to prorogue parliament for a further eleven months and evoke laws against the promotion of petitions.<sup>62</sup> By the New Year (1680) Charles had rehabilitated himself with a large segment of the political nation derogatorily termed Tories by opponents of the duke of York. Both royal brothers based this alliance on the assertion that the crown and the Church of England were the sole bulwarks preserving the English political, religious and social order.<sup>63</sup> This minor turnabout in the crown's fortunes and indications from England that the plot scare had

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<sup>59</sup> Henry Coventry to Ormond, 23 Dec. 1679, *Ormonde MSS*, v, pp 258-9; 'An account of the present state of Ireland presented by Lord Butler of Moor Park to the House of Lords', 31 Mar. 1679, *Ormonde MSS*, v, p. 16.

<sup>60</sup> Henry Coventry to Ormond, 28 Oct. 1679, *Ormonde MSS*, v, p. 231.

<sup>61</sup> Southwell to Ormond, 18 Nov. 1679, *Ormonde MSS*, v, pp 558-60; Hutton, *Charles the Second, king of England, Scotland, and Ireland*, p. 385.

<sup>62</sup> Haley, *The first earl of Shaftesbury*, p. 561.

<sup>63</sup> John Cannon (ed.), *Oxford companion to British history* (Oxford, 1997), pp 633, 673; The key to the party divide during the exclusion crisis as Tim Harris (*Politics under the later Stuarts, 1660-1714* (Harlow, 1993)) correctly points out was over the issue of the church, the Whigs being the party sympathetic to Dissent and the Tories the party of intolerant Anglicanism. The terms used to describe both parties best emphasises this as the term Tory derived from the Irish for bandit and Whig from 'Whiggamore' the name by which Scottish covenanters had been derogatorily known.

more or less run its course removed the climate which had made Ormond's confirmation bill potentially a double edged sword. This appears to be the case, for on 31 March 1680 Ormond informed Ossory that he had no other news other than 'we are here labouring at the bills now sent for in much haste out of England in order to the calling of a parliament here'.<sup>64</sup>

The tranquil state of Irish affairs did not last long because the political situation in England altered again. The failure of the petition campaign exposed the cracks in Shaftesbury's loose coalition of supporters, who were termed Whigs by the court.<sup>65</sup> These were further aggravated when Charles II quashed rumours that he would reconcile himself with Monmouth by inviting the duke of York to return from Scotland. Shaftesbury viewed this as a challenge thrown down by the crown and responded by encouraging the English Council to resign en mass. To his dismay however, only four councillors answered his call. Others, like Essex, who up to now had been restrained from resigning, were growing accustomed to trimming.<sup>66</sup> Shaftesbury's support base was further undermined as Charles attempted to ingratiate himself with moderate Whigs by strictly enforcing statutes against Catholics and despatching envoys, including Sir Robert Southwell, to the Protestant courts of Europe in order to construct a Protestant alliance against Louis XIV.<sup>67</sup> In light of these setbacks, Shaftesbury and his allies became more and more desperate to improve their position in regard to the crown. They circulated rumours of a 'Black Box' which supposedly held a marriage certificate proving the Protestant Monmouth's legitimacy thus making him the next in line for the throne.<sup>68</sup> Plans were also made to utilise Charles II's western kingdom to reinvigorate the plot thereby

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<sup>64</sup> Ormond to Ossory, 31 Mar. 1680, *Ormonde MSS*, v, pp 294-5.

<sup>65</sup> Tim Harris, *Politics under the later Stuarts, 1660-1714* (Harlow, 1993), pp 83-6.

<sup>66</sup> Haley, *The first earl of Shaftesbury*, p. 565.

<sup>67</sup> *Ibid.*, pp 566-7; Sir Robert Southwell to Ormond, 17 Feb. 1680, *Ormonde MSS*, iv, p. 580.

creating conditions that would improve their prestige and influence. In Ireland, Ormond was unaware and unprepared for the menace brewing across the water.

Shaftesbury intended to make anti-Catholicism the driving force behind Stuart politics by resuscitating fears of another rebellion in Ireland on the scale of 1641. From a position of strength, the Whigs could then force Charles to reconvene parliament and solve once and for all the controversial issue of succession. As an ally of the duke of York, Ormond was a secondary target especially if it could be demonstrated that he was negligent in protecting the Protestant interest. Shaftesbury had sought since 1679 to extend the plot to Ireland but to no avail, but now his efforts were aided by several factors.<sup>69</sup> First, within the ranks of the Whigs there were many disaffected from the Irish kingdom such as Roderick Mansell, Sir Henry Ingoldsby and, it was rumoured, Sir Walter Plunkett, another member of the Irish Privy Council. Second, the linkages and knowledge possessed by the former Irish viceroy, Essex, who by this stage was frustrated with English politics and desirous to regain his old post. Third, those with vested interests in preventing parliament from meeting in Ireland, the farmers of the Irish revenues, Ranelagh and many Protestants who feared that Ormond would overturn the Restoration land settlement. Finally, the atmosphere and example set by the Munster informers encouraged the desperate, disreputable and self-serving to collaborate in manufacturing plots.<sup>70</sup> Shaftesbury was not thoroughly excited by most of those who flocked to his banner; a motley crew of escaped criminals, perjurers and individuals with grudges against Ormond or others in his government. The necessity of his position however forced him to make to most of such individuals.

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<sup>68</sup>Haley, *The first earl of Shaftesbury*, pp 574-5; Trevelyan, *England under the Stuarts*, p. 394.

<sup>69</sup> John Brady, 'Oliver Plunkett and the popish plot' in *I E. R.*, 5<sup>th</sup> series, lxxxix (Jan-June, 1958), pp 9-13.

<sup>70</sup> Brady, 'Oliver Plunkett and the popish plot', pp 7-8.

The first such figure was John Fitzgerald who had been exposed by Ormond in December 1678 as an impostor and a vagabond friar. He managed to escape from Ireland before he could be tried for perjury and held to account for the sum of £8 owed to Jeremiah Jones and others from Sligo who transported him to Dublin after he claimed he could make great discoveries of Catholic treasons.<sup>71</sup> He appeared in London in July 1679 because in two letters from John Verney to Sir Robert Verney, it is noted that one Fitzgerald had arrived to discover more of the plot, but was discarded after three days by his sponsors on suspicion of assuming a false identity and trying to implicate them in a 'counter plot' or Presbyterian plot.<sup>72</sup> In 1682, Fitzgerald gave a different version to David Fitzgerald, but distinguishing truth from fiction in the account of such a notorious rogue is impossible especially because by this stage it was worth his while to co-operate with the crown.<sup>73</sup> In any event, he claimed that he came to London after reading a copy of a letter from Shaftesbury in the possession of a Scottish man in France promising 'no encouragement would be wanting' for those who would confirm the plot. Shaftesbury was not impressed with his information however, and specified to him, 'I thought you would have hinted something of the duke of Ormond [...] and the duke of York and duke of Lauderdale [...] the three greatest enemies of these three nations as to destroying laws and government and all Protestant interests'.<sup>74</sup> In late 1679, he was most likely reintroduced to Shaftesbury by Essex, who had been acquainted with Fitzgerald

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<sup>71</sup> Bodl., Carte MS 38, f. 748.

<sup>72</sup> John Verney to Sir Robert Verney, 14 Jul. 1679, H. M. C., *Appendix to the 7<sup>th</sup> report* (London, 1879), pp 473-4.

<sup>73</sup> After the dissolution of the third exclusion parliament held in Oxford in March 1681, the Crown had exerted its authority over the Whigs by reconstituting Crown and borough charters thereby filling government at all levels with Torys. Charles II also manipulated the law in order to bring the press to heel in the case of 'the Protestant Joiner', Stephen College and exact revenge on Whig leaders, such as Lord William Russell and Algernon Sidney.

<sup>74</sup> Brady, 'Oliver Plunkett and the popish plot', p. 11; Account by John Fitzgerald of his first coming to England, *Cal. S. P. dom, 1682*, pp 65-6; Haley, *The first earl of Shaftesbury*, pp 570-1.



during his viceroyalty.<sup>75</sup> Fitzgerald alleged that after several interrogations by Ezrael Tonge and Titus Oates, a plot was fabricated for him and letters were produced in Latin, French and English, which would be conveyed ahead of him to Ireland where he would discover them in the wall of Galbally Abbey in County Limerick.<sup>76</sup>

On 19 February 1680, Essex used his influence with Sunderland persuading him to issue instructions for Fitzgerald to proceed to Munster and letters for the governor of Limerick, Francis Boyle, Viscount Shannon to aid him in his enterprise.<sup>77</sup> Ranelagh's wife wrote several letters on Fitzgerald's behalf and promised him that he should want for nothing if he was successful. Ormond received no prior notice of Fitzgerald's mission as he could quickly ascertain his true character to many in London. The latter did not get very far however and was arrested in Bristol on suspicion of some papers found in his chamber. After being brought before the English Privy Council, it was eventually decided on 29 March that he should continue on his mission.<sup>78</sup> Ezrael Tonge's son, Sampson, would later claim that immediately after Fitzgerald's release, Essex had urged his father 'to the utmost of his power to defend what has been cunningly contrived'.<sup>79</sup> This is almost certainly the case for whilst Fitzgerald was in Ireland, a printed pamphlet appeared wherein a former servant of Sir William Waller, a London justice of the peace was accused of counterfeiting and planting treasonous papers in Fitzgerald's room.<sup>80</sup>

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<sup>75</sup> This reference was obtained from John Brady, 'Oliver Plunkett and the popish plot', p. 11. On 4 February 1672, Essex, the then viceroy of Ireland brought out a proclamation whereby John Fitzgerald and his servant were protected from the molestation of Catholics when he preached against them.

<sup>76</sup> Account by John Fitzgerald of his going to Ireland, *Cal. S. P. dom.*, 1682., pp 46-7; 65-6.

<sup>77</sup> Lord Shannon to Lord Sunderland, 10 April 1680, *Cal. S. P. dom.*, 1679-80, p. 435; Instructions for A. B. (Egan alias Fitzgerald) 19 Feb. 1680, *Cal. S. P. dom.*, 1679-80, p 394.

<sup>78</sup> Newsletter to Christopher Bowman at Newcastle on Tyne., 25 Mar. 1680, *Cal. S. P. dom.*, 1679-80, p. 423-5; Newsletter to Christopher Bowman at Newcastle upon Tyne, 30 Mar. 1680, *Cal. S. P. dom.*, 1679-80, pp 426-7.

<sup>79</sup> Sampson Tonge to the King, Aug. 1680, *Cal. S. P. dom.*, 1679-80, pp 628-9; It is also interesting to note that after Tonge's death in December 1680, Essex asked the House of Lords committee on the plot for permission to view Tonge's papers.

<sup>80</sup> Anon., *A short narrative of Mr. Fitzgerald, who lately was summoned up from Bristol by one of his Majesties messengers to the honourable Privy Council for suspicion of high treason...* (London, 1680).

The delay in bringing Fitzgerald's plot to fruition suited the conspirators in the long run for in the intervening weeks another discoverer came forward. William Hetherington from Ganderstown, County Louth was a fugitive from the law in Ireland.<sup>81</sup> Masquerading as an Irish justice of the peace in London, he claimed that in October 1679, it had been disclosed to him by a certain Father Edmund Murphy in Dundalk that Oliver Plunkett was plotting with several officers of the Irish judiciary and military establishment to destroy the Protestant interest by bringing in the French.<sup>82</sup> Ormond did not escape censure as Murphy had reputedly urged Hetherington to discover Plunkett's treasons in London on his behalf but not to trust or acquaint Ormond with them for 'Plunkett has so many friends about the castle and town if you do anything there you will have your estate and family destroyed.'<sup>83</sup> It is conceivable that Shaftesbury or some of his more unscrupulous allies encouraged Fitzgerald to intertwine this information with his own, thereby allowing them to synchronize both of them, thus maximising their impact. This hypothesis is certainly plausible for during the three weeks that Fitzgerald was held up in Bristol due to contrary winds, something went wrong. Among the suspicious material found on him, Sir Robert Reading informed Ormond, 'one was dated from Primate Plunkett to the Franciscans here and contained much.'<sup>84</sup>

In any case, on 24 March 1680, Shaftesbury appeared before the English Council with a statement drawn up the previous day by Hetherington.<sup>85</sup> He desired a private committee for imparting all he knew and that the clerks of the Council

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<sup>81</sup> Brady, 'Oliver Plunkett and the popish plot', pp 341-2.

<sup>82</sup> *Ibid.*, 345-7; Brady republished Hetherington's disclosure before Shaftesbury in full: Shaftesbury Papers, P. R. O., London. 30/24-50, pt. ii, no. 29; *A true and brief account of the proceedings between Mr. David Fitzgerald and William Hetherington before his Majesty in Council, on Friday 11 February 1681* (London, 1681), pp 11-2.

<sup>83</sup> *Ibid.*, 345-7.

<sup>84</sup> Bodl., Carte MS 39, f. 66.

<sup>85</sup> Brady, 'Oliver Plunkett and the popish plot', p. 343.

immediately withdraw.<sup>86</sup> This committee consisted of several politicians hostile to Ormond such as Essex, John Robartes, earl of Radnor, and others upon whom he was on good terms such as Henry Coventry, Laurence Hyde and Heneage Finch, lord chancellor of England.<sup>87</sup> They refused to investigate Hetherington's plot without the king's knowledge and immediately despatched letters to Newmarket where he had been since 10 March requesting his return. However a majority conceded to Shaftesbury's demand that the author of his information should not be named and that rigid precautions be adopted to preserve secrecy including an embargo on all the post to Ireland until his witnesses could be retrieved from Ireland. At the end of March, a furious Charles II returned to London to convene the Council.<sup>88</sup> It turned out to be a very heated session and many hostile words passed between Coventry and Hyde on one side and Shaftesbury, Essex and Radnor on the other. Coventry urged Charles to immediately inform Ormond of the information lately revealed and to hand its investigation over to the Irish judiciary.<sup>89</sup> He was not convinced by Shaftesbury's witnesses. The Sergeant-at-Law John Osborne had given a bad character of Hetherington whilst his informer, Murphy, had a 'scurvy load upon him, being [...] upon record of suborning witnesses'.<sup>90</sup> The scheme had been embraced or even concocted by Shaftesbury to sow discord between the king and the political nation and tarnish the reputation of the duke of Ormond. Faced with this situation, Charles II, ever the pragmatist, attempted to satisfy both parties.<sup>91</sup> He ordered Coventry to

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<sup>86</sup> Ibid., pp 343-4; Francis Gwyn to Ormond, 3 Apr. 1680, *Ormonde MSS*, v, pp 296-7.

<sup>87</sup> Henry Coventry to Ormond, 2 Apr. 1680, *Ormonde MSS*, v, p. 295.

<sup>88</sup> Brady, 'Oliver Plunkett and the popish plot', pp 343-5; James MacPherson, *Original papers containing the secret history of Great Britain from the Restoration to the accession of the House of Hanover. To which are prefixed extracts from the life of James II as written by himself* (2 vols, Dublin, 1875) i, p. 105.

<sup>89</sup> Bodl., Carte MS 243, f. 236; Bodl., Carte MS 243, f. 456; Haley, *The first earl of Shaftesbury*, pp 571-2; Gilbert Burnet to George Savile, 3 Apr. 1680, *Camden Miscellany*, xl, pp 18-9.

<sup>90</sup> Henry Coventry to Ormond, 2 Apr. 1680, *Ormonde MSS*, v, p. 295; Gilbert Burnet to George Savile, 10 Apr. 1680, *Camden Miscellany*, xl, pp 20-2; Brady, 'Oliver Plunkett and the popish plot', p. 347.

<sup>91</sup> Haley, *The first earl of Shaftesbury*, p. 572.

inform Ormond of all the circumstances of Hetherington's plot whilst at the same time he conceded to the Council's desire to prosecute the plot in London for fear of being accused by the Whigs of endangering Irish Protestants.<sup>92</sup>

In London itself, the exact details of what had been disclosed before the Council were unknown though it was common knowledge since 27 March 1680 that a desperate Catholic design had been discovered in Ireland. The secrecy surrounding it along the doubling of the guard at Whitehall and news that messengers had been sent to fetch the king led to widespread apprehension. It quickly elevated Ireland in the words of Gilbert Burnet into one of the 'grand subjects of our discourse here'.<sup>93</sup> In a letter to Halifax, he highlighted its effect on the coffee houses noting they 'were in a most languishing condition before, this matter has brought them in heart again, and you never saw a more sensible alteration in the country after a great rain than this makes in some people's looks.'<sup>94</sup> With the development of such a climate it was soon rumoured that Ormond had plotted with the Catholics to betray Ireland and England, and that Shaftesbury's discoverer had requested that he was not to be acquainted with his information till several witnesses were brought out of Ireland. Other circumstances conspired to produce such opinions. In late March, Sir William Waller uncovered a plot by a group of apprentices to burn effigies of members of the Rump and Cromwell and to tear down conventicles and brothels. The Whigs and many councillors suspected that the hidden hand of republicans or papists were behind such plans especially as one of the examinations revealed that the guards would aid them in their

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<sup>92</sup> Haley, *The first earl of Shaftesbury*, p. 572; Henry Coventry to Ormond, 2 Apr. 1680, *Ormonde MSS*, v, p. 295.

<sup>93</sup> Newsletter to Christopher Bowman at Newcastle on Tyne, 25 Mar 1680, *Cal. S. P. dom., 1679-80*, pp 423-4; Gilbert Burnet to George Savile, 27 Mar. 1680, *Camden Miscellany*, xl, pp 15-17; --- to Sir Edward Harley, 13 Apr. 1680, H. M. C., *Portland MSS*, iii, p. 365.

<sup>94</sup> *Ibid.*, pp 15-7; Bodl., Carte MS 243, f. 454.

design and Ossory had egged them on.<sup>95</sup> Ossory suspected foul play and commenting on recent developments in London to Arran stated, 'the work now in hand is to injure the duke of Ormond and in this work lords Essex and Shaftesbury proceed with an ingenuity equal to that of Sir William Waller, Oates and Bedloe [combined].'<sup>96</sup>

On 10 April 1680 a yacht from Holyhead arrived in Dublin. On board was Sir William Petty, who informed Ormond that the post had been detained at Holyhead by order of the English Board. This confirmed information received from Chester on 4 April mentioning that a stop had been put on all packets to Ireland on account of the discovery of a horrid Catholic conspiracy and in relation to which, both himself and Ossory had been 'bespattered'. By the end of that same day he had a fuller appreciation of these events when news filtered through from Munster of the arrival of one Fitzgerald accompanied by two messengers of the English Council to discover treasonable practices. Piecing these reports together, Ormond hypothesised 'I must suspect it is designed that the proceeding is intended to be concealed from me and from thence that something is informed against me.'<sup>97</sup>

These events caused Ormond a good deal of anxiety and his confusion and uncertainty regarding his own position is visible in two letters written that same day to Ossory and Coventry. Ormond sidestepped the embargo by sending them to England with Sir Thomas Newcomen, a member of the Irish Privy Council. His letter to Ossory was clearly intended to be put before Charles II. In it Ormond clearly voiced his opinion regarding the events in London. He acknowledged that the king had to countenance all that came forward with information otherwise 'it will be said great

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<sup>95</sup> Francis Gwyn to Ormond, 3 Apr. 1680, *Ormonde MSS*, v, pp 296-7; Miller, *Charles II*, pp 330-1.

<sup>96</sup> Bodl., Carte MS 240, f. 460.

<sup>97</sup> Ormond to Ossory, 10 Apr. 1680, *Ormonde MSS*, v, pp 298-9; the most valuable and comprehensive study of this plot and the initial reaction of the Irish government to it is still John Brady's article; Brady, 'Oliver Plunkett and the popish plot', pp 12-3.

matters would have been found out if he had given way to it'.<sup>98</sup> However inquiry into treasonable practices in Ireland without the knowledge of its chief governor was out of the question and he warned 'if he [Ormond] be not to be trusted with that certainly he ought not to be with the kingdom.'<sup>99</sup> Ormond understood that the root of all his troubles derived from the machinations of disaffected Irish in London. He had heard of the 'great noise' made by one Fitzgerald who had received countenance from a 'great man' there. He was also aware of the inherent weakness in his position with anti-Catholicism now in the ascendant in London, 'I still presume we shall be heard to anything that shall be objected against our proceeding'.<sup>100</sup> He took sufficient care therefore to look to himself and informed Ossory of the recent departures of Hubert Burke and John McNamara to England. He was certain that the purpose of their journey was to complain against 'the government, the judges, the jury or against them all' for not finding a bill of treason against Tyrone.<sup>101</sup> Ormond cleverly added that both had an ulterior motive for their journey, as with the trial over, they no longer had protection against suits and prosecutions for their own crimes, MacNamara being accused of horse stealing whilst Burke was liable for many crimes that he could not remember off hand.

In his letter to Coventry, Ormond put forward his position in regard to Oliver Plunkett who appeared to be the cause of the recent suspicion held of him in London. He was aware that among the treasonous letters found on Fitzgerald at Bristol was supposed correspondence between Plunkett and the Franciscans.<sup>102</sup> Combining this with the return of the duke of York to England, the original source of the Brussels rumour, Ormond came to the conclusion that the embarrassing information involving

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<sup>98</sup> Ibid., pp 298-9.

<sup>99</sup> Ibid., pp 298-9.

<sup>100</sup> Ibid., pp 298-9.

<sup>101</sup> Ibid., pp 298-9.

Fitzpatrick had come to light.<sup>103</sup> The previous February, another story of an Irish plot involving Plunkett was revealed before him by Father Edmund Murphy in an attempt to extricate himself from being returned to prison for corresponding with Tories. Murphy declared that a certain William Hetherington had been enlisted to carry the like information to the king in London and that his examination should cease till a return from England, of which he expected every post, arrived.<sup>104</sup> Ormond may have also suspected that if Hetherington's information were countenanced then the earlier accusation would almost certainly come to light.<sup>105</sup> He attempted therefore to legitimise his proceedings in regard to Plunkett and reminded Coventry upon what account and information Plunkett had been apprehended and that he had remained so for no other reason known to him or any but himself, but that he had stayed in Ireland in contempt of a proclamation. Ormond made it clear that his decision to forbear Plunkett's examination was prudent for his crime was

of such a nature that he will certainly deny his having any part in it, then we shall want anything wherewith to convince him or draw any acknowledgement from him that may lead towards a discovery of the truth.<sup>106</sup>

By the end of that same day Ormond was in a better position to comprehend recent events in London, as William Hetherington landed in Dublin accompanied by two messengers, Bradley and Atterbury who carried with them several letters and instructions from the English Board. Ormond received a copy of Hetherington's disclosure and Coventry's letter of 2 April detailing its discovery and enlargement before the Council along with his own suspicion of both witnesses and the plot they proposed to discover.<sup>107</sup> He was instructed to investigate the charges lodged against

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<sup>102</sup> Brady, 'Oliver Plunkett and the popish plot', p. 12; Bodl., Carte MS 39, f. 127.

<sup>103</sup> Brady, 'Oliver Plunkett and the popish plot', pp 299-300.

<sup>104</sup> Brady, 'Oliver Plunkett and the popish plot', pp 351-2.

<sup>105</sup> *Ibid.*, 13-4.

<sup>106</sup> Ormond to Henry Coventry, 10 Apr. 1680, *Ormonde MSS*, v, pp 299-300.

<sup>107</sup> Bodl., Carte MS 146, ff 255-6.

Sir Hans Hamilton, Captain William Bolton and Lieutenant Henry Baker by Hetherington on Murphy's behalf and to immediately forward to London two letters previously put in his hands. One written by a Catholic priest in Portugal and another found in the pocket of Patrick Fleming, a tory killed in 1677, written by Oliver Plunkett under his alias Thomas Cox and brought to his attention by Sergeant John Osborne of the Court of Common Pleas.<sup>108</sup> The following day pursuant to the Council's orders, Ormond handed Murphy over to the messengers and provided them with a party of soldiers to assist them. When we examine the above order more closely, Ormond's caution in regard to such delicate proceedings becomes evident for according to John Brady all the soldiers supplied were non-Irish speaking. Therefore the messengers would be unable to complain upon their return to London that Ormond's men had interfered with the witnesses in a language unknown to them.<sup>109</sup> Within two days, Ormond had fulfilled the bulk of the other requirements. In a letter of 12 April to Coventry, he enclosed the Portugal letter upon which he humbly begged the king's pardon for hitherto neglecting it for he had believed that its date and manner made it more 'foolish than dangerous'.<sup>110</sup> Ormond confessed that he was unable to locate Plunkett's letter but the subject of it was advice to Fleming to transport himself beyond the seas which he had connived at in order to secure the country.<sup>111</sup>

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<sup>108</sup> Ibid., ff 255-6; P. G. Murray, 'A previously unnoticed letter of Oliver Plunkett's' *Seanchas Ardmhaca*, viii (1975-7), pp 23-25; L. Murray, 'The lament for Patrick Fleming' in *Journal of the County Louth Archaeology Society*, viii (1933), pp 75-92.

<sup>109</sup> Brady, 'Oliver Plunkett and the popish plot', pp 14-5.

<sup>110</sup> Bodl., Carte MS 146, ff 255-6.

<sup>111</sup> Ibid., ff 255-6.



Ormond was relieved at the sight of Hetherington as it meant the Brussels rumour had not come to light.<sup>112</sup> He had no confidence whatsoever in his witness or Fitzgerald who had landed in Munster, and assured Ossory that

the discoveries now on foot in the north and in the west of this kingdom can come to nothing by reason of the extravagant villainy and folly of the discoverers, who are such creatures that no schoolboy would trust them with a design for the robbing of an orchard.<sup>113</sup>

Essex's 'tool' Fitzgerald was no more than a 'silly drunken vagabond that cares not for hanging a month hence if in the meantime he may solace himself with brandy and tobacco.'<sup>114</sup> Edmund Murphy was equally 'debauched' whilst Hetherington was a fugitive from execution.<sup>115</sup> Ormond's predictions were almost immediately confirmed as news filtered through to Dublin that Fitzgerald's errand to Munster had failed. Ormond sarcastically commented to Ossory that the discoverers had the misfortune that Orrery was not still alive, for 'he would have done his part here as well as the other cripple [Shaftesbury] in England.'<sup>116</sup> The fraudulent nature of the northern discoverers would soon be likewise exposed. Though he believed Hetherington's business in the north could be resolved within a week, Ormond suspected that the pair, under orders from their patrons, would deliberately procrastinate. After all it was important to keep the atmosphere in London tense in case a parliament in Ireland met. Ormond, therefore, suggested to Coventry that the time frame of their venture be curtailed and promised to have a narrative of the lives and actions of Murphy and Hetherington completed by the time of their return to Dublin thereby destroying their political credit in London.<sup>117</sup> There is a hint of despondency in this letter as in many of Ormond's at this period. For instance, he acknowledged that if Hetherington and

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<sup>112</sup> Brady, 'Oliver Plunkett and the popish plot', pp 13-6.

<sup>113</sup> Ormond to Ossory, 12 Apr. 1680, *Ormonde MSS*, v, pp 302-3.

<sup>114</sup> *Ibid.*, pp 302-3.

<sup>115</sup> *Ibid.*, pp 302-3.

<sup>116</sup> Ormond to Ossory, 14 Apr. 1680, *Ormonde MSS*, v, p. 303; Haley, *The first earl of Shaftesbury*, p. 572.

Murphy were too incompetent to prevent him from holding parliament, it would be easy to substitute another plot to thwart his ambitions for 'if jailbirds liable to hanging or starving will serve the turn, my lord of Sunderland shall have who he pleases in the Irish agency.'<sup>118</sup>

On 14 April 1680, Ormond wrote to Coventry and represented the reasons that prevented him resigning. The first and most important was 'methinks the crown and monarchy and my bountiful master are too apparently threatened for a man that pretends to honour and gratitude to make a voluntary resignation'.<sup>119</sup> With the embargo on the packet boats lifted, Ormond was able to construct a picture of the events in London at the end of March. He felt deeply embarrassed, hurt and betrayed by the carriage of many of the king's ministers towards him saying 'I think I have ground to complain of the suspicion expressed of me in the directions sent about Fitzgerald's discovery in Munster'.<sup>120</sup> They were deeply damaging to his honour, giving licence not only to popular discourses 'but some umbrage to men of higher quality'.<sup>121</sup> Many traders in England had also stopped their traffic and sent letters to clarify whether their correspondents were still alive.<sup>122</sup> On 19 April 1680, Ormond made it clear that a person of his quality could not be treated in such a manner. He warned that if such conduct persisted in London, 'I shall certainly be less able to serve the king, which to do is the greatest delight I have in the place I hold.'<sup>123</sup> Ormond evidently believed that this would occur anyway for he begged Coventry to look for a

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<sup>117</sup> Bodl., Carte MS 146, ff 258-60

<sup>118</sup> Ormond to Ossory, 14 Apr. 1680, *Ormonde MSS*, v, p. 303; Bodl., Carte MS 146, ff 257-8; Ormond was referring to Sunderland's role in Fitzgerald's expedition.

<sup>119</sup> Ormond to Henry Coventry, 14 Apr. 1680, *Ormonde MSS*, v, pp 304-5.

<sup>120</sup> Ormond to Ossory, 19 Apr. 1680, *Ormonde MSS*, v, p. 308

<sup>121</sup> *Ibid.*, p. 308.

<sup>122</sup> *Ibid.*, p. 308.

<sup>123</sup> *Ibid.*, p. 308.

convenient house for him because without the viceroyalty, Ireland would no longer be a fit place for his residence.<sup>124</sup>

Despite these words, Ormond had no intention of resigning or being removed without a fight against such opponents. He wrote to Coventry on 14 April 1680 saying 'I have little stomach left yet that rises at the thought of giving some men their will just when they would have it of me.'<sup>125</sup> He was determined to counter Essex's manoeuvres at the Council by exonerating himself and the Irish army of any knowledge or involvement in the plot. It was obvious to him that Essex was the 'great man in England' funding Fitzgerald and that he had requested the Portugal letter and the letter found on Fleming's body in an attempt to insinuate that Ormond had suppressed evidence.<sup>126</sup> Ormond summoned the relevant officers to Dublin where they were examined before Sir John Davys, Secretary of State for Ireland and Henry Jones in order to safeguard himself from accusations of tampering with them.<sup>127</sup>

During the examination of Sir Hans Hamilton, Ormond came across information that delighted him as can be discerned from his letter to Ossory on 27 April 1680. It read 'it will appear by Sir Hans Hamilton's examination that he sent my lord of Essex some examinations that seemed to be of more consequence than any I have seen produced'.<sup>128</sup> This was on 27 December 1676 during Essex's viceroyalty, a Franciscan friar, John Mac Moyer or Moyer having been declared apostate and prohibited from exercising the sacraments of the Catholic Church by Plunkett, swore information before Hamilton that the Primate was conspiring to bring in the French. Ormond could now accuse Essex of suppressing evidence by concluding that Edmund

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<sup>124</sup> Ormond to Henry Coventry, 14 Apr. 1680, *Ormonde MSS*, v, pp 304-5.

<sup>125</sup> *Ibid.*, pp 304-5.

<sup>126</sup> Brady, 'Oliver Plunkett and the popish plot', p. 19.

<sup>127</sup> Bodl., Carte MS 145, ff 260-1; pp 262-4; though Sir Hans Hamilton was delayed for several days as he had to bury his wife.

<sup>128</sup> Ormond to Ossory, 27 Apr. 1680, *Ormonde MSS*, v, pp 312-3.

Murphy's knowledge of the plot was derived from Moyer. He suggested to Ossory 'if it was his lordship that moved I should be called to for the Portugal letter, and that found in Fleming the tory's pocket, he may as well be called for those more material papers'. Ormond was still conveniently unable to find Plunkett's letter found on Fleming's body, but he skilfully defended himself by reflecting on Essex's recent involvement with the now notorious rogue, John Fitzgerald:

I confess it will be hard to call a chief governor to account for any of those thousands of papers he must receive in three or four years time', but it is easy for any man to pay or for any knave to swear to the contents of a letter that cannot be produced.<sup>129</sup>

The return of Hetherington and Murphy along with their witnesses, Father James Callaghan, Father Daniel Finan and John Moyer to Dublin added to Ormond's confidence.<sup>130</sup> They were held up in Dublin for over a week by contrary winds during which time, they were all 'examined very strictly' especially Moyer about his discovery in 1677.<sup>131</sup> Evidently, Ormond was not impressed stating to Ossory on 23 April, 'they are the best any market in this kingdom will yet afford.'<sup>132</sup> Ormond believed their patrons in London would have their work cut out for them because 'there must go in my opinion much skill to make anything material out of their narratives and as much indulgence to make them credible witnesses.'<sup>133</sup> Ormond's disposition is best revealed in a letter to Coventry on 24 April, 'somethings have lately [...] occurred that give me cause for caution when I have to do anything that related to the plot and such a set of discoveries'. Before the witnesses took boat for England, he took care to further insulate himself by handing David Fitzgerald over to

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<sup>129</sup> Ibid., pp 312-3; The examination of John Moyer, 27 Dec. 1676, *Cal. S. P. dom, 1676-7*, pp 473-4; Brady, 'Oliver Plunkett and the popish plot', p. 19; O Fiaich, 'The fall and return of John Mac Moyer', pp 60-2; Bodl., Carte MS 146, ff 262-4.

<sup>130</sup> Brady, 'Oliver Plunkett and the popish plot', pp 16-7.

<sup>131</sup> Gilbert Burnet to George Savile, 2 May. 1680, *Camden Miscellany*, xl, pp 25-6.

<sup>132</sup> Ormond to Ossory, 23 Apr. 1680, *Ormonde MSS*, v, pp 309-10.

<sup>133</sup> Ormond to Ossory, 27 Apr. 1680, *Ormonde MSS*, v, pp 312-3.

the messengers as his discovery was yet to be brought before the Irish judiciary.<sup>134</sup> He had Davys and Jones prepare a narrative containing all that they thought material to be set down of what happened between them and Murphy in February 1680 thereby demonstrating that the bad character given of him by Hamilton, Bolton and Baker was in Ormond's words 'without the least inducement on my [Ormond's] part to provoke reflection upon Murphy'.<sup>135</sup>

It is in light of this improvement in his position regarding the Popish Plot that Ormond's actions after the witnesses' departure can be best understood. He was determined to chastise those in London who conspired against him but also to reaffirm his status. On 27 April 1680, he confidently stated to Ossory that the Irish kingdom 'has not been so quiet as it is at this instant these forty years.'<sup>136</sup> He sought to highlight Essex's clandestine role in setting John Fitzgerald's expedition afoot and desired his son 'if his majesty find no objection against it, I should humbly beseech him that I may have copies of the letters and instructions that were sent which may be had out of the secretaries office, and the Council books.'<sup>137</sup> He was also endeavouring to obtain letters to implicate the earl's brother, Sir Henry Capel, as the principle promoter of the reports that Ireland was on the verge of rebellion. Ormond also brushed aside the advice of Ossory and Arlington that he ingratiate himself with the earl of Radnor by congratulating him on his appointment as Lord President as he had with Shaftesbury a year previously. He stated 'it has been the fortune of all I have courted to become useless as soon as my friends, so that for lucks sake I forbear till I see you.'<sup>138</sup> Radnor had done him as much injustice in the Privy Council as his

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<sup>134</sup> Gilbert Burnet to George Savile, 15 May. 1680, *Camden Miscellany*, xl, pp 27-30.

<sup>135</sup> Bodl., Carte MS 146, f. 265.

<sup>136</sup> Ormond to Ossory, 27 Apr. 1680, *Ormonde MSS*, v, pp 312-3.

<sup>137</sup> *Ibid.*, pp 312-3.

<sup>138</sup> Ormond to Ossory, 23 Apr. 1680, *Ormonde MSS*, v, pp 309-10.

predecessor and like him was 'a man that may perhaps love to receive but cares not to return compliments.'<sup>139</sup>

In London, Ormond's position was resolutely defended throughout the whole crisis by his agents. Coventry continued to attend the Council 'like a lock' guarding the crown and its servants despite his retirement in February.<sup>140</sup> Ossory had correctly recognised that the king was forced to countenance the Irish plot upon its first discovery for fear of being accused by the Whigs of endangering the Irish Protestants. Therefore he reasserted his father's position with him by highlighting their common ground in regard to the Whigs and the importance of the upcoming Irish parliament. He also attempted to come to grips with the libellers and rumour mongers disparaging his father's name, 'I do consult with my friends and men of the law, and if I can get any punished that way I will not be wanting in so just a vindication.'<sup>141</sup>

Ormond's cause was also aided by Charles II's attitude and actions at this period. The involvement of many of his ministers in petition drives and attempts to legitimise Monmouth through the discovery of a 'Black Box' tested his patience but the proceedings in the Council during his absence incensed him greatly.<sup>142</sup> He was soon presented with a perfect opportunity to go on the offensive, as reports from Ireland were not as serious as initially represented. On 10 April 1680 Sir William Waller was put out of the Commission of the Peace for apparently dictating the deposition of an apprentice he arrested.<sup>143</sup> On 16 April, several royalist peers including Ossory were brought into the English Privy Council, where he was now ideally positioned to combat the machinations of Essex. On 17 April, he wrote to his father 'Mr secretary being ill, I did from him communicate your letters with the

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<sup>139</sup> Ibid., pp 309-10.

<sup>140</sup> Bodl., Carte MS 243, f. 454; Ormond to Henry Thynne, 25 Apr. 1680, *Ormonde MSS*, v, p. 310.

<sup>141</sup> Ormond to Ossory, 6 Apr. 1680, *Ormonde MSS*, v, pp 297-8.

<sup>142</sup> Haley, *The first earl of Shaftesbury*, pp 573-4.

Portugal information to the Council which caused some sport, his majesty being present.’<sup>144</sup> In the face of a royalist reaction, the embarrassing failure of Fitzgerald’s mission and increasing doubts over Hetherington’s credibility, cracks within the Whig ranks appeared. On 17 April, Gilbert Burnet noted that Shaftesbury complained mightily of the earl of Essex, ‘who was at first very much possessed with a belief of it [the business of Ireland], and did of a sudden fall from it.’<sup>145</sup>

On 7 May the messengers and Irish witnesses arrived in London. They were examined the following day before an extraordinary meeting of the English Council at which the king was not present. Charles II knew exactly what to expect from Shaftesbury’s witnesses because of copies of Ormond’s letters which had been given to him and news of Fitzgerald’s comical plot. He thus despatched Ossory and Jenkins to this meeting with instructions that if the Board were unable to comprehend their information, they were to be kept separate from each other and any other company until their depositions were in writing signed and sealed before the clerk of the Council.<sup>146</sup> At the same meeting the examinations of Hamilton, Bolton and Baker along with additional letters from Ormond to Coventry were read. These produced the desired effect that Ormond was hoping for and this led to Essex being rebuked in front of the Privy Council. No evidence of what Ossory said during this meeting has survived, but one can discover an understanding of his observations of Essex’s behaviour from his letter to Ormond that night which stressed:

I cannot but wonder that my Lord of Essex, who is now so diligent in discovering Irish plots, and who knew from Sir Hans Hamilton something of this business, as appears by one of the papers you sent, should not have

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<sup>143</sup> Gilbert Burnet to George Savile, 3 Apr. 1680, *Camden Miscellany*, xl, pp 18-9.

<sup>144</sup> Ossory to Ormond, 17 Apr. 1680, *Ormonde MSS*, v, p. 305.

<sup>145</sup> Gilbert Burnet to George Savile, 17 Apr. 1680, *Camden Miscellany*, xl, pp 22-4.

<sup>146</sup> Francis Gwyn to Ormond, 8 May. 1680, *Ormonde MSS*, v, pp 314-5; O Fiaich, ‘The fall and return of John Mac Moyer’, pp 66-7; Brady, ‘Oliver Plunkett and the popish plot’, pp 21-3.

taken notice of it when he was in the Government, or advertised you at his leaving it.<sup>147</sup>

The former viceroy was ordered to hand over any papers of importance.

On 12 May 1680, the information of the four priests and David Fitzgerald was read before the king and Council. None of the witnesses made charges against either the duke of York or Ormond and only Moyer accused Plunkett of plotting to bring in the French.<sup>148</sup> The Council was not sufficiently moved to take matters into their own hands, instead Ormond was ordered to speedily bring Plunkett to trial and issue indictments against Lord Brittas and Colonel Pierce Lacy and to take particular care that no Catholics were on any of the juries. The Irish plot was therefore a minor success. Ormond's reputation was salvaged because the investigation and all the papers handed up to the Privy Council by Essex were entrusted to him.<sup>149</sup> During the following weeks, he protected himself further by sending others implicated in Hetherington's plot to London namely Plunkett's servant, Father James McKenna and Friar Cullo McDonnell after they arrived in Ireland from Prague. Ormond was equally concerned with tackling his opponents and their villainous suitors and he put the following shot across Essex's bows in a letter to Ossory:

The titular primate accused by them is not no more above them in gifts of nature then he ought by his place to be and I doubt hardly so much, his life I confess is much more churchman like. This character I believe my lord of Essex will concur with me in, his lordship having had much more conversation with him than I.<sup>150</sup>

<sup>147</sup> Ossory to Ormond, 8 May. 1680, *Ormonde MSS*, v, p. 315; See footnote 131 for Essex's explanation of the letters concerning the Irish plot that he had in his possession.

<sup>148</sup> O Fiaich, 'The fall and return of John Mac Moyer', pp 66-7; Haley, *The first earl of Shaftesbury*, pp 574-5.

<sup>149</sup> Gilbert Burnet to George Savile, 15 May. 1680, *Camden Miscellany*, xl, pp 27-30; Brady, 'Oliver Plunkett and the popish plot', pp 22-3. At 12 May when Essex handed up the letters containing the circumstances of Moyer's earlier discovery, he claimed that at the time he could neither make head nor tail of such information 'not knowing the bottom of the business', but that they did so exactly agree with the information newly given in that he was fully convinced 'of the truth of the whole affair'.

<sup>150</sup> Ormond to Ossory, 16 May. 1680, *Ormonde MSS*, v, p. 319; The earl of Essex to Sir Henry Capel, 13 Oct. 1673, Osmund Airy (ed.), *Essex papers 1672-9* (London, 1890) i, pp 126-7; In 1673, when Charles was forced to repeal the Act of Toleration and enact the Test Act and other severe legislation against Catholics, Essex had written to his brother and other allies in England to secure Plunkett who he termed as 'one of the best men of his persuasion I have met' from any severity which should be singly or personally inflicted on him.



He was also no longer content to wait until Sir Henry Ingoldsby returned to Ireland before removing him from the Irish Council for fear of upsetting Shaftesbury. He informed Ossory on 25 May:

I have recommended the removal of Sir Henry Ingoldsby from the Council which would be a useful demonstration of his majesty's dissatisfaction with him by reason of his factious carriage in England, and traducing of the Government here, and I think there need no reason be given for it.<sup>151</sup>

By the latter end of May, Ormond's focus was once again on the possibility of parliament meeting in Ireland. He wrote to Ossory, 'I hope the bills may be ready to be sent over by the end of this month'.<sup>152</sup>

In conclusion, the Irish plot demonstrated that sensationalist revelations produced at the right moment could fan the flames of the Popish Plot and anti-Catholicism. Charles II's weakness vis-à-vis these forces had been confirmed once again as in February 1679 when he had sent James, duke of York to Scotland before parliament sat. Ormond's position was little better, Charles II, sympathised with him, but he only overtly supported him once the initial smoke of the revelations cleared. The actions of the English Council in late March clearly illustrated that many politicians distrusted Ormond or even suspected him of having 'papist' sympathies. Added to this, due to retirement and promotion, he was devoid of his most trusted servants and supporters in England, Henry Coventry and Sir Robert Southwell.<sup>153</sup> Sunderland who had ascended to the vitally important position of senior Secretary of

<sup>151</sup> Ormond to Ossory, 25 May. 1680, *Ormonde MSS*, v, p. 327; Ormond did not move against Ingoldsby during previous months in case it had occasioned an attack from his sponsor, Shaftesbury.

<sup>152</sup> Ormond to Ossory, 16 May. 1680, *Ormonde MSS*, v, pp 319-20.

<sup>153</sup> Toby Barnard, 'Sir Robert Southwell (1635-1702),' in Matthew and Harrison (ed.), *Oxford D.N.B.*, li, pp 721-22; Sir Robert Southwell to Ormond, 29 Nov. 1679, *Ormonde MSS*, iv, pp 561-3; Sir Robert Southwell to Ormond, 6 Dec. 1679, *Ormonde MSS*, iv, pp 564-6. In December 1679, Southwell sold his post of Clerk to the Privy Council, to Sir Francis Gwyn for £2500. This was an extremely prudent decision as Southwell had already been accused of suppressing evidence in regard to the plot. Southwell went to great pains to reassure Ormond that his replacement would serve him with as much devotion as he had himself despite the fact that Gwyn was a relation of Edward Conway and a known acquaintance of Ranelagh.

State, handling all the official correspondence between both kingdoms had shown he was indifferent to the fates of established figures like Ormond and Lauderdale. Therefore, although his position was relatively secure, it is evident that Ormond knew the potential of the plot to ruin him and the importance of taking the necessary steps to safeguard his position. He advised Ossory to remain at court 'till you and I are agreed of the time.'<sup>154</sup> Meanwhile in Ireland, he would proceed with all manner of diligence into the information of Hetherington's witnesses, 'and be as careful as I [Ormond] can that no advantage shall be given on that account against me'.<sup>155</sup>

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<sup>154</sup> Ormond to Ossory, 23 May. 1680, *Ormonde MSS*, v, p. 325.

<sup>155</sup> *Ibid.*, p. 325.

## **CHAPTER FOUR**

### **THE IRISH PLOT AND PARLIAMENTARY POLITICS, 1680-81.**

In June 1680, Ormond strove to bring his parliamentary ambitions to fruition by sending a new package of bills to London. Arthur Forbes, earl of Granard was also despatched to communicate the bills importance before the English Privy Council on behalf of their namesakes in Ireland. Granard reiterated the fears and anxieties of Irish Protestants that in the case of a French invasion, most of the Catholic Irish, particularly those who had lost or forfeited estates, would make common cause with them. However, despite this ever-present threat, the Irish army was in a desperate condition, its stores and ammunition depleted and apart from Kinsale, its forts ruined or in disrepair. To remedy these defects, £100,000 was required immediately and this could only be supplied by parliament.<sup>1</sup> Ormond's efforts were to come to no avail, for that very summer the crown's temporary ascendancy over the Whigs was reversed when it received several severe blows. On 26 June, Charles II was publicly embarrassed when his brother narrowly escaped being indicted as a recusant and his own mistress, Louise de Keroualle, duchess of Portsmouth as a common whore by the grand jury of Middlesex.<sup>2</sup> In July, Charles lost what small influence he had in selecting juries in this county, when its citizens voted two radical Whigs, Slingsy Bethel and Henry Cornish as sheriffs.<sup>3</sup> The crown policy advocated by Sunderland that sought to divide the Whigs before parliament in October now lay in ruins, as no

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<sup>1</sup> Sir Francis Gwyn to Ormond, 14 Aug. 1680, *Ormonde MSS*, v, pp 379-81; Same to same, 26 Aug. 1680, *Ormonde MSS*, v, pp 393-4; Sir Francis Gwyn was Southwell's replacement as clerk to the English Privy Council. J. E. Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85' (unpublished Ph.D dissertation, University of Iowa, 1975); Hutton, *Charles the Second, king of England, Scotland and Ireland* (Oxford, 1989), p. 393.

<sup>2</sup> James MacPherson, *Original papers containing the secret history of Great Britain from the Restoration to the accession of the House of Hanover...* (2 vols, Dublin, 1775), i, p. 106; John Miller, *Charles II* (London, 1991), pp 332-3; Antonia Fraser, *King Charles II* (London, 1979), p. 390.

<sup>3</sup> Mr. Mulys to Henry Gascoigne, 28 Jul. 1680, *Ormonde MSS*, v, pp 355-6; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 392; K. H. D. Haley, *The first earl of Shaftesbury* (London, 1968), pp 580-2; Gilbert Burnet, *History of my own time*, (6 vols, Oxford, 1823), ii, pp 241-3.

country in Europe apart from Spain was prepared to ally against Louis XIV with a king who was clearly alienated from a large proportion of his subjects.<sup>4</sup>

These developments frightened many at court and Council especially those closest to Charles, like Sunderland and Portsmouth, who were well aware of his pragmatism. They perceived that he would eventually succumb to Whig pressure and exclude his brother in return for parliamentary subsidies. As such, to safeguard their own interests, they began labouring to improve their standing with the faction in the ascendant before the approaching parliament. This duo along with many others at court believed that Ormond and every other ally of the duke of York had to be sacrificed in order to allow Charles to restore his partnership with the full political nation.<sup>5</sup> In early August Longford informed Ormond that Sunderland and Portsmouth had joined Shaftesbury in supporting Essex's ambitions of regaining the viceroyalty and vigorously opposed a meeting of the Irish legislature lest it recommend Ormond so vociferously to Charles that he could not be removed from office.<sup>6</sup> Longford believed their strategy was to countenance so many objections to the Irish bills that the Irish parliament would be delayed till the meeting of the English parliament was scheduled; thus forcing the Irish parliament to be postponed by default because of the contemporary maxim that two simultaneous sessions in both kingdoms was unsafe.<sup>7</sup> Shaftesbury was not so subtle and he sought to frighten councillors from becoming associated with Ormond's design by invoking comparisons with Strafford's attempts to make the Charles I independent of parliament. In London's coffee houses, it was common discourse that he had ranted,

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<sup>4</sup> Haley, *The first of earl of Shaftesbury*, p. 581.

<sup>5</sup> *Ibid.*, pp 586-90; John Miller, *James II* (Yale, 2000), pp 102-3; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 393-4; J. R. Jones, *Country and court, England 1658-1714* (London, 1978), p. 212.

What! does Ireland, the snake, which we have harboured in our bosom and warmed it then when it could scarce live, think to give law to England? To give money to make the king independent of his people, to raise an army if they be so powerful.<sup>8</sup>

Ormond was seen as an exact replica of Strafford, the Irish Privy Council was packed with his supporters and those who depended solely upon the king and the duke of York for their estates and livelihoods, therefore the Irish bills were to be rejected out of hand. Shaftesbury concluded by reminding his listeners that Strafford had lost his head, 'and he did not question but to see those who thought to bring England under the same tyranny my lord of Strafford did to have the same fate.'<sup>9</sup>

The farmers of the Irish revenue, in particular Sir James Shaen, however conducted the most effective opposition. On 16 August he claimed before the committee appointed to examine the Irish bills, 'that the poverty of the kingdom was such and the species of money so scarce that there was hardly enough in the kingdom to answer to present farm'.<sup>10</sup> Leoline Jenkins and Arlington argued on Ormond's behalf that the *modus operandi* of Shaen was solely the disparagement of the Irish viceroy and his Council, 'who were men of interest and fortune, and without doubt as it was their interest to preserve the kingdom, would propose nothing to the disadvantage of it or the king's service.'<sup>11</sup> This was overruled by the majority of the committee, including Laurence Hyde, son of Ormond's closest ally throughout the 1650s and 60s, Henry Hyde, earl of Clarendon. The countenance given to these

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<sup>6</sup> Bodl., Carte MS 243, f. 498; Ronald Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 393; Thomas Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688* (3 vols, London, 1736 ed.), ii, pp 508-9.

<sup>7</sup> Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', pp 144-5.

<sup>8</sup> Netterville to earl of Longford, Jul. 1680, *Ormonde MSS*, v, pp 350-1; Winifred Gardner, *The life of James first duke of Ormonde, 1610-88* (2 vols, London, 1912), ii, pp 313-5; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 393.

<sup>9</sup> *Ibid.*, pp 350-1; Haley, *The first earl of Shaftesbury*, pp 584-7.

<sup>10</sup> Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688*, pp 508-9; Aydelotte, 'The duke of Ormond and the English government of Ireland, 1677-85', p. 143.

<sup>11</sup> Earl of Longford to Ormond, 17 Aug. 1680, *Ormonde MSS*, v, pp 381-4; Earl of Longford to Ormond, 21 Aug. 1680, *Ormonde MSS*, v, pp 388-91; Same to same, 4 Sep. 1680, *Ormonde MSS*, v, pp 409-13.

objections fritted away time as they had to be transmitted to Ireland to be answered. Having just returned from Ireland where the commissioners of his accounts calculated his defalcations over £100,000, Ranelagh showed as little inclination as Shaen for an Irish parliament. Instead, he sought sanctuary by ingratiating himself with the 'men in power' at Council before whom his appeal would be brought.<sup>12</sup> By early September, Ormond had conceded defeat once more in his parliamentary ambitions. On 1 September, he despondently wrote to Coventry 'I have had a full account of the proceedings about the Irish bills and parliament, and must conclude that those who would not have one called here till that in England hath sat have gotten the victory.'<sup>13</sup> His attention was now focusing on more imminent matters, the approaching parliament in England that October, which in light of the recent opposition to his parliamentary bills, he was not relishing. In the same letter to Coventry, he attempted to reassure himself that there was nothing personnel in their behaviour, 'I am sure those that were for it are my friends, and I hope still all the other[s] are not my enemies.'<sup>14</sup> Evidently he did not succeed for he concluded by desiring Coventry to allow Longford view another house that he had mentioned in a previous letter adding 'for till after October it is not certain I shall have no use of it.'<sup>15</sup>

Ossory's death after a short sudden illness on 30 June 1680 had left Ormond dangerously exposed in London especially with the dramatic turnaround in the

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<sup>12</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 393; Newsletter to Sir Francis Radcliffe at Dilston, 21 Sep. 1680, *Cal. S. P., dom, 1680-1*, p. 34; Despite Ranelagh's efforts, it was rumoured from London that articles were to be exhibited against him in parliament.

<sup>13</sup> Ormond to Henry Coventry, 1 Sep. 1680, *Ormonde MSS*, v, pp 404-5; Ormond to earl of Longford, 6 Sep. 1680, *Ormonde MSS*, v, pp 416-7; *Ibid.*, p. 393; Although Ormond was deprived of any opportunity of supplementing the Irish revenues, the demands placed upon it continued to increase, for instance Sunderland was granted a pension of £3000 out of the Irish establishment; letter of earl of Sunderland, 18 Sep. 1680, *Ormonde MSS*, v, p. 425.

<sup>14</sup> *Ibid.*, pp 404-5.

<sup>15</sup> *Ibid.*, pp 404-5.

fortunes of the Whigs.<sup>16</sup> Ormond's own friends were aghast to find many very busy against him, but those playing the game on his behalf, 'understand it not'.<sup>17</sup> Longford recommended that Arran be immediately sent over, 'for he has good interest with my Lord [William] Russell, who will be the leading man in the House of Commons and his lordship can himself represent the true state of affairs there in the House of Lords.'<sup>18</sup> There was further substance given to such advice, when on 17 September, a large party of Irish priests and other discoverers arrived in London to prove before parliament the existence of an Irish plot. They complained that they had been forced to leave 'being in fear of their lives' having received all the discouragement imaginable from Ormond and Michael Boyle, so much so that they were forced to steal aboard ship at night without money or encouragement except from Captain Robert Fitzgerald and Henry Jones, bishop of Meath. In London, they were met by Oates who conducted them to Shaftesbury's lodgings.<sup>19</sup> Shaftesbury was unable to discourse with them as he was ill with gout but menacingly they resolved to lie close till parliament met. Longford understood the significance of their arrival and warned Ormond on 18 September, 'your grace must expect that in a few days all the coffee houses in London will ring with their discourses and that the fanatical party will make use of everything to reflect upon you.'<sup>20</sup> In light of these developments even Jenkins,

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<sup>16</sup> Physicians account of Lord Ossory's illness, and post mortem examination, 31 Jul. 1680, *Ormonde MSS*, v, pp 362-3; E. S de Beer (ed.), *The diary of John Evelyn*, (6 vols, Oxford, 1955), iv, pp 209-11; William Bray (ed.), *Memoirs of John Evelyn* (London, 1818), pp 362-3; according to Evelyn, Ossory's only regret before he died was taking part in Sir Robert Holme's expeditionary force which attacked the Dutch Smyrna fleet on 12 March 1672 before the outbreak of the second Anglo-Dutch war.

<sup>17</sup> Chief Justice Keating to Arran, 30 Aug. 1680, *Ormonde MSS*, v, pp 401-2; Richard Mulys to Capt. George Mathew, 14 Aug. 1680, *Ormonde MSS*, v, pp 378-9.

<sup>18</sup> Earl of Longford to Ormond, 4 Sep. 1680, *Ormonde MSS*, v, pp 409-13.

<sup>19</sup> Secretary Jenkins to Sidney Godolphin, 17 Sep. 1680, *Cal. S. P. dom., 1680-81*, pp 23-4; Secretary Jenkins to Sidney Godolphin, 18 Sep. 1680, *Cal. S. P. dom., 1680-81*, p. 25; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 393.

<sup>20</sup> Earl of Longford, 18 Sep. 1680, *Ormonde MSS*, v, pp 427-32.



who was better informed than most in his capacity as Secretary of State was worried and he wrote to Ormond, 'I beseech God to preserve your grace from all malice.'<sup>21</sup>

To make matters worse, that summer, Ormond had been thwarted from getting to the bottom of the information against Plunkett. On 22 May 1680 the latter's accusers arrived in Ireland. The following day, Ormond notified Jenkins that the papers accompanying them would be put into the hands of the Irish Attorney General. However he was perturbed by the absence of directions detailing how they were to be treated till Plunkett's trial.<sup>22</sup> Were they to be set at liberty to prosecute Plunkett and his associates or should 'more than ordinary care' be taken to prevent them from slipping away or being interfered with to suppress or mollify their evidence on Plunkett's behalf? After all Edmund Murphy lay under a capital charge of corresponding with tories and the others were not of 'tender consciences' or in Ormond's words, they would 'hearken to an advantageous proposition from any hand'.<sup>23</sup> In London, despite their recent embarrassments, the Whigs were determined that the Irish plot should not flounder. With this in mind Shaftesbury wrote to Henry Jones, Cromwell's former Scoutmaster General and the most zealous tory and conspiracy hunter in Ireland, recommending Murphy to his care. Jones responded positively to this request and on 1 June, he wrote to one of Shaftesbury's Irish agents in London, Colonel Roderick Mansell wherein he stressed the importance of Murphy obtaining a free pardon as he was in danger of being prosecuted by his enemies for earlier crimes.<sup>24</sup>

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<sup>21</sup> Leoline Jenkins to Ormond, 25 Sep. 1680, *Ormonde MSS*, v, p. 433.

<sup>22</sup> Secretary Jenkins to Ormond, 14 May 1680, *Cal. S. P. dom.*, 1679-80, pp 478-9; Ormond to Secretary Jenkins, 16 May 1680, *Cal. S. P. dom.*, 1679-80, p. 482; Ormond to Secretary Jenkins, 23 May. 1680, *Cal. S. P. dom.*, 1679-80, p. 491; Ormond to Secretary Jenkins, 16 Jun. 1680, *Cal. S. P. dom.*, 1679-80, p. 518; Ormond to Secretary Jenkins, 23 May. 1680, *Cal. S. P. dom.*, 1679-80, p. 491.

<sup>23</sup> *Ibid.*, p. 491.

<sup>24</sup> John Brady, 'Oliver Plunkett and the popish plot' in *I. E. R.*, 5<sup>th</sup> series, xc (July-Dec 1958), pp 23-25; Bodl., Carte MS 39, f. 140; *Ibid.*, f. 142; Haley, *The first earl of Shaftesbury*, p. 578; Tomas O' Fiaich, 'The fall and return of John Mac Moyer' in *Seanchas Ardmhaca*, iii (1958-59), pp 67-71.

Jones explained that two officers of the Irish army, Baker and Smith had proffered these charges against Murphy after he had discovered their illicit dealings with Tories in and around Dundalk.<sup>25</sup> This letter fell into Ormond's hands as the letters of Jones and others suspected of correspondence with his enemies in London had been censored for some time. He had now clear proof of Jones's underhand dealings for as he stated to Ossory on 20 July, 'the bishop is not only a spiteful but a false informer, where he says that Murphy was prosecuted after he had accused Smith and Baker, the contrary is the truth to the bishops knowledge.'<sup>26</sup> This was Ormond's opportunity to prevent any outside influence whatsoever in Plunkett's trial, but he shied away from confronting Jones, choosing instead to monitor his correspondence further. Ormond advised Ossory that notice should not be made of it in London especially when the king's displeasure could only amount to Jones's removal from a station that was honourable but unprofitable and would consequently only put him in a greater humour 'to do mischief'.<sup>27</sup>

On 24 July 1680, the trial of Oliver Plunkett collapsed in Dundalk through the absence of the main prosecution witnesses, Murphy and Moyer, the former having fled into England, the latter refused to attend court without him. Such an outcome had been predicted four days earlier by Jones in a letter to Mansell, 'I doubt that few of the witnesses or evidence for the king will appear there (Dundalk), partly not being themselves (they think) secured and chiefly doubting the issue of the trial in that place.'<sup>28</sup> This has led one eminent historian to suggest that Jones advised Murphy to

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<sup>25</sup> Bodl., Carte MS 39, f. 142; Laurence P. Murray, 'Life and times of Edmund Murphy, parish priest of Killeavy and chanter of Armagh', in *L. A. J.*, vii, no. 3 (1933), p. 339.

<sup>26</sup> Bodl., Carte MS 39, f. 164; Bodl., Carte MS 243, f. 475; In another letter dated 29 June 1680, Jones responded to Mansell's query as to the numbers of Catholic lawyers and attorneys in the courts of law, by stating that in the courts of exchequer there were fifteen Catholic attorneys and twice that number of lawyers; Murray, 'Life and times of Edmund Murphy, parish priest of Killeavy and chanter of Armagh', p. 339.

<sup>27</sup> *Ibid.*, f. 164.

<sup>28</sup> Bodl., Carte MS 39, f. 101; Bodl., Carte MS 39, f. 170.

abscond before the trial.<sup>29</sup> He had no illusions as to his character having examined him that previous February before Sir John Davys and Ormond. Furthermore, he knew that in Dundalk the characters of Plunkett and his accusers was only too well known, so much so that Plunkett had acquiesced to Moyer's petition that the jury there be solely composed of Protestant's because even they looked upon Moyer's story as 'fabulous' and knew him as a confederate of Tories for which he had been prosecuted at the criminal sessions in Armagh in 1678.<sup>30</sup> Jones knew that if a high profile figure like Plunkett was exonerated, it would be the death-knell of Shaftesbury's ambitions of establishing the existence of a Catholic conspiracy in Ireland and he warned Mansell on 8 July 1680, 'if Plunkett be tried in Dundalk all business will come to an end.'<sup>31</sup> In London, Murphy was quickly reunited with William Hetherington and from there he wrote to Moyer on 7 August, with the news that the Whigs intended to have all the discoverers of the Irish plot present during the sitting of parliament that October. He desired Moyer to journey to London and to bring Hugh Duffy and others who might 'confess the truth concerning Oliver' along with him. However this letter fell into the wrong hands and eventually found its way to Ormond.<sup>32</sup> Therefore the witnesses who arrived in London on 15 September were all Munster-men like John MacNamara, Hubert Burke, Thomas Sampson and Euctace Comyn.<sup>33</sup>

The arrival of the Irish witnesses in London that autumn added another dimension to a political climate that was already volatile. Burlington believed the upcoming parliament would 'be the fullest house that had been these many years',

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<sup>29</sup> Brady, 'Oliver Plunkett and the popish plot', pp 26-7.

<sup>30</sup> O'Fiaich, 'The fall and return of John Mac Moyer', pp 72-4.

<sup>31</sup> Brady, 'Oliver Plunkett and the popish plot', pp 26-7; Bodl., Carte MS 39, f. 154.

<sup>32</sup> Bodl., Carte 39, f. 186; *Ibid.*, f. 187.

<sup>33</sup> Thomas Sampson, *A narrative of the late popish plot in Ireland, for the subjugating thereof to the French king together with the proceedings against, and the trial of the earl of Tyrone and others who*

whilst Shaftesbury professed himself amazed that it 'should be called to sit at this time, there being not [...] the least probability of their doing good to the king.'<sup>34</sup> The most important lever possessed by the Whigs in their efforts to exclude York from the throne was the Popish Plot and anti-Catholicism and on 28 September 1680, Shaftesbury made a point of recommending Burke and his companions to the English Council, when they sought his charity.<sup>35</sup> On the same day, Oates appeared in front of the Council with frightening news that a great number of 'Irish papists' had lately come to London, whilst newsletters were cleverly dispersed around England warning that they were noticeable 'by their gaiety and brisk deport'.<sup>36</sup>

In the midst of this atmosphere, Charles II was indecisive and his refusal to chastise Sunderland, Portsmouth and Godolphin who were openly meeting his brother's enemies only added to the jealousies and uncertainty at court. He choose instead to remain in Newmarket until the convening of parliament despite desperate appeals by Jenkins and others for him to return and exert his authority over wayward ministers at Whitehall.<sup>37</sup> At the beginning of October, the English Council succumbed to Whig pressure and accepted a petition delivered by William Hetherington requesting that Plunkett be brought from Ireland to stand trial in London.<sup>38</sup> Even more worryingly, during the opening days of parliament, the Lords bowed likewise to Whig

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*were accused for carrying on the same: containing the several examinations of Hubert Burke, Edward Ivie, Gent., late Steward of the earl Tyrone* (London, 1680).

<sup>34</sup> Earl of Burlington to Ormond, 12 Oct. 1680, *Ormonde MSS*, v, pp 445-6; Secretary Jenkins to Sidney Godolphin, 30 Sep. 1680, *Cal. S. P. dom., 1680-81*, pp 44-45.

<sup>35</sup> Earl of Longford to Ormond, 28 Sep. 1680, *Ormonde MSS*, v, p. 438; Leoline Jenkins to Ormond, 28 Sep. 1680, *Ormonde MSS*, v, pp 436-7.

<sup>36</sup> *Ibid.*, pp 436-7; Newsletter to Roger Garstell, Newcastle, 25 Sep. 1680, *Cal. S. P. dom., 1680-81*, p. 39; Proclamation ordering all papists and reputed papists to depart from within 10 miles of London and Westminster, and not to return for six months, 4 Oct. 1680, *Cal. S. P. dom., 1680-81*, p. 50; Earl of Burlington to Ormond, 12 Oct. 1680, *Ormonde MSS*, v, pp 445-6. Burlington believed that these great numbers of Irish were multiplied by the fears of some and the designs of others; Haley, *The first earl of Shaftesbury*, pp 588-9; Leoline Jenkins to Ormond, 28 Sep. 1680, *Ormonde MSS*, pp 436-7.

<sup>37</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 393-4; Miller, *Charles II*, pp 332-3; Earl of Sunderland to Ormond, 6 Oct. 1680, *Cal. S. P. dom., 1680-81*, p. 54; Earl of Longford to Arran, 16 Oct. 1680, *Ormonde MSS*, v, p. 454.

<sup>38</sup> Haley, *The first earl of Shaftesbury*, p. 594.

demands by issuing orders empowering three Irishmen, Thomas Hetherington, William Fitzgerald and Owen Murphy to bring over whatever witnesses they thought necessary to lay open the plot in Ireland.<sup>39</sup> They were assisted in their errand by a proclamation on 30 October offering a 'free and gracious pardon to all and every person and persons who within two months after the said proclamation should come in and give further information and evidence concerning the said popish plot.'<sup>40</sup> These developments were disastrous as far as Ormond was concerned. To his embarrassment, it had been made blatantly clear that his peers in London had deemed him unfit to conduct investigations previously entrusted into his care. Furthermore, he was now faced with the prospect of fresh allegations being directed at him, his government or his many Catholic relatives by unscrupulous individuals anxious to obtain reward or pardon.

In London, Ormond's supporters believed he would be faced with impeachment when parliament met. Longford ascertained that

Ormond is to be accused in parliament of keeping back his knowledge of the plot, and then of faintly prosecuting those accused by the discoverers [...] to blacken his reputation, so depriving him of any chance of serving the crown in any capacity.<sup>41</sup>

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<sup>39</sup> Secretary Jenkins to Sidney Godolphin, 6 Oct 1680, *Cal. S. P. dom., 1680-81*, p. 53; The Earl of Sunderland to Ormonu, 6 Oct. 1680, *Cal. S. P. dom., 1680-81*, p. 54; O Fiaich, 'The fall and return of John Mac Moyer', pp 76-7.

<sup>40</sup> *Proclamation by the lord lieutenant and council [...] offering free and gracious pardon to all and every persons who within two months after the date [15 November] of the said proclamation should come in and give further information concerning the said popish plot* (Dublin, 1680); [W. C], *The historians guide, or, Britain's remembrancer. Being a summary of all the actions, exploits, sieges, battles, designs, attempts, preferment's, honours, changes, &c. and whatever else is worthy notice, that hath happened in his majesties kingdoms, from Anno Dom. 1600 to this time. Showing the year, month, and day of the month, in which each action was done. With an alphabetical table for the more easy finding any thing out* (London, 1690), pp 127-8.

<sup>41</sup> Earl of Longford to Ormond, 5 Oct. 1680, *Ormonde MSS*, v, pp 439-40; Earl of Longford to Ormond, 9 Oct. 1680, *Ormonde MSS*, v, p. 443; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 393-4; Secretary Jenkins to Sidney Godolphin, 30 Sep. 1680, *Cal. S. P. dom., 1680-81*, pp 44-5; Longford's information most likely emanated from a contemporary report that during the upcoming parliament, Shaen, Ingoldsby, Mansell, Thornhill (an associate of the earl of Anglesey) and Coppinger (an individual who was aggrieved at the aggrandisement of clerical offices by Michael Boyle and his family), would accuse Ormond of concealing the plot.

It was averred by others that more serious charges would be introduced specifically that he held correspondence with the French and was personally involved in the plot.<sup>42</sup> Apart from the recent arrival of the Irish witnesses in London, a dramatic development gave substance to this rumour. On 5 October 1680 it was written from London that Ormond's brother in law, Colonel John Fitzpatrick had returned from London where he had been converted to the Church of England by Dr Thomas Ken, the princess of Orange's chaplain and that he had 'been very civilly received by Sunderland'.<sup>43</sup> This was not all, for Arran had received an anonymous newsletter, which stated that Fitzpatrick's intention was 'to turn one of the king's evidence, and make great discoveries of the plot' and that he had had several 'private consults' with Shaftesbury.<sup>44</sup> With a storm of some make, shape or form approaching, Longford urged Ormond 'to look to himself' and of the importance of employing delaying tactics such as complying temporarily with whatever requirements might arise. He also stressed the prudence of writing obliging letters to figures who could be amenable him in the future.<sup>45</sup>

In Ireland, the repercussions of recent occurrences in London and the imminence of the approaching parliament there were apparent. On 31 October, Ormond noted to Burlington, 'overtures of discovery of the plot in this kingdom have of late multiplied upon us'.<sup>46</sup> He prudently withheld his negative opinion of such

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<sup>42</sup> Ibid., pp 439-40; Earl of Longford to Arran, 16 Oct. 1680, *Ormonde MSS*, v, p. 454; Ormond to earl of Conway, 1 Nov. 1680, *Ormonde MSS*, v, pp 471-2.

<sup>43</sup> John Brady, 'The arrest of Oliver Plunkett' in *I. E. R.*, 5<sup>th</sup> ser, lxxxix (Jan-Jun, 1954), pp 88-9; R. W. Blencoe (ed.), *Diary of the times of Charles the second by Henry Sidney, afterwards earl of Romney: including his correspondence with the countess of Sunderland and other distinguishable persons at the English court; to which are added letters illustrative of the times of James II and William III*, 2 Vols (London, 1843), i, p. 98; Doctor Thomas Ken to Archbishop Sancroft, 13 Sep. 1680 in Charles McNeill (ed.), *The Tanner letters* (Dublin, 1943), p. 433; Earl of Longford to Ormond, 5 Oct. 1680, *Ormonde MSS*, v, pp 439-40.

<sup>44</sup> Bodl., Carte MS 39, ff 202-3.

<sup>45</sup> Earl of Longford to Ormond, 9 Oct. 1680, *Ormonde MSS*, v, p. 443.

<sup>46</sup> Ormond to earl of Burlington, 31 Oct. 1680, *Ormonde MSS*, v, pp 470-1.

discoverers and their plots. Instead he took care to reassure Burlington, Sir William Temple and others that he would not slight the information of any informer however incompetent. After all he knew better than most the wicked control the Catholic clergy exerted over their flocks and how ready they were in the past and would be in the future to seduce them to enact their designs.<sup>47</sup> At the end of September, Ormond hastily departed from Kilkenny to Dublin in order to prosecute the recent discoveries but not before signing orders for the apprehension of the earl of Tyrone who had been vilified by MacNamara, Burke and others in London.<sup>48</sup> At the Council chamber in Dublin Ormond's anxiety is evident. He had two witnesses whose stories appeared to match David Fitzgerald's escorted from Limerick and narratives of their examinations though incomplete, sent to Sunderland lest their disclosures be reported in London to his disadvantage.<sup>49</sup> At this juncture, it must also be noted that Ormond himself was not immune to adopting strategies employed by the Whigs. For instance his journey from Kilkenny to Dublin closely resembled Monmouth's progress through the west of England that summer to increase his popularity. On 3 October, Ormond informed Arran that he had arrived in Dublin the previous day having ridden all the way from Grangebeg, just south of Kildare town, to let all the people see that, despite the rumours, he could still sit on horseback and therefore ought not to be put out of his place.<sup>50</sup> It is also interesting that Ormond acquired or was certainly reading at this

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<sup>47</sup> This is paraphrased from the original account found in the following letters; *Ibid.*, pp 470-1; Ormond to Sir William Temple, 1 Oct. 1680, *Ormonde MSS*, v, pp 438-9.

<sup>48</sup> *Bodl.*, Carte 146, f. 298; Secretary Jenkins to Sidney Godolphin, 27 Sep. 1680, *Cal. S. P. dom.*, 1680-81, p. 42.

<sup>49</sup> Examination of David Nash before Lord Lieutenant and Privy Council, 16 Oct. 1680, *Ormonde MSS*, v, pp 432-5; The two witnesses in question were David Nash and William Stokes; Ormond to Earl of Sunderland, 17 Oct. 1680, *Ormonde MSS*, v, pp 434-5; Ormond to the governor of Limerick, 9 Oct. 1680, *Ormonde MSS*, v, pp 443-4.

<sup>50</sup> This is paraphrased from the following letter; *Bodl.*, Carte MS 219, f. 166.

time an account of another miraculous escape, Charles II's flight from the parliamentarians after the battle of Worcester in 1652.<sup>51</sup>

The pressure coalescing around Ormond's position is also evident in his attempts to work up his interest with courtiers and parliamentarians such as Burlington, Sir William Temple and Edward Conway who were on good terms with leading Whigs. On his way to Dublin Ormond visited Burlington's nephew, Captain Robert Fitzgerald, to reassure him that a grant of a commission out of the county of Cork would meet with no delay on his behalf.<sup>52</sup> Ormond saw these figures as moderating influences over his enemies. In his correspondence with them, he vigorously attacked allegations in vogue in London, that he favoured Catholics and served the French, as nonsensical when compared to his distinguished service during the 1640s and 50s. He elaborated further on this point to Conway stating

By the Irish papists I have suffered more than any man could do that escaped with life and is restored to fortune, having been scandalised, persecuted and betrayed by them at home and abroad, and that now I should grow fond or become reconciled to either of these interests is so incredible [...] that I should think fifty witnesses ought not to be believed in the case unless they bring other proofs than oaths, which are a cheap commodity in this climate.<sup>53</sup>

In what appears to have been his first letter to Fitzpatrick in over a year, Ormond urged him to attest to this when amongst his new friends in London, reminding him

If you are a good witness in my concerns you could acquit me of being a papist or popishly affected [...] that is that I was not so when you left me, and since there has no great temptation appeared to change me.<sup>54</sup>

He concluded this letter by begging his brother in law 'to be as instrumental as you can' in improving his friendship with Sunderland.<sup>55</sup> At the end of October, Ormond strengthened his hand further in London by despatching Arran and Sir Richard Stephens there, whilst in Ireland he attempted to do this by other means for instance

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<sup>51</sup> Bodl., Carte MS 219, ff 32-46.

<sup>52</sup> Ormond to earl of Burlington, 31 Oct. 1680, *Ormonde MSS*, v, pp 470-1.

<sup>53</sup> Ormond to earl of Conway, 1 Nov. 1680, *Ormonde MSS*, v, pp 471-2.

<sup>54</sup> Ormond to Colonel John Fitzpatrick, 7 Nov. 1680, *Ormonde MSS*, v, pp 482-3.



having Sir Henry Gascoigne extend the list of those whose correspondence was being secretly opened.<sup>56</sup>

Arran's presence in London was deliberately delayed until 29 October 1680 lest it be noted or remarked to his disadvantage that his arrival coincided with that of the arch traitor, Oliver Plunkett, who, along with his guards had only been four hours ahead of him at Nantwich on 27 October.<sup>57</sup> The following morning, Arran waited upon Charles II in his bedchamber and presented him with a letter from his father. Its contents are now unknown, but after perusing it for several minutes, Charles retired with Arran into an inner room where they discoursed privately for nearly half an hour. The importance of this meeting will be shown elsewhere in this chapter. The impact of Arran's arrival was immediate around Westminster and Whitehall. Longford noted to Ormond, 'it has surprised your grace's enemies, and I am confident given a check to some of their designs against you.'<sup>58</sup> Arran observed from discoursing with all the old lords of Ormond's acquaintance that they 'are very glad that I am here to inform them better than they have been hitherto of the state of affairs in that kingdom'.<sup>59</sup>

During the following days exhaustive efforts were made to mobilise support for Ormond, his supporters club was re-established and at Longford's instigation several old members such as Colonel Edward Vernon attended. Meanwhile Arlington and Sir Richard Stephens utilised their connections around Westminster to discover

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<sup>55</sup> Ibid., pp 482-3.

<sup>56</sup> Bodl., Carte MS 39, f. 210; One of those whose letters were being newly opened was Colonel Richard Lawrence, a former officer in Cromwell's army in Ireland and the future writer of *The interests of Ireland in its trade and wealth stated* (Dublin, 1682). This is almost certainly because reference was made to him in Edmund Murphy's intercepted letter. Sir Henry Gascoigne was one of Ormond's secretaries in Dublin Castle.

<sup>57</sup> Earl of Arran to Ormond, 23 Oct. 1680, *Ormonde MSS*, v, pp 455-6; Same to same, 27 Oct. 1680, *Ormonde MSS*, v, p. 462.

<sup>58</sup> Earl of Longford to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 467-8.

<sup>59</sup> Arran to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 469-70.

the chief exceptions held against Ormond amongst 'parliamentary men'.<sup>60</sup> Arran himself was endeavouring to ingratiate himself with and secure the support of important courtiers and parliamentary notables. On 2 November, he came to an arrangement with William Russell informing Ormond 'he professeth great kindness to you'.<sup>61</sup> That same day, he met and accepted Laurence Hyde's *eclaircissement* for his support of Shaen during the summer, which was extremely prudent, as paradoxically, it was rumoured that Arran would be called before parliament to vindicate his father's failure to call an Irish parliament in Dublin for as he wrote to Ormond later that day,

I find the main business if not the only one they will lay to your charge will be the ill posture you are in to make a defence against an invasion, for which supply expected from a parliament was propounded to you as a remedy.<sup>62</sup>

Arran quickly ascertained that Ormond's enemies would attack him along a more traditional avenue in light of their attempts to decimate the court majority in the Lords and inculcate a suitable atmosphere before an exclusion bill originating in the Commons could pass there.<sup>63</sup> On 23 October 1680, Shaftesbury observed in the Lords that since the exoneration of Sir George Wakeman, the Popish Plot had been looked upon as a sham plot whilst Thomas Dangerfield's original revelations against himself and Roderick Mansell had been readily believed.<sup>64</sup> He desired therefore that a committee be constituted to properly prosecute it. The House grudgingly complied with this though with a reluctance born of fear and ambiguity of their king's humour. With the transfer of Plunkett's trial to London and the recent arrival of the earl of

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<sup>60</sup> Earl of Arlington to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 465-6; Earl of Longford to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 467-9. On account of Vernon's services Ormond intervened to halt legal proceedings by a certain Butler of Ruskoe in County Kilkenny to acquire some of Vernon's lands despite initially supporting his relatives claim.

<sup>61</sup> Arran to Ormond, 2 Nov. 1680, *Ormonde MSS*, v, pp 472-3

<sup>62</sup> *Ibid.*, pp 472-3; Longford did not give much credence to this threat and by the end of that same day Arran was in possession of abstracts of his father's letters to Thomas Osborne, earl of Danby, Essex and Coventry, which contained clear proof of his constant representations of the need of parliament to remedy the defects of the Irish establishment

<sup>63</sup> Haley, *The first earl of Shaftesbury*, pp 593-5.

<sup>64</sup> *Ibid.*, pp 593-5; Col. E Vernon to earl of Arran, 23 Oct. 1680, *Ormonde MSS*, v, pp 456-7.

Tyrone's accusers, this committee was soon inundated with a herd of Irish witnesses and a virtual mountain of evidence. Therefore a special subcommittee consisting of Shaftesbury, Essex, Burlington and Viscount Fauconberg was appointed to peruse and examine all the relevant papers and witnesses. Shaftesbury was appointed chairman and given special permission to report findings directly to the Lords. On 2 November, after sifting through all the information against Plunkett and examining Hetherington, Murphy, Fitzgerald, MacNamara, Burke, Sampson and others at Burlington's house, Shaftesbury's committee was finally ready to give the Lords an account of the Irish plot. Arran and the rest of Ormond's supporters in London were perturbed by this decision, for it was also rumoured that Sir Henry Ingoldsby would accompany the witnesses.<sup>65</sup> To add to their woes a complete narrative detailing Ormond's actions to date in regard to the plot had not yet arrived. This deprived them of their best opportunity of preventing mischief by delivering the account to the Lords before the introduction of witnesses. Longford believed that this would be proof enough of their falsehood 'if they should vary from the truth of what they affirmed there [when they were examined previously in Ireland].'<sup>66</sup>

On 4 November, Shaftesbury reported to the Lords what the committee of examinations thought fit for the House to hear at the bar concerning the conspiracy in Ireland. He divided his account into three parts, first, that concerning Oliver Plunkett, second, that concerning Lord Brittas and finally that concerning the earl of Tyrone.<sup>67</sup> The first witness to appear was Edmund Murphy, who was allowed swear to a written testimony composed for him by William Roberts, a school master in Southwark as he

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<sup>65</sup> Arran to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 469-70; Francis Gwyn to Ormond, 3 Nov. 1680, *Ormonde MSS*, v, p. 476; Newsletter to Roger Garstell, Newcastle, 2 Nov. 1680, *Ormonde MSS*, v, p. 76; Earl of Longford to Ormond, 2 Nov. 1680, *Ormonde MSS*, v, pp 473-5; H. M. C. *House of Lords MSS*, 1678-88, pp 168-9

<sup>66</sup> *Ibid.*, pp 473-5; Earl of Longford to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 467-8.

was unable to express himself sufficiently in English.<sup>68</sup> Murphy alleged that he had originally collaborated with Plunkett and Patrick Tyrell in what he believed was a plan to promote the interest of the Catholic Church by bringing in the French to maintain order, on the duke of York's behalf, in the event of civil war between his and the duke of Monmouth's supporters in England. However in 1677, after discoursing with a certain father Maginn and examining copies of Plunkett's correspondence in his possession, Murphy realised that the primate's true design was to bring in the French 'for no other purpose but to murder all the Protestants in one week'.<sup>69</sup> Thereafter he resolved to abet Plunkett no further in his designs and correspond diligently with Maginn to discover his treason.<sup>70</sup>

Murphy sought to incriminate Ormond along with York in his evidence. Plunkett had allegedly informed him that he had an allowance from the duke of Ormond without which he could not subsist.<sup>71</sup> Ormond had also advised the primate to find a Protestant justice of the peace to concoct accusations against Maginn and other discoverers, namely John Moyer and Father Anthony Daly, by which means he would have 'a fair pretence' for banishing them beyond the seas. Charles II did not escape censure for Ormond had sent Maginn to France by his command where he was mysteriously poisoned in a priest's house in Flanders.<sup>72</sup> Murphy attempted to substantiate these accusations by referring to the letter found on Patrick Fleming's dead body in February 1678.<sup>73</sup> He informed the House that one Phelim O'Donnelly carrying letters from Plunkett to Father Manus O'Quinn (Patrick Fleming's parish

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<sup>67</sup> *Journals of the House of Lords*, xiii, p. 632; P. G. Murray, 'A previously unnoticed letter of Oliver Plunketts' in *Seanchas Ardmhaca*, viii (1975-76) pp 26-7; Laurence P. Murray, 'Life and times of father Edmund Murphy, parish priest of Killeavy and Chanter of Armagh', pp 339-40.

<sup>68</sup> *Ibid.*, p. 638.

<sup>69</sup> *Ibid.*, pp 633-8.

<sup>70</sup> *Ibid.*, pp 633-8.

<sup>71</sup> *Ibid.*, pp 635-8.

<sup>72</sup> *Ibid.*, pp 635-8; Arran to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 477-8; Earl of Longford to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 479-81; *Journals of the House of Lords*, xiii, p. 637-9.

priest) enlisted him to carry one such letter to O'Quinn. However being suspicious of its contents, Murphy opened it to find

That the said primate had been the day before with the great man [Ormond] and that he would give Patrick Fleming to understand that it was the duke's desire he might go to Dublin, where he might safely remain with the primate till there was an opportunity to transport him for England where the duke of Ormond's friends as well as the primate's would send letters of recommendation with the said Patrick Fleming for France [...] which friend of the primate's and the duke of Ormond the deponent [Murphy] was afterwards informed by the said Manus O' Quinn to be the duke of York.<sup>74</sup>

Murphy also added that it was written that the said Fleming 'needed not fear but to return to his country again with honour and preferment' and this for a man who was in his opinion 'the chiefest rebel in Ireland.'<sup>75</sup>

The Lords moved to examine Plunkett before listening to the other witnesses. Before them he admitted that he knew Murphy 'too too well' and to writing a letter 'to one Fleming styling himself by the name Cox'.<sup>76</sup> However he stridently denied any knowledge of the plot in Ireland.<sup>77</sup> Plunkett responded to the question of whether the duke of Ormond had made him any allowance of money by stating that he had received far less encouragement from Ormond than his predecessors Berkeley and Essex, 'who had both given him money and been very kind and civil to him'.<sup>78</sup> Arran observed that this comment brought an immediate alteration in Essex's demeanour. Plunkett went further informing the House that Murphy's tale was nonsensical because he would never disclose information to Murphy, 'because he knew him to be his professed enemy for depriving him of his parish, in which he lived scandalously

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<sup>73</sup> Murray, 'A previously unnoticed letter of Oliver Plunketts' pp 26-8.

<sup>74</sup> Ibid., p. 636; Murray, 'A previously unnoticed letter of Oliver Plunkett's', pp 26-7; Ibid, p. 30 O' Quinn was a priest in the parish of Creggan which takes in part of the counties of Armagh and Louth.

<sup>75</sup> Ibid., p. 636; Ibid., pp 26-7.

<sup>76</sup> Ibid., p. 636.

<sup>77</sup> Murray, 'A previously unnoticed letter of Oliver Plunkett's', p. 27; *Journals of the House of Lords*, xiii, p. 638.

<sup>78</sup> Arran to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 477-8; Earl of Longford to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 479-81.

and corresponded with the Tories.<sup>79</sup> Arran was delighted by Plunkett's performance and wrote to Ormond on 6 November that he 'went beyond our expectation'. Longford was told that he relayed his story 'with such plainness and simplicity that he [Plunkett] left an impression in the Lords to his advantage', whereas the opposite was now the case for several witnesses, who took time during their examinations to appeal to Arran for proof of their characters and information.<sup>80</sup> The most potent weapon in Shaftesbury's arsenal against Ormond had been publicly blunted and the examination of the plot concerning Oliver Plunkett ended with a show of approval from the king, who light-heartedly shouted to lords around him that he did not believe that Ormond would be in any plot but with him.<sup>81</sup>

Arran expected after all the witnesses had been heard that Shaftesbury would enlarge Murphy's information against Ormond, in conjunction with a fresh disclosure made by David Fitzgerald. Fitzgerald had informed the Lords committee of a great meeting of plotters in Dublin in 1678 attended by Fitzpatrick, Sir Edward Scott, Oliver Plunkett and the Talbot's. This failed to materialise for Fitzgerald's information was no more than hearsay and as Longford concluded from all the disclosures before the Lords, 'nothing appears (after all the strict scrutiny has been made) material against you [Ormond]'.<sup>82</sup> The examination of the Irish witnesses was instead transferred to a free conference to be held with the Commons on Monday 9 November. The House also ordered that Lord Theobald Brittas, Colonel Pierce Lacy, Sir John Fitzgerald and other alleged plotters be sent to London.<sup>83</sup>

The witnesses and their masters in London were unable to connect Ormond to a supposed widespread Catholic conspiracy headed by the duke of York, but

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<sup>79</sup> Ibid., pp 477-8; Ibid., pp 479-81.

<sup>80</sup> Ibid., 477-8; Ibid., pp 479-81.

<sup>81</sup> Ibid., pp 479-81; Ibid., pp 477-8.

<sup>82</sup> Ibid., pp 479-81; Ibid., pp 477-8.

indirectly they compromised him by connecting many of his family and key allies to it. Murphy, Burke, Sampson and MacNamara had all railed against Sir John Davys for browbeating and discountenancing them in their examinations. Similar charges were lodged against Michael Boyle, Sir William Davys and Chief Justice Keating. Sampson affirmed on oath that when he informed Boyle that York was at the head of the plot in Ireland, Boyle advised him to withhold his information; otherwise, 'it would be to his ruin'.<sup>84</sup> The presiding judge at Tyrone's trial in March 1679, Sir Richard Reynolds was accused of placing the defendant's relatives and tenants on his jury and of finding a bill of *ignoramus* in return for £1000.<sup>85</sup> Finally in the course of shedding light on Plunkett's attempts to coordinate his plot with the assistance of the Catholic clergy in Munster, Euctace Comyn revealed that they had met in the home of John Walsh, Ormond's lawyer in Tipperary and later, after Plunkett fled from Clonmel, he lodged with another relation of Ormond's, Walter Butler who attempted to kill Comyn.<sup>86</sup> Ormond had further reason to be apprehensive as Shaftesbury's committee allowed the witnesses to tell their stories anew in front of the Lords neglecting their original examinations taken in Ireland.<sup>87</sup>

Despite these setbacks, Ormond had emerged unscathed after the investigation by his peers of a topic which had distressed him greatly in the run up to parliament.

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<sup>83</sup> Francis Gwyn to Ormond, 3 Nov. 1680, *Ormonde MSS*, v, pp 476-7.

<sup>84</sup> Earl of Longford to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 467-9.

<sup>85</sup> *Journals of the House of Lords*, xiii, pp 643-4. Thomas Sampson, *A narrative of the late popish plot in Ireland, for the subjugating thereof to the French king together with the proceedings against, and the trial of the earl of Tyrone and others who were accused for carrying on the same: containing the several examinations of Hubert Burke, Edward Ivie, Gent., late Steward of the earl Tyrone* (London, 1680) pp 21-4.

<sup>86</sup> *Journals of the House of Lords*, xiii, p. 647; Euctace Comyn, *The information of Euctace Comyn, servant to Mr. Keadagh Magher treasurer to the papists in Ireland, of their money to carry out this plot, who was barbarously murdered for discovering the same, and turning Protestant: given in writing to the honourable house of Commons, the 15<sup>th</sup> of this present November, 1680* (London, 1680) pp 2-4.

<sup>87</sup> Earl of Arran to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 477-8; Earl of Longford to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 479-81.

Longford attributed much of the credit for this to Arran's presence, informing Ormond on 6 November,

The truth of it is he [Arran] has in this little time of his being here so bestirred himself, and is believed by all so well to understand the affairs of Ireland, and so able to justify your grace in your conduct there, that you enemies have been necessitated by their apprehension of it to take new measures and change the method they had designed to run you down by.<sup>88</sup>

It certainly abated Ingoldsby's mettle as he failed to present himself before the house with his stories of Ormond's extravagant proceedings.<sup>89</sup> Furthermore, Thomas Sampson's disclosures before the Lords did not concur with what he originally stated when he arrived in London, that his conversation with Boyle regarding York had taken place in Ormond's closet when he was present.<sup>90</sup>

Arran's focus shifted now to the House of Commons where the Irish witnesses were to be produced on 9 November. He zealously attended the conferences of both Houses on the matter and gave a good account of himself in several skirmishes with its biased chairman, Shaftesbury. On 8 November, the latter had sneeringly observed when informed that two witnesses from Limerick, David Nash and William Stokes disowned their previous depositions in Dublin that 'he did not wonder at it when the Chancellor [Michael Boyle] and Sir John Davys took the examinations.'<sup>91</sup> Arran responded by highlighting Boyle's absence during these proceedings and then alluding to Shaftesbury's conduct at the Lords committee, he asserted 'that all the depositions taken in relation to the plot were as impartially taken as ever his lordship took any', to which Shaftesbury made no reply.<sup>92</sup> Between 11 and 15 November, the Irish witnesses appeared before the Commons with exactly the same information as

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<sup>88</sup> Ibid., pp 479-81.

<sup>89</sup> Earl of Longford to Ormond, 30 Oct. 1680, *Ormonde MSS*, v, pp 467-8.

<sup>90</sup> Earl of Longford to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 479-81.

<sup>91</sup> Arran to Ormond, 9 Nov. 1680, *Ormonde MSS*, v, pp 483-5.

<sup>92</sup> Earl of Longford, 9 Nov 1680, *Ormonde MSS*, v, p. 485; Arran to Ormond, 9 Nov. 1680, *Ormonde MSS*, v, pp 483-5.



had been revealed before the Lords.<sup>93</sup> They were accompanied by Hetherington who accused Ormond of being the 'centre of all the conspirators'.<sup>94</sup> Evidently, it was a dismal showing, as they failed to even move the Commons to debate the plot in Ireland. There are several reasons for this; first, Hetherington's information was no more than hearsay obtained from Ingoldsby. Second, David Fitzgerald who had given 'great satisfaction' before the Lords had praised Ormond regarding his discovery. Third, by compelling the Lords committee to transfer all the Irish examinations hitherto lodged with them to their counterparts in the Commons and instructing Longford to distribute duplicates amongst Ormond's friends there, Arran prevented the witnesses from embroidering their testimonies any further. Finally, and most importantly, by this stage, the Commons had more important matters to deal with, namely the exclusion of James, duke of York from the succession to the Stuart throne.<sup>95</sup>

On 15 November 1680, Arran's 'great' friend William Russell carried a bill for this purpose up to the Lords and that very day after a debate lasting over seven hours, it was rejected by 65 votes to 30.<sup>96</sup> The Commons were surprised and angered at the miscarriage of their bill, and the next day, as soon as their speaker took the chair, they immediately adjourned for a day. These developments frightened Ormond's supporters in London; Arran felt it was just the catalyst desired by his enemies and informed him on 16 November:

I am often alarmed with an impeachment to be brought in against you, but can find no certainty of the matter yet, but I am very confident that you will be attacked; for since the bill against the duke was thrown out, all

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<sup>93</sup> [W. C.], *The historians guide, or, Britain's remembrancer...* (London, 1690), p. 128.

<sup>94</sup> Arran to Ormond, 13 Nov. 1680, *Ormonde MSS*, v, pp 486-7; Earl of Longford, 13 Nov. 1680, *Ormonde MSS*, v, pp 487-8

<sup>95</sup> *Ibid.*, pp 486-7; *Ibid.*, pp 487-8.

<sup>96</sup> Francis Gwyn to Ormond, 16 Nov. 1680, *Ormonde MSS*, v, pp 488-9; John Kenyon, *Stuart England* (London, 1978), p. 232.

those who are looked upon as friends to him will be struck at, and of that number you are reckoned.<sup>97</sup>

These fears were well grounded for the rest of Plunkett's accusers; Moyer, Finan and Callaghan had finally arrived in London and were known to be under Hetherington's influence. Longford's agents discovered that they intended to reflect upon Ormond 'for not using them well' when they were originally called into England and treating them worse when they came back.<sup>98</sup> Amidst this climate, Arran doubted his ability to defend even the means of disarming Irish Catholics in 1678, which were universally despised and unpopular. As such, he consulted with Arlington and both concluded that Ormond would be wise to write to Charles desiring leave to come over if any accusations were lodged against him. Arran believed the onslaught would begin on Tuesday 23 November, the day appointed by the Lords to discuss expedients to prevent or restrain a Catholic successor stating, 'then it is likely you may be brought upon the stage as a friend to the duke.'<sup>99</sup>

In Ireland, Ormond was closely monitoring proceedings and he wrote to Arran, 'yours of the 16<sup>th</sup> and 20<sup>th</sup> came together, and now we are impatient for those of the 23<sup>rd</sup>, supposing that every three days must produce something extraordinary.'<sup>100</sup> These letters certainly occasioned a change in Ormond's opinion regarding the November 1678 proclamation for disarming Catholics. Hitherto he had defended his decision to the point of sending Arran the same justification that he had transmitted to Ossory one year previously, affirming 'all I can say at present in justification of the proclamation for disarming the papists is contained in the paper enclosed, saving that it was with

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<sup>97</sup> Arran to Ormond, 16 Nov 1680, *Ormonde MSS*, v, p. 489.

<sup>98</sup> Earl of Longford to Ormond, 16 Nov. 1680, *Ormonde MSS*, v, pp 490-1.

<sup>99</sup> Arran to Ormond, 16 Nov. 1680, *Ormonde MSS*, v, p. 489; Arran to Ormond, 20 Nov. 1680, *Ormonde MSS*, v, p. 494.

<sup>100</sup> Ormond to Arran, 28 Nov. 1680, *Ormonde MSS*, v, p. 509.

the full approbation and advice of a numerous Council at that time assembled.’<sup>101</sup> On 1 December 1680 however, Ormond now informed Arran, ‘upon my motion a new proclamation for disarming of papists without excepting those that had licences is set forth’.<sup>102</sup> Similarly there was a marked change in Ormond’s position vis-à-vis the letter found on Patrick Fleming’s body after he received a leaked report of Edmund Murphy’s disclosures before the Lords committee in early November. Within two weeks Ormond had an exact duplicate of a letter he had been unable to locate for over six months set down, and then sworn to by all the parties involved in its discovery. An accompanying narrative was transmitted to Sunderland and Arran in an attempt to contradict the insinuations within Murphy’s new evidence.<sup>103</sup> He informed Sunderland that Plunkett had acted as an intermediary between the Irish government and Fleming, negotiating the latter’s departure out of the country; hence the reason for his letter on Fleming’s body. These negotiations came to an end when Fleming and his party were killed in February 1677 and for this reason the letter was misplaced for as Ormond put it ‘there seemed to me there was no further use of this letter’.<sup>104</sup> Ormond shirked away from what was advised by Arran and Arlington. His presence in London would only serve to turn what was a spark into a flame by drawing unwanted attention to him. It would appear that he had something to hide, for as explained to Arran ‘against accusations as they may be brought, I know not how to be defended from appearing to answer, so that I think it best to leave myself to god and the king.’<sup>105</sup>

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<sup>101</sup> Ormond to Arran, 19 Nov. 1680, *Ormonde MSS*, v, pp 493-4.

<sup>102</sup> *Ibid.*, pp 493-4; Ormond to Arran, 1 Dec. 1680, *Ormonde MSS*, v, p. 517.

<sup>103</sup> P. G Murray, ‘A previously unnoticed letter of Oliver Plunkett’s’, pp 27-8.

<sup>104</sup> Ormond to Earl of Sunderland, 23 Nov. 1680, *Ormonde MSS*, v, p. 500; Examination of John Banks relating to papers found on Patrick Fleming, 17 Nov. 1680, *Ormonde MSS*, v, pp 491-2; Examination of Sir William Tichborn relating to the papers found on Patrick Fleming, 18 Nov. 1680, *Ormonde MSS*, v, pp 492-3; Statement by Mr. Sergeant John Osborne, 20 Nov. 1680, *Ormonde MSS*, v, p. 498.

<sup>105</sup> Ormond to Arran, 28 Nov. 1680, *Ormonde MSS*, v, p. 509; Bodl., Carte MS 219, f. 180.

Despite the anxiety of many in Dublin and London, no attack materialised on 23 November, or in the days thereafter. On the day in question, Shaftesbury was supposedly laid sick with gout but this was a minor factor in Ormond's escape. Arran may have feared the possibility of a parliamentary debate, but it was not due to lack of material with which to defend Ormond, and it is within a letter discussing such, that we derive the main reasons for Ormond's escape,

I [Arran] have been and am still ready to make the best use I can of those heads or topics you mention with some others when the accusation offers, but your enemies were aware of that and therefore would not bring any accusation before our house.<sup>106</sup>

Shaftesbury and his associates knew that the defeat of yet another attempt to hurt Ormond would be a disaster. As on 15 November 1680, when Thomas Dangerfield failed to convince the Lords that John Mordaunt, earl of Peterborough had persuaded him to kill the king on the duke of York's behalf, Shaftesbury decided 'to let fall the debate' for fear of discrediting the plot and with it, his attempts to exclude York. There was always the possibility that more credible evidence and informers would appear in the future or of Charles II removing Ormond once he had succumbed to the principle of exclusion.<sup>107</sup>

The Lords and the Commons were otherwise engaged after the 16 November and had little mind or time for Irish affairs. The Lords spent several weeks after the defeat of the exclusion bill working on alternatives to secure the Protestant religion to compensate for the rejected bill. The Whigs were also anxious to reaffirm the plot in light of the disappointing performances of the Irish witnesses and Dangerfield. They fell upon William Howard, Viscount Stafford against whom a new witness named

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<sup>106</sup> Arran to Ormond, 20 Nov. 1680, *Ormonde MSS*, v, p. 494.

<sup>107</sup> *Ibid.*, pp 494; Earl of Longford, 20 November, 1680, *Ormonde MSS*, v, pp 497-8; Same to same, 16 Nov. 1680, *Ormonde MSS*, v, pp 490-1; Haley, *The first earl of Shaftesbury*, p. 601; Ingoldsby would also have been in a position to advise Shaftesbury on Ormond's various methods of defence. There is evidence to suggest that the Whig's took this stance on the basis of evidence obtained during the tampering of Ormond's correspondence.

Edward Turberville had appeared to corroborate the evidence against him of Oates and Stephen Dugdale.<sup>108</sup> In the meantime the Commons directed their frustration and anger towards those who had obstructed the passage of their exclusion bill such as George Savile, earl of Halifax, Edward Seymour and the foremen of county juries throughout England who had initiated addresses abhorring those who had petitioned the king to convene parliament earlier that year.<sup>109</sup>

Although Ormond was not brought into the political spotlight, needless to say he was not neglected. On 4 December, Longford informed him,

your enemies are maliciously industrious to cast all aspersions imaginable to prepare the way for those riff-raff articles [...] designed to be brought in against you into the House of Commons, who are not at leisure to receive them, having for the present work enough upon their hands.<sup>110</sup>

In the era described by Sir Francis Gwyn as 'the age of print', the press was undoubtedly the most potent and untrammelled weapon against Ormond.<sup>111</sup> Ormond himself acknowledged in regard to allegations that he was a Catholic,

Now though it may be as truly sworn that I was circumcised at Christchurch [Cathedral], and that few of any brains that know me or have but a superficial account of my life will give credit to so incredible a forgery; yet if it get into a narrative thousands will swallow it as truth; and against this there is no fence.<sup>112</sup>

London was littered with intelligences and narratives regarding the Irish plot and Ormond's character. The Irish witnesses had been ordered by the House of Commons on 13 November to print their narratives and 'choose their printers'.<sup>113</sup> There was also

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<sup>108</sup> John Kenyon, *The Popish Plot* (London, 1972) pp 231-2. Edward Turberville, *The information of Edward Turberville of Skerr in the County of Glamorgan, Gent delivered at the bar of the House of Commons, Tuesday the ninth day of November, 1680. perused and signed to be printed, according to the order of the House of Commons, by me William Williams, Speaker*, (London, 1680); Burnet, *History of my own time*, pp 862-3; Kenyon, *The Popish Plot*, pp 231-2; Edward Turberville was a former Benedictine and Dominican monk who had also served in the French army. He alleged that Stafford had solicited him to assassinate Charles II in Paris in 1676.

<sup>109</sup> Col. Edward Cooke to Ormond, 23 November. 1680, *Ormonde MSS*, v, pp 501-4; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 395-6; Haley, *The first earl of Shaftesbury*, pp 605-7.

<sup>110</sup> Earl of Longford to Ormond, 4 Dec. 1680, *Ormonde MSS*, v, pp 520-1

<sup>111</sup> Francis Gwyn to Ormond, 27 Nov. 1680, *Ormonde MSS*, v, pp 507-8.

<sup>112</sup> Ormond to Arran, 1 Jan. 1680, *Ormonde MSS*, v, pp 543-4.

<sup>113</sup> Earl of Longford to Ormond, 13 Nov. 1680, *Ormonde MSS*, v, pp 487-8.

a collection in circulation of all the libels accumulated against Ormond since he resumed office in 1677 and from earlier dates, for instance Peter Talbot's *Narrative of the sale and settlement of Ireland*.<sup>114</sup> These tactics were to be replicated in Ireland for as Sir John Davys informed Ormond from London where he had journeyed to clear his name against the accusations of the witnesses,

Though none of the printed votes have yet named me under any ill-character, my adversaries have not-with-standing written and scattered intelligences as if I had been voted a notorious stifler of the plot in Ireland, with other wild and false things which no doubt will be dispersed about in Ireland to blacken me.<sup>115</sup>

At the beginning of December, Longford managed to procure a copy of what articles had been drawn up against Ormond. They were constructed to attack him on several levels. First, in regard to the Popish Plot and his own religion. Ormond was charged with assembling the Roman Catholic clergy in Dublin in 1666 and sending his secretary Sir George Lane to meet them. Furthermore that he had disarmed the Protestants in 1663 but given Catholics time to surrender their weapons after the discovery of the plot by Oates. It was also alleged that Dongan's regiment had been raised by Ormond's order and that he failed to properly secure the Talbot's and the other leading conspirators in the Irish plot.<sup>116</sup> Second, to sour his reputation with the English Commons, Ormond was portrayed as an evil advisor in the mould of Thomas Wentworth, earl of Strafford, as he was made lord lieutenant 'on his [Ormond's] undertaking to call a parliament to give money to raise an army to be sent into England to set up arbitrary government.'<sup>117</sup>

In Ireland, rigorous attempts were being pursued to reinvigorate the, as yet, largely unsubstantiated plot. Owen Murphy had Con Magennis of Newry apprehend

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<sup>114</sup> Earl of Longford to Ormond, 4 Dec. 1680, *Ormonde MSS*, v, pp 520-1.

<sup>115</sup> Sir John Davy's to Ormond, 8 Jan. 1680, *Ormonde MSS*, v, pp 546-7.

<sup>116</sup> Articles against the duke of Ormond, 4 Dec. 1680, *Cal. S. P. dom., 1680-81*, p. 98; Earl of Longford to Ormond, 4 Dec. 1680, *Ormonde MSS*, v, pp 520-1.

<sup>117</sup> *Ibid.*, p. 98; *Ibid.*, pp 520-1.

sixteen witnesses against Plunkett before proceeding to Munster where a dozen more were collected around Carrick on Suir, County Tipperary, many of them Ormond's own tenants.<sup>118</sup> In Limerick, self-serving officials like John Odell and John Massie pushed the plot whilst elsewhere in Munster Orrery's sister displayed a like zeal for the Protestant interest and hurting Ormond.<sup>119</sup> On 14 December 1680, Arran informed him, 'I hear every post of great apprehensions and new discoveries from Munster and that from my lords of Essex and Burlington. I wonder your grace sends me no account of it'.<sup>120</sup> The powerful and extensive linkages of the Boyle family both in Munster and England had been a thorn in the side of many an Irish governor since the early seventeenth century and though Burlington was more sympathetic to Ormond than Orrery, possibly leaking Murphy's disclosure before the Lords committee to Ormond's supporters, he was also responsible to supporters and kin in Munster who saw themselves as a threatened minority surrounded in uncertain times by a potentially treacherous Catholic majority.<sup>121</sup> Arran was therefore in a very awkward position, unable to repudiate the most ridiculous of rumours without clarification from Dublin. This had disastrous consequences in regard to perceptions of Ireland and its government in London for as Arran wrote on 14 December 1680, 'my lord of Burlington's talking of a letter he had from his brother Shannon about some arms he seized upon, and saying it at the Committee has made a report about the town that

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<sup>118</sup> Ormond to Arran, 21 Dec. 1680, *Ormonde MSS*, v, pp 534-5; Eustace Comyn to Richard Denison at Clonmel, 1 Jan. 1681, *Ormonde MSS*, v, p. 541; Sir Hans Hamilton to Ormond, 18 Dec. 1680, *Ormonde MSS*, v, pp 530-1.

<sup>119</sup> Sarah Hutton, 'Katherine Jones née Boyle, Viscountess Ranelagh (1615-1691)', in Matthew and Harrison (ed.), *Oxford D.N.B.*, xxx, pp 574-6.

<sup>120</sup> Narrative of Donough Leyne, *Ormonde MSS*, v, pp 463-5; Arran to Ormond, 4 Dec. 1680, *Ormonde MSS*, v, pp 519-20; Arran to Ormond, 14 Dec. 1680, *Ormonde MSS*, v, pp 524-5.

<sup>121</sup> S. J. Connolly, *Religion, law and power: the making of Protestant Ireland* (Oxford, 1992), pp 30-1; John Vessy, Archbishop of Tuam to Ormond, 17 Dec. 1680, *Ormonde MSS*, v, p. 526; Vesey's letter clearly illustrates the widespread fear prevalent amongst Irish Protestants in desolate isolated parts of the country that they would soon be massacred.

Ireland is in rebellion.’<sup>122</sup> To make matters worse, Sunderland was abusing his position as principle Secretary of State to hurt Ormond by withholding or neglecting official information from Ireland. On 20 November Arran reported ‘I have reason to believe that most of the papers transmitted by the government were sent by the principle Secretary of State to parliament without his [Sunderland] perusing them’.<sup>123</sup> Davys believed that the possible repercussions of Sunderland’s behaviour necessitated the transmission of duplicates to London, for as he affirmed:

I find nothing kept more a secret in certain places here than those accounts whereby people abroad do either see nothing of the proceedings in Ireland or understand nothing of them but by clandestine misrepresentations of some private and false hands, whereas by the other way of proceeding truth will appear and in the end will no doubt prevail and justify itself, your grace and all the rest of its followers.<sup>124</sup>

Ireland’s foremost conspiracy hunter, Henry Jones, was also busily about Shaftesbury’s business. He conducted exhaustive intrigues amongst the Catholic clergy in order to procure new witnesses. On 4 December 1680 Arran informed Ormond ‘yesterday Lord Shaftesbury informed the House of a titular bishop that would make great discoveries’.<sup>125</sup> Jones prize target however was the infamous tory, Redmond O’Hanlon. In 1680, O’Hanlon with a £100 bounty on his head was in dire straits. The severe measures enacted by Ormond the previous year to suppress nurseries of discontent, in light of the plot hysteria in England, were increasingly paying dividends as the army destroyed several bands of tories.<sup>126</sup> On 12 June Sir George Rawdon informed Conway, ‘seven tories have been killed or taken within the last seven days [...] and O’Hanlon narrowly escaped’.<sup>127</sup> In late September as the government forces closed in, O’Hanlon made several approaches to the government

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<sup>122</sup> Arran to Ormond, 4 Dec. 1680, *Ormonde MSS*, pp 524-5.

<sup>123</sup> Arran to Ormond, 20 Nov. 1680, *Ormonde MSS*, v, p. 494.

<sup>124</sup> Sir John Davys to Ormond, 18 Dec. 1680, *Ormonde MSS*, v, pp 526-7.

<sup>125</sup> Arran to Ormond, 4 Dec. 1680, *Ormonde MSS*, v, pp 519-20.

<sup>126</sup> *Ormonde MSS*, vi, preface xvii-viii; Sir George Rawdon to the earl of Conway, 31 Jan. 1680, *Cal. S. P. dom.*, 1680-81, p. 380.



through the Annesley family of Castlewellan, County Down, and Roger Boyle, the Church of Ireland bishop of Clogher. If a pardon could be procured for himself and his brother Laughlin, he would betray all the Tories of his acquaintance between Downpatrick and the county of Monaghan.<sup>128</sup> In December, these negotiations broke down when the majority of the Irish Council overruled Ormond by refusing to sanction such an arrangement with a notorious criminal; instead they doubled the bounty on the heads of both brothers. Jones refused to let the matter rest especially as O'Hanlon's addition as a witness against Plunkett would elevate the Irish plot in the minds of Protestants throughout the three Stuart kingdoms. On 9 December, Francis Annesley wrote to Katherine O'Hanlon, Redmond's mother, to inform her that his father-in-law (Jones) was desirous to know 'whether Redmond O'Hanlon will be a discoverer of the design for the French invasion here, and who in Ireland are the principal abettors'.<sup>129</sup> Annesley assured her, 'if he doth this he need not doubt of countenance, pardon and reward also for himself and his two brothers.'<sup>130</sup>

Ormond was alert to the growing manoeuvres against him and attempted to offset them by conducting himself as he had against Orrery during the winter of 1678. First, he became extremely sensitive where the Protestant interest was concerned and towards this he sent many unfinished examinations to London before they were reported there to his disadvantage. On 13 December, he wrote to Arran 'all that is yet come to me of the discoveries and fears in Munster you will find in the copies of the examinations enclosed.'<sup>131</sup> Ormond's zeal proved well founded when magistrates in Limerick obtained information from two discoverers, Maurice Fitzgerald and Murtagh

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<sup>127</sup> Sir George Rawdon to the earl of Conway, 12 Jun. 1680, *Cal. S. P. dom.*, 1680-81, pp 512.

<sup>128</sup> Kevin McMahon, 'The O' Hanlon letter' in *Seanchas Ardmhaca*, x (1980-81), pp 40-1.

<sup>129</sup> Francis Annesley to Mrs Katherine O' Hanlon, 9 Dec. 1680, *Ormonde MSS*, v, p. 536.

<sup>130</sup> *Ibid.*, p. 536; Kevin McMahon, 'The O' Hanlon letter' in *Seanchas Ardmhaca*, x (1980-81), pp 40-1; Bodl., Carte MS 39, f. 231.

<sup>131</sup> Ormond to Arran, 13 Dec. 1680, *Ormonde MSS*, v, pp 523-4.

Downey corroborating David Fitzgerald's testimony and that retracted in October 1680 by David Nash.<sup>132</sup> Ormond also afforded Owen Murphy and what he regarded as other scurrilous discoverers scant reason to complain that their work was been obstructed, furnishing Murphy with £50 when he complained 'of want of money' and issuing letters of safe conduct for Patrick Tyrell, bishop of Clogher to repair to Dublin for one month after Murphy announced before Council that it was Tyrell's desire to come in and discover Plunkett's treasons.<sup>133</sup>

Ormond's second strategy was to highlight his care in regard to the plot compared to those who were hostile to him. Their interferences were unwelcome, counter productive and ultimately damaging to the Protestant interest. He attempted to undermine the lurid scare stories emanating out of Munster by questioning the motives of those reporting them for instance, stating to Arran on 13 December, 'I thought the heat and frequency of alarms in that province had much abated since my lord of Orrery's death, but his sister has corresponded here as zealous as he was, but not so inventive.'<sup>134</sup> On 21 December, he gleefully informed Arran that James Geogheghan, alias Dalton, a discoverer of the plot in Ireland, sent over from England with ample recommendation by Sunderland in October, had been stopped in career and arrested by order of the Irish Privy Council. They deemed him a rogue by dint of his extravagant and extraordinary proceedings which ranged from horse stealing to extortion.<sup>135</sup> Ormond confidently added that Owen Murphy 'will likewise be found faulty', for most of the witnesses gathered in Tipperary had professed before him 'that

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<sup>132</sup> Ormond to Arran, 18 Dec. 1680, *Ormonde MSS*, v, p. 533. Bodl., Carte MS 39, f. 225; *Ibid.*, pp 240-2; *Ibid.*, pp 243-4.

<sup>133</sup> Bodl., Carte MS 39, f. 258.

<sup>134</sup> Ormond to Arran, 13 Dec. 1680, *Ormonde MSS*, v, pp 523-4.

<sup>135</sup> Bodl., Carte MS 39, f. 244; *Ibid.*, pp 246-7; *Ibid.*, pp 250-1; *Ibid.*, pp 256-7; Gardner, *The life of James first duke of Ormonde, 1610-88*, ii, pp 318-21.

they were able to say nothing of the plot or plotters'.<sup>136</sup> In late December officers with warrants from Sir Hans Hamilton searching for tories and their harbourers came across several letters of Henry Jones's illegal correspondence with O'Hanlon. Ormond knew exactly what to do with such information and sent copies to Arran with the following advice 'if you find a fit opportunity it may be fit to show them to the king who can best judge what use may be made of the originals and when; in the meantime the originals shall be safely kept.'<sup>137</sup>

Indicative of the pressure that Ormond was under at this time was the large proportion of letters dedicated to repudiating accusations he had answered many times previously. These accusations can be grouped into two categories: first that because most of his kin and supporters were of the Catholic persuasion, he somehow favoured that confession. For instance the rumour that Sir George Lane sat in Council with the Irish Catholic hierarchy on his behalf. Ormond denied this accusation and confidently told Arran that it could be easily ascertained to be false as 'the meeting that I am charged with, and all the transactions at it; are at large set down in a great book set forth by Peter Walsh'.<sup>138</sup> He acknowledged that he had sanctioned a meeting with the aim of creating a division amongst the Catholic clergy in order to secure the Protestant interest. However he was thwarted by his removal from office and the actions of his successors 'some of whom were too indulgent to the whole body of papists [Berkeley], and others not much acquainted with either of them, nor

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<sup>136</sup> Ormond to Arran, 21 Dec. 1680, *Ormonde MSS*, v, pp 534-5.

<sup>137</sup> *Ibid.*, pp 534-5. Bodl., Carte MS 39, f. 230; *Ibid.*, f. 231.

<sup>138</sup> Peter Walsh, *The history and vindication of the loyal formulary, or Irish remonstrance...received by his majesty Anno 1661 [...] in several treatises: with a true account and full discussion of the delusory Irish remonstrance and other papers framed and insisted on by the national congregation of Dublin, Anno 1666, and presented to [...] the duke of Ormond, but rejected by his grace: to which are added three appendixes, whereof the last contains the Marquis of Ormond [...] letter of the second of December, 1650: in answer to both the declaration and excommunication of the bishops, &c.* Jamestown (London, 1673); Ormond to Arran, 29 Dec. 1680, *Ormonde MSS*, v, pp 538-40.

considering the advantage of the division designed [Essex]'.<sup>139</sup> The underlying message in this letter was simple. Ormond's removal in 1669 had been a disaster for the Protestant interest in Ireland as his successors failed to assert themselves with anything like his diligence vis-à-vis Catholicism. Thus it had been their negligence that had actually fostered the conditions that produced the Popish Plot.

Ormond was also compelled to address more serious accusations, for it was rumoured in London that he had received the sacrament in the Catholic form in the house of his sister, Ellen MacCarthy, countess of Clancarty. Ormond regarded this libel as preposterous but perilous times necessitated a response. He informed Arran that he would be very foolish indeed to expose himself to ruin by going abroad for masses and sacraments when he could receive them in his own lodgings. Anyway as Catholic masses are held in the morning, it would have been impossible for him to have been present, 'I defy anybody to prove that ever I [Ormond] was to see my sister this twenty years but in an afternoon.'<sup>140</sup> Ormond was evidently afraid that this libel would be brought into parliament as an article for he enclosed a copy of Titus Oates's original deposition wherein he was named amongst those to be murdered. He added the following observation that if he had been a Catholic, it would have been known to the plotters and therefore 'they would not have contrived the death of one that might in such case have been useful to them.'<sup>141</sup>

Ormond's actions were justified as they prevented his enemies from constructing a suitable environment, one dangerously supportive of the case for his removal. It must be pointed out however that his opponents were also inhibited by the flow of English politics after the defeat of the exclusion bill, as the intense struggle between the court and the disaffected commons consumed the attention of all in

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<sup>139</sup> Ibid., pp 538-40.

<sup>140</sup> Ormond to Arran, 1 Jan. 1680, *Ormonde MSS*, v, pp 543-4.

London. The main point at issue was that the Commons would do nothing for Charles until he abandoned his brother and 'evil' ministers like Halifax and Seymour. Charles ignored these demands for over six weeks until both sides were at a standstill. However on 15 December 1680 he was obliged to appear before parliament on account of his desperate financial position. He desired assistance for the beleaguered garrison of Tangiers, which was surrounded by the Berbers. On 21 December, the Commons responded by proposing to Charles that they would put him into a condition to defend Tangiers, improve the fleet and pay off his debts only if he relinquished his brother and removed his minions from court and office.<sup>142</sup> That very night Arran wrote to Ormond 'your grace will find by the last address from the House of Commons that within a short time we shall know how matters must go', though he believed Ormond was secure for the moment 'I believe you will not be meddled with, if at all, until Christmas be over'.<sup>143</sup>

For nearly two weeks, Charles II made no reply to this address while the whole Stuart political nation looked on. Halifax believed no king of England could ever comply with such an address for it was no more than 'offering a man money to cut off his nose'; however other onlookers were less assured of their king's conviction. Sir John Reresby, governor of York and a staunch Tory to boot complained bitterly to Halifax 'that if the king expected his friends to be hearty in his cause, and steady to his person, he should consider with himself and encourage them a little.'<sup>144</sup> This prevailing mood of uncertainty prompted Shaftesbury and the Whigs to capitalise on

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<sup>141</sup> Ibid., pp 543-4.

<sup>142</sup> Paraphrased from the following account; Browning (ed.), *Memoirs of Sir John Reresby* (Jackson, 1936), pp 108-9. Haley, *The first earl of Shaftesbury*, pp 612-3; pp 614-5.

<sup>143</sup> Arran to Ormond, 21 Dec. 1680, *Ormonde MSS*, v, pp 533-4; Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 397.

<sup>144</sup> Browning (ed.), *Memoirs of Sir John Reresby*, p. 112; Earl of Conway to Sir George Rawdon, 5 Feb. 1680, H. M. C., *Hastings MSS*, ii, p. 391; Conway reported likewise to Rawdon that Charles kept his thoughts secret and as such the 'people' were 'mightily divided in their conjectures' though he believed that Charles would comply with the Commons desire.

the Irish plot to highlight the dangers of Catholicism and as such heighten pressure on Charles to abandon James. On 24 December, the Commons met although the Lords had adjourned till 3 January. Shaftesbury had seven Irish witnesses presented, Sampson, Murphy, Moyer, MacNamara, Burke, Comyn and James Morley. They petitioned the House against Sir John Davys and declaimed heavily against Michael Boyle for discountenancing their discoveries. The Commons assisted Shaftesbury by referring the matter to its committee of examinations. Arran was perturbed by these developments and wrote to Ormond 'I believe they have introduced this accusation only to usher in one against you.'<sup>145</sup>

Arran's prediction was corroborated by the actions of this committee. Its chairman was a biased Whig, Colonel John Birch who was rumoured to have noted in private amongst other members that Ormond and Davys were no better than Strafford and Sir George Radcliff.<sup>146</sup> To observers like Sir Francis Gwyn, it was painfully apparent that this committee was following a predetermined course of action of which the first was 'to vindicate the reputations of the witnesses and receive nothing that shall contradict them'.<sup>147</sup> This view is reinforced in a letter from Davys to Ormond wherein the writer compared the manner of his use to that of a chained animal surrounded by dogs. They

only admitted me [Davys] to speak when the witnesses would give way to it, and not only suffering them to say what they pleased as they saw occasion by way of invention and addition to their examinations before given in, but leading them and encouraging them to it.<sup>148</sup>

Gwyn also believed that many in the said committee were determined to throw all the dirt they could gather upon the government of Ireland and Ormond in particular and

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<sup>145</sup> Arran to Ormond, 25 Dec. 1680, *Ormonde MSS*, v, p. 537.

<sup>146</sup> Sir John Davy's to Ormond, 1 Jan. 1681, *Ormonde MSS*, v, pp 542-3; C. V Wedgwood, *Thomas Wentworth: First earl of Strafford, 1593-1641* (London, 1961), p. 139; p. 159; p. 181; 265; p. 315; p. 319; p. 339; p 383. Sir George Radcliffe was a key associate of Strafford during the 1630s, being his Secretary when he was president of the north of England and his chief Secretary in Ireland.

<sup>147</sup> Francis Gwyn to Ormond, 1 Jan. 1681, *Ormonde MSS*, v, pp 541-2.

'all this in the hearing of crowds of people of all sorts that thought fit to come in, the doors being laid open for that purpose'.<sup>149</sup> Finally on 1 January after being publicly humiliated for several days, Davys was requested to respond to the allegations lodged against him to which he answered by desiring a full copy of the charges against him and sufficient time to answer them. However Birch and his colleagues neatly bypassed this request by proposing instead to acquaint the Commons with his answer.

By 4 January 1681, the Commons Committee had still made no report concerning Davys business though Arran believed he would almost certainly be impeached.<sup>150</sup> The examination of the Irish plot was removed for the moment to the Lords where Shaftesbury had the depositions of Maurice Fitzgerald and Murtagh Downey read. The lords listened in astonishment as it was revealed from Fitzgerald's information that in 1676 there had been a great meeting at the home of Colonel Pierce Lacy for the purpose of raising 20,000 men in Munster to aid the French upon their arrival. This design had been hindered by the escalation of war on the continent when the Empire and Spain allied with the Dutch against France forcing Louis XIV to divert the men and arms originally intended for Ireland. However with the reestablishment of peace in western Europe after the Treaty of Nijmegen in 1679, Louis was determined that the Irish plot be brought to fruition and towards this commissions had been granted to leading Irish Catholics such as the earl of Tyrone, and powder and arms landed on the County Clare side of the Shannon. The Lords were now fully convinced of the reality of the plot in Ireland and despite ardent denials by Lacy and Sir John Fitzgerald of the charges; they passed the following resolution,

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<sup>148</sup> Ibid, pp 541-2; Sir John Davys to Ormond, 1 Jan. 1681, *Ormonde MSS*, v, pp 542-3.

<sup>149</sup> Ibid., pp 541-2; Ibid., pp 542-3.

<sup>150</sup> Arran to Ormond, 4 Jan. 1680, *Ormonde MSS*, v, pp 544-5.

That there now is, and for divers years last past there hath been, a horrid and treasonable plot and conspiracy contrived and carried on by those of the popish religion in Ireland, for the massacring the English, and subverting the Protestant religion, and the ancient established government of that kingdom.<sup>151</sup>

The Lords concluded by desiring the concurrence of the Commons. Shaftesbury, or 'your constant friend' as Arran ironically dubbed him, decided that this was his moment to hurt Ormond, and he tried to enlarge and build on this vote claiming, 'that papists were better armed in Ireland than the Protestants'.<sup>152</sup> It failed and Arran appears to have been more than suitably equipped to counter this assertion, informing Ormond, 'I cleared that point and satisfied the House to the contrary, which he [Shaftesbury] made no reply to.'<sup>153</sup>

This however was as far as Shaftesbury managed to proceed against Ormond, for after 4 January 1681, the Whigs had reason to resume their sparring with Charles II, as he responded to their Commons address of 21 December with the reply 'that he [Charles II] persisted in his resolution not to disturb the immediate succession to the crown'.<sup>154</sup> This decision effectively diverted attention from Davys and the Irish plot as the Commons sought revenge on the 'evil' ministers who advised the king to reject their motion. The circumvolutions of three kingdoms politics had again rescued Ormond and on 8 January Arran informed him:

The House of Commons have voted as you see against four lords and one commoner, so that it will be hoped that they will let Ireland alone for a

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<sup>151</sup> Hutton, *Charles the second, king of England, Scotland and Ireland*, p. 397; Haley, *The first earl of Shaftesbury*, pp 617-8, *The several informations of John MacNamara, Maurice Fitzgerald, and James Nash relating to the horrid popish plot in Ireland together with the resolutions of the Commons in parliament upon the said informations and message from the Lords Spiritual and Temporal in parliament...* (London, 1681), p. 3

<sup>152</sup> Arran to Ormond, 4 January. 1680, *Ormonde MSS*, v, pp 544-5.

<sup>153</sup> *Ibid*, pp 544-5; John A. Lynn, *The wars of Louis XIV, 1667-1714* (London, 1999), pp 153-7; R. W. Blencoe (ed.), *Diary of the times of Charles the second by Henry Sidney, afterwards earl of Romney: including his correspondence with the countess of Sunderland and other distinguishable persons at the English court; to which are added letters illustrative of the times of James II and William III*, ii, p. 38.

<sup>154</sup> Browning (ed.), *Memoirs of Sir John Reresby*, pp 112-3; H. C Foxcroft, *The life and letters of Sir George Savile 1<sup>st</sup> marquis of Halifax* (2 vols, London, 1898), i, p. 268.



while, and that Sir John Davys will be safe, they having more considerable work of that nature upon their hands than his.<sup>155</sup>

This was certainly the case for on 6 January, when they took into consideration the resolution passed by the upper house regarding the Irish plot, no assault was on Ormond, their only addition being ‘that the duke of York being a papist and the expectation of his coming to the crown hath given the greatest countenance and encouragement [...] to the horrid Popish Plot in this kingdom of England’.<sup>156</sup> Ultimately, the tension between the court and Commons grew to such a height that Charles was forced to prorogue parliament on 10 January. This decision was especially welcomed by Arran as news of Geoghegan’s arrest arrived in London later that same day. He pointed out to Ormond, ‘I am confident they would have resolved it a discouraging of the king’s evidence, especially in the humour the House of Commons were yesterday in.’<sup>157</sup> Parliament however would sit no more. On 18 January Charles ordered in Council that it should be dissolved and another called for 28 March 1681, to convene in Oxford.<sup>158</sup>

In conclusion, Ormond’s position during the second exclusion parliament was far from straight forward. There appear to have been several clear reasons why no serious attempt was made to remove him. First the case against him was not strong, resting as it did on the unsupported accusations of several discredited witnesses, whose potency was largely ruined by their ineptitude before the Lords at the beginning of November. Thus the Whigs were reduced to attacking Ormond indirectly by vilifying the reputations of his associates in government. In Ireland, Geoghegan’s

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<sup>155</sup> Arran to Ormond, 8 Jan. 1681, *Ormonde MSS*, v, pp 547-8; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 397-8; *The several informations of John MacNamara, Maurice Fitzgerald, and James Nash relating to the horrid popish plot in Ireland together with the resolutions of the Commons in parliament upon the said informations and message from the Lords Spiritual and Temporal in parliament...* (London, 1681), p. 3

<sup>156</sup> *Ibid.*, p. 15

<sup>157</sup> Arran to Ormond, 11 Jan. 1681, *Ormonde MSS*, v, pp 550-1.

mission was a complete farce and Henry Jones, despite exhaustive intrigues, was unable to add fresh stimulus to the plot. Though Ormond was justifiably scared of even the most preposterous rumours and libels floating around London, and went to great lengths to constantly re-emphasise his loyalty to the Protestant interest, he was far from impressed in January when he received a genuine copy of the articles drawn up against him, informing Arran, I 'am of your opinion that they will be better polished and put into method before they can with credit to the composers be made use of.'<sup>159</sup>

The second reason was Ormond's actions in Ireland before and during the plot. He was painfully aware of the trouble figures like Jones and Orrery had previously occasioned him and as such took immediate steps when allegations of conspiracies and plots arose, so much so that he was able to point to them as clear proof of his loyalty to the Protestant religion:

That I have Catholic relations is no more my fault that it was the first reformers that they had so, and I suppose that the vote that there has been and is still a horrid popish plot on foot is so resolved from the examinations and witnesses I sent over.<sup>160</sup>

The decision to dispatch Arran to London was prudent and significant for not only did he mobilise Ormond's supporters to telling effect, his understanding of the Irish kingdom plus his sheer presence intimidated his father's enemies. Or as Longford put it on 6 November 1680 'for since he [Arran] took his place in the House of Lords there has not been one public flirt at your grace, whereas before it was every day's entertainment.'<sup>161</sup> Finally Ormond had studiously refrained from alienating in any way important Anglo-Irish notables like Burlington and Conway. In the case of the latter, he acquiesced to a request that he had formerly refused to both Granard and

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<sup>158</sup> Burnet, *History of my own time*, ii, pp 865-6; 'it was said [at court], men were now very bold about London, by their confidence in the Juries that the Sheriffs took care to return'.

<sup>159</sup> Ormond to Arran, 9 Jan. 1681, *Ormonde MSS*, v, pp 548-9.

Arran that one of his supporters, Sir George Rawdon, could devolve his troop to his son.<sup>162</sup>

Ormond was also saved by the timely eruption of the issue of exclusion, which diverted attention away from the plot in Ireland, and in light of the Commons obstinacy finally impelled Charles II to dissolve parliament. However after the complete breakdown in the relationship between the crown and the House of Commons in early January 1681, coupled with the deepening atmosphere of anti Catholicism, the Commons became increasingly irrational in its actions as can be seen in regard to the proceedings against Davys. On 18 December, Davys had appeared before the English Privy Council who declared they were fully satisfied with his investigation of the plot in Ireland and as such, he had undertaken a very unnecessary journey but in front of the Commons committee in January, he was publicly humiliated and only narrowly escaped impeachment. They were likewise ready to disregard Ormond's endeavours to protect the Protestant interest and an address was readied against him (once they had seen to the duke of York) 'for not being vigorous enough against the papists occasioned by the many relations you [Ormond] have amongst them'.<sup>163</sup> They were only willing to proceed this far and no further for as Arran gleefully informed him on 11 January, 'none of the sober men will allow of any article of your being either a papist or in the plot.'<sup>164</sup>

Ormond failed to empathise with Arran's delight. In his mind, an address was far worse than any impeachment, as 'being commonly in general terms it affords no

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<sup>160</sup> Ormond to Arran, 18 Jan. 1681, *Ormonde MSS*, v, pp 557-8.

<sup>161</sup> Earl of Longford, 6 Nov. 1680, *Ormonde MSS*, v, pp 479-51.

<sup>162</sup> Arran to Ormond, 25 Dec. 1680, *Ormonde MSS*, v, p. 537.

<sup>163</sup> Sir John Davys to Ormond, 18 Dec. 1680, *Ormonde MSS*, v, pp 526-7; Arran to Ormond, 11 Jan. 1681, *Ormonde, MSS*, v, pp 550-1.

<sup>164</sup> *Ibid.*, pp 550-1.

means of vindication'.<sup>165</sup> The question now remains what if parliament had not been dissolved before an address or articles of impeachment were passed against Ormond in the Commons. It is certain that any attack on Ormond would have been eventually defeated in the Lords, for on 7 January they granted bail to Sir William Scroggs, Lord Chief Justice of England, though he had been impeached before the lower house for treason.<sup>166</sup> Furthermore it appears from Arran's letter of 22 January that during his private meeting with the king on 30 October 1680, the latter guaranteed that he was resolved under no circumstances to remove Ormond from his station and to protect his interests in London, 'his majesty [...] continues the same commands to you as he gave me for you at my first coming hither, and sent your grace since by my lord Longford.'<sup>167</sup> He may possibly have honoured this, but on the other hand, in contemporary terms Charles II was a master of *real politic*. After the rejection of the exclusion bill, he attempted to win over many of the opposition, thereby obtaining the parliamentary subsidies he badly needed, by permitting the execution of William Howard, Lord Stafford, who he knew to be innocent of charges alleged against him and to the dismay of the duke of York declaring through Halifax that he would listen to alternatives to exclusion.<sup>168</sup> In addition after the dissolution of what is now called 'the Second Exclusion parliament', Halifax, who is generally believed to have been Charles II's key minister during this crisis period, complained to Resesby, 'that while he [Charles II] seemed perfectly to approve of the Council you gave him, he

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<sup>165</sup> Ormond to Arran, 18 Jan. 1681, *Ormonde MSS*, v, pp 557-8.

<sup>166</sup> Sir John Davys to Ormond, 8 Jan. 1680, *Ormonde MSS*, v, pp 546-7; Haley, *The first earl of Shaftesbury*, p. 617.

<sup>167</sup> Arran to Ormond, 22 Jan. 1681, *Ormonde MSS*, v, p. 559.

<sup>168</sup> Miller, *Charles II*, pp 338-9; Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 396-7; Anon, *The trial of William Stafford for high treason, in conspiring the death of the king, the extirpation of the Protestant religion, the subversion of the government, and introduction of popery into this realm, upon an impeachment by the knights, citizens and burgesses in parliament assembled, in the name of themselves and all the commons of England: begun in Westminster-Hall the 30<sup>th</sup> day of November 1680, and continued until the 7<sup>th</sup> of December following, on which day judgement of high*

hearkened to others from a back door, which made him wavering of mind and slow to resolve'.<sup>169</sup> Ormond may have had a narrow escape from the tender mercies of Charles's loyalty.

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*treason was given upon him. With the manner of his execution on the 29<sup>th</sup> of the same month* (London, 1681).

<sup>169</sup>Browning (ed.), *Memoirs of Sir John Reresby*, pp 112-3.

## **CHAPTER FIVE**

### **ROYALIST RESURGENCE AND REACTION, 1681-82**

This chapter examines how Ormond's position, undermined by the Popish Plot, the Whigs in London and those disaffected to his government in Ireland, was finally re-established during 1681-82. The dissolution of the Second Exclusion Parliament was followed by a new departure in royal policy whereby Charles showed his stubbornness over the issue of exclusion by sanctioning a clear out from court and Council of all who supported it. Such alterations did not faze the Whigs, however, as Charles II's financial worries were so pressing that they believed he could not subsist much longer without a parliamentary grant. In the weeks and months before the Oxford parliament the Whigs exerted huge pressure on him to abandon his brother, by utilising what can best be described as 'populist politics'. These endeavours also extended to Ireland, and soon London was full of the most dreadful rumours and pamphlets concerning the Protestant interest there. The apparent strength of the Whigs in England and the expectation that the duke of York would inevitably be deprived of the throne and his supporters, including Ormond, removed from office encouraged many disaffected in Ireland to come out of the woodwork. As Burnet said during these times 'the scent of preferment will draw aspiring men after it'.<sup>1</sup> However, when the Oxford parliament convened, no attacks were made upon Ormond. Again this was because of a mixture of good fortune and political skills. This chapter will examine these factors in detail. In the wake of the Oxford parliament, the Whig campaign was halted and quickly supplanted by a Tory reaction both in Ireland and England. Added to this the Irish plot was discredited by infighting amongst the witnesses and many quickly turned against Shaftesbury's henchman, Hetherington, as they recognized that the political tide was fast turning against the Whigs. In light of these developments, Ormond avoided all contentious issues. He made no attempt to ascertain Oliver

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<sup>1</sup> Gilbert Burnet, *History of my own time* (6 vols, London, 1823), ii, p. 873.

Plunkett's innocence and failed to reply to libellous allegations made by Arthur Annesley, earl of Anglesey, regarding Ormond's conduct during the 1640s lest they resuscitate the dying plot or bring him once more into the political spotlight. In the long term this was a prudent policy for Plunkett's death officially brought the Popish Plot to a close because Charles II used the case of another Irishman, Edward Fitzharris, to make it clear that there would be no more pardons for treason or concealing treason. Shaftesbury's involvement with the Irish witnesses now turned out to be a double-edged weapon as the Tories manipulated them in order to destroy him and his allies. Ultimately, denied access to parliament, their main instrument of power for bringing about the change they desired, they disintegrated as a political force. Amidst this atmosphere, Ormond finally was able to exert his authority over those who had circumvented his position and powers as lord lieutenant, in concert with his enemies in London. Ormond also had the privilege of playing some part in the final *coup de grace* dealt to the Whigs when the offices of sheriff and lord mayor of London, which had sustained their assaults on the prerogatives of the crown, passed into Tory hands in the summer of 1682.

The dissolution of the Second Exclusion Parliament was followed by a new departure in crown policy. Since April 1679 Charles had endeavoured to placate moderate Whigs and as such ingratiate himself with the Commons; he now showed his stubbornness over the issue of exclusion by sanctioning a clearout of those who had voted for it. This immediately strengthened Ormond's position. The schemes of the duchess of Portsmouth were halted and what political credit she had with the Whigs was exhausted by her failure to persuade Charles to abandon his brother. Sunderland who had been a thorn in Ormond's side as Secretary of State lost his post and was, along with Essex, Sir William Temple and the earl of Salisbury, removed



from Council.<sup>2</sup> Many who were amenable to Ormond filled the vacuum. Hyde was now the dominant personality at court, and Sunderland's replacement, Conway, was no doubt grateful to Ormond for his many favours over the previous months. On 29 January Arran informed Ormond that 'he [Conway] professes the greatest kindness imaginable to your Grace [Ormond] and myself [Arran]'.<sup>3</sup> Conway also endeavoured to improve Ormond's position with others now entrusted with the running of public affairs especially his cousin Edward Seymour. He desired Arran to tell his father that 'Mr Seymour will serve you faithfully in anything that concerns you or the affairs of that kingdom if you think fit to acquaint him with them'.<sup>4</sup> Lionel Jenkins was promoted to the post of senior Secretary of State and like Sunderland's predecessor, Henry Coventry; he was a staunch ally of Ormond. Ormond immediately wrote to Jenkins to express his satisfaction 'at his remove to a station that gives him title to the despatches sent thither and to the advertisements from thence'.<sup>5</sup> Ormond received a further boost when Charles and the English Board acquiesced to Ormond's suggestion that the controversial former English Secretary of State, Sir Joseph Williamson, be sworn an Irish Privy Councillor.<sup>6</sup>

Such alterations overshadowed the fact that the real danger to Ormond lay outside court and Council which by this stage were packed with innocuous Tories and all sorts of pliable journeymen. Charles's action had effectively alienated a large segment of the political nation forcing them into the arms of the Whigs. On 12 February, Jenkins wrote to Ormond, 'the elections are generally the same that they

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<sup>2</sup> Arran to Ormond, 22 Jan. 1680, *Ormonde MSS*, v, p. 557; H. C. Foxcroft, *The life and letters of Sir George Savile, 1<sup>st</sup> Marquis of Halifax*, (2 vols, London, 1898), i, p. 278.

<sup>3</sup> John Miller, *Charles II* (London, 1991), p. 341; K. H. D. Haley, *The first earl of Shaftesbury* (London, 1968), pp 620-2; Arran to Ormond, 25 Jan. 1681, *Ormonde MSS*, v, pp 563-4; Arran to Ormond, 29 Jan. 1681, *Ormonde MSS*, v, pp 565-6.

<sup>4</sup> Arran to Ormond, 1 Feb. 1681, *Ormonde MSS*, v, p. 569; Earl of Conway to Ormond, 9 Nov. 1680, *Ormonde MSS*, v, pp 485.

<sup>5</sup> Ormond to Leoline Jenkins, 11 Feb 1681, *Cal. S. P. dom., 1680-81*, pp 162-3.

<sup>6</sup> Arran to Ormond, 22 Jan. 1681, *Ormonde MSS*, v, p. 559.

were last parliament; where they have changed 'tis for the worse'.<sup>7</sup> In light of Sir John Davys previous mistreatment, Ormond knew exactly what to expect from such a parliament and he commanded Arran to attend otherwise

whatever my lord of Shaftsbury shall say in the House [of Lords] touching Ireland upon the falsest information will pass for current truth, and hasty resolves may be made upon it such as may be of considerable prejudice to the kings service, if my reputation or continuance in this government be of any importance to it.<sup>8</sup>

To emphasise and gain support for the exclusion of James, duke of York, the Whigs made effective use of what John Miller terms 'populist tactics', the press, mass petitions and addresses of instruction to Members of Parliament from Whig counties and boroughs.<sup>9</sup> They also did not fail to neglect the potential of Ireland as a fertile breeding ground for generating anti-Catholic hysteria.

The Whig press in England was flooded with reports of unrest and invasion in Ireland, Jenkins himself heard of a report from Bristol that the French had been on the Irish coast at Youghal.<sup>10</sup> On 5 February, a certain A. Stephens wrote to her cousin, Abigail Harley, at Brampton, 'a world of news is daily cried about Ireland. Indeed they are under deadly apprehension, there being so great a party of papists.'<sup>11</sup> There were other reports of two companies drilling near Lord Clanrickarde's home and of a Catholic regiment near Cullen on the road to Limerick.<sup>12</sup> In Ireland, Ormond perceived that such stories were sent out of England 'to fill sheets of printed papers and the peoples heads with woeful apprehensions', whilst Jenkins traced the root of

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<sup>7</sup> Leoline Jenkins to Ormond, 12 Feb. 1681, *Ormonde MSS*, v, p. 579; Miller, *Charles II*, p. 343.

<sup>8</sup> Ormond to Arran, 25 Jan. 1681, *Ormonde MSS*, v, pp 559-60.

<sup>9</sup> Miller, *Charles II*, pp 342-3; Haley, *The first earl of Shaftesbury*, pp 626-7.

<sup>10</sup> Leoline Jenkins to Ormond, 5 Feb. 1681, *Cal. S. P. dom., 1680-81*, p. 155.

<sup>11</sup> [A. Stephens] to her cousin, Abigail Harley, at Brampton, 5 Feb. 1681, *H. M. C Portland MSS*, iii, p. 368.

<sup>12</sup> *Cal. S. P. dom., 1680-81*, preface. James Carroll, *A narrative of the popish plot in Ireland... discovered by me James Carroll in the year 1672. With an account of my sufferings for discovering the same* (Dublin, 1681).

the problem to the Boyle family and their adherents.<sup>13</sup> It is clear that correspondence between Orrery's grandson, Captain Henry Boyle, and Burlington got into print making it appear in London that the English in Munster were in great apprehension and desperately in want of powder.<sup>14</sup> These fractious times bred even more direct attacks on Ormond not least because of a letter recently published by Arthur Annesley, earl of Anglesey, regarding the memoirs of James Touchet, earl of Castlehaven, which concerned Ormond in so much as his religion was brought into question.<sup>15</sup> The French sympathies of many of his kin were also highlighted to his detriment, Arran informing him that 'so many of your nephews and near relations going for France at this time makes a great noise with us here'.<sup>16</sup>

By far the most scandalous pamphlet circulating around London wherein Ormond was concerned was *Ireland's sad lamentation*. Its anonymous author claimed to be a person of honour and quality representing the Protestants of Ireland who lived in a condition of the greatest trepidation whilst Ormond remained as viceroy. To testify to this, the writer put forward several remarkable passages whereupon he desired his readers to be impartial judges. He claimed that Ormond toured the country in 1677 attended mostly by Catholic gentry at the same time as the Popish Plot was being planned. In 1679, when the Catholics assaulted Sir John Totty, a Dublin magistrate who mocked their religion during the demolition of a Mass house, little notice was taken of it at Dublin Castle, 'than a sport to laugh at, how the poor

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<sup>13</sup> Ormond to Leoline Jenkins, 5 Feb. 1681, *Cal. S. P. dom., 1680-81*, p. 176; Leoline Jenkins to Ormond, 1 Mar. 1681, *Ormonde MSS*, v, pp 594-5.

<sup>14</sup> *Ibid.*, p. 176; *Ibid.*, pp 594-5.

<sup>15</sup> Arthur Annesley, earl of Anglesey, *A letter from a person of honour in the country written to the Earl of Castlehaven being observations and reflections upon his lordships memoirs concerning the wars of Ireland* (London, 1681); James Touchet, earl of Castlehaven, *The memoirs of James Lord Audley earl of Castlehaven, his engagement and carriage in the wars of Ireland, from the year 1642 to the year 1651* (London, 1680).

<sup>16</sup> Arran to Ormond, 19 Feb. 1681, *Ormonde MSS*, v, pp 586-7.

catchpole was served in his kind.’<sup>17</sup> Colonel Richard Talbot had only been apprehended because he was dining at Ormond’s table when the orders for his arrest arrived from England and when he secured his liberty upon surety, Arran was his bail. Furthermore he charged that Ormond’s profession of zeal in the wake of Titus Oates’s revelations was insincere for the militia in Dublin were unable to arrest many Catholic clergy who produced protections signed either by him or Colonel John Fitzpatrick; instead their officers were reprimanded by Ormond for displaying too much zeal.<sup>18</sup> When the earl of Tyrone was acquitted of treason by a Waterford jury in March 1679, after his accuser Hubert Burke fled the county, Ormond would not suffer any man to say in his presence ‘that there was any such thing then on foot, or lately designed, as a plot to invade this kingdom, extirpate the Protestant religion, and subvert the government thereof.’<sup>19</sup> Finally Ormond’s inclinations were also visible in Arran’s actions in London, ‘basely pledging his honour to acquit that most culpable and undeniable traitor [Stafford]’.<sup>20</sup> The author concluded by leaving readers in no doubts of Ormond’s true character and the remedy that was required,

By this you may see the tender care that hath been taken of us; what strength the Protestants can have in a conscientious war, I mean, against the papist or foreign enemies; when we can judge no less but our leader is opposite; when we cannot enjoy the presence of our dread sovereign to awe those rebels who daily combine against us. We want an Essex again [...] I must tell you again, we want an Essex, a Shaftesbury, that is to say, a good and zealous Protestant that will stand up for us in this time of eminent and scarcely-to-be avoided danger.<sup>21</sup>

These fractious times encouraged many others throughout Ireland to demonstrate their zeal for the Protestant interest. In Munster, Daniel O’Brien, Viscount Clare, had been endeavouring since December 1680 to endear himself to the

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<sup>17</sup> Anom, *Ireland's sad lamentation: some remarkable passages, which have happened since the discovery of the horrid popish plot. In a letter from a person of honour to his friend in London, upon the dissolution of the late parliament* (London, 1681) p 2; Sir Robert Southwell to Ormond, 3 May. 1679, *Ormonde MSS*, iv, pp 508-9.

<sup>18</sup> *Ibid.*, p. 2.

<sup>19</sup> *Ibid.*, p. 2.

<sup>20</sup> *Ibid.*, p. 2.

Whigs by sending letters to England accusing Arlington of stifling and punishing many like himself who were prepared to discover Catholic treasons in 1671. Ormond was perfectly aware of these intrigues, writing to Conway on 20 February 1681, 'I am persuaded he proceeds not at this time without direction out of England, from whence I conclude it is intended that some use shall be made of him and his letters in a fit conjuncture.'<sup>22</sup> On 1 March however, O'Brien caught Ormond off guard by directly importing a Whig tactic. He promoted a petition before the grand jury of Clare at the spring assizes in 1681 for parliament to sit in England. The contents of this petition were highly contentious being nothing more than a direct condemnation of the king's government in Ireland:

That whilst there is not a parliament sitting in England it cannot be expected any great discoveries can be made of the popish horrid plot, which was to destroy his majesty and all his majesty's subjects of this kingdom as well as in England; the papists having taken an opinion (how unjustly so ever it is) that they are favoured, and that what orders or proclamations are issued to suppress popery are but a matter of form not to be executed, as the world has seen hitherto, and as if magistrates were likewise of their opinion, for who will be forward to punish those he thinks are favoured or who will leave a party he believes will govern.<sup>23</sup>

The Munster circuit began with County Clare and it was O'Brien's intention to initiate similar petitions throughout the province. Towards this purpose he had copies dispersed throughout the neighbouring counties, writing to Essex at this time 'I presume all the other counties will do the like'.<sup>24</sup> This would have put Ormond in a very difficult situation, forced to choose between presenting a petition libellous to himself and the crown or rejecting it, thereby drawing the attacks of the Whigs upon him in parliament.

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<sup>21</sup> Ibid., p. 2.

<sup>22</sup> Sir Robert Walsh to Henry Gascoigne, 22 Jan. 1681, *Ormonde MSS*, v, pp 564-5; Walsh informed Gascoigne, Ormond's secretary that he had come across letters in England written by the Daniel O'Brien to Shaftesbury wherein he declared some things as being 'plottish'. Ormond to Earl of Conway, 20 Feb. 1681, *Ormonde MSS*, v, pp 587-8

<sup>23</sup> Petition of the grand Jury of Clare to lord lieutenant, 1 Mar. 1681, *Ormonde MSS*, v, pp 393-4;

<sup>24</sup> Lord Clare to the Earl of Essex, 7 Mar. 1681, *Cal. S. P. dom., 1680-81*, pp 201-2; John Roan, Bishop of Killaloe, to Primate Boyle, 10 Mar. 1681, *Ormonde MSS*, v, pp 606-8

In Ulster, John Skeffington, Viscount Massereene, returned after the dissolution of the Second Exclusion Parliament and communicated information to Ormond that prior to his return he had freely discoursed around London. This was that many Roman Catholics had lately crept into the army of Ireland, particularly those who had been recalled from French service in 1678. He advised Ormond to appoint persons in every county and garrison to make inquiry and punish those who gave grounds for suspicion. In the light of Clare's intrigues, Ormond was immediately suspicious of Massereene's proceedings and intimated to Arran:

you will judge by the copy I send you of my lord Massereene's letter to me that it is intended to proceed in aspersing the army here as if it received many papists, but I hope the time will come when general and false reflections will not take place.<sup>25</sup>

Ormond had been through such conditions before and took the requisite measures to batten down the hatches lest he go under before the oncoming tempest that was parliament. He took great care to refute Burlington's revelations because he was the main focal point between Ireland and the rumour mill in London. He sent Arran a list of what arms and ammunition had been lodged in Munster since 1679 with the following observation:

I confess I wonder how my lord Burlington thinks it in his interest to procure and spread abroad such hot and incredible alarms out of Munster, and in the meantime is so ill informed as that the English in those parts cannot furnish themselves with ammunition, for so his intimation implies, or it can signify nothing, when it is well known to his brother [Viscount Shannon] that the enclosed proportions have been at Cork above a year and a half.<sup>26</sup>

Ormond's direct correspondence with Captain Henry Boyle, the main source of Burlington's gossip proved fruitful as he backtracked and now corroborated the information sent to Arran. He reassured Ormond that

there is a report as if complaints should be sent out of this country by letters for England setting forth that the militia of this country had been

<sup>25</sup> Viscount Massereene to Ormond, 2 Feb. 1681, *Ormonde MSS*, v, p 570; Ormond to Arran, 7 Feb. 1681, *Ormonde MSS*, v, p. 573.

<sup>26</sup> Ormond to Arran, 19 Feb. 1681, *Ormonde MSS*, v, p. 586.

denied necessities for their money [...] they must be very ignorant of the condition of this country that do not know arms, etc., have been lodged at Cork for the militia to buy them at certain rates.<sup>27</sup>

Captain John Ffolliot, who had been ordered by Ormond to investigate the rampant reports of invasion and rebellion in Munster found the people there living under great apprehensions for no other reasons 'but by what they hear from England'.<sup>28</sup> The only possible way of alleviating their fears was by properly instituting the militia, but this was impossible as the Munster 'grandeess' refused to allow the Commissioners of Array to raise money fearing their intentions would be misconstrued by the Whigs in London.<sup>29</sup>

Burlington was annoyed by Ormond's counter claims and sought out Arran being 'much concerned at the report that he should have said the militia could not be furnished with powder and arms'.<sup>30</sup> The respite, however, was only temporary for Burlington, like all the Boyles residing in London, was also in a difficult position, in constant receipt of letters from relatives and supporters in Munster which completely contradicted what Arran and the rest of Ormond's other supporters professed. On 12 March 1681 more alarming news from Munster shook London, the Irish rebellion had started, the castle of Dunmanway had been taken by force and the Irish were gathering in a great body.<sup>31</sup> There was very little that Ormond could do but refute these reports which like previous ones would once again be used during another period of anti-Catholicism. He did encourage Jenkins to take action against the libellers and rumour mongers commenting in regard to one such rumour, 'if possible,

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<sup>27</sup> Captain Henry Boyle to Ormond, 1 Mar. 1681, *Ormonde MSS*, v, pp 595-6.

<sup>28</sup> Ormond to Arran, 12 Mar. 1681, *Ormonde MSS*, v, pp 608-9; Captain Henry Boyle to Primate Boyle, 8 Mar. 1681, *Ormonde MSS*, v, p. 600; Capt. Jo. Ffolliott to Ormond, 6 Mar. 1681, *Ormonde MSS*, v, pp 601-2.

<sup>29</sup> *Ibid.*, pp 601-2; Francis Gwyn 12 Feb. 1681, *Ormonde MSS*, pp 579-80; The raising of money with intent to levy war was later to be deemed in the case of Oliver Plunkett an overt act of treason within the Statute of Edward the third; Henry Boyle himself informed Ormond on 1 March that the Commissioners of Array had met on many occasions to decide whether they needed an Act of Parliament before they could levy money to improve the militia..

<sup>30</sup> Arran to Ormond, 22 Mar. 1681, *Ormonde MSS*, v, pp 616-7.

it were good the writer of that letter from whence were known or the forger of it on that side'.<sup>32</sup> Ormond would also have been consoled by Arran's patronage and intrigues among many of London's popular news-book printers:

if you [Ormond] have a mind at any time to have any letter put out here in print relating to Ireland or yourself I [Arran] can get it put into one of those news books by the favour of an active justice of the peace here who is very much your friend; but he has a handsome youth for a son, which son he expects some employment for in Ireland.<sup>33</sup>

Ormond was determined not to be found wanting by various recalcitrant lords in Ireland. He was livid with Massereene's interference in his affairs especially as his advice, when joined with other factors, pointed to ulterior motives. He informed him on 5 February that his advice would have been more useful if he had named his source and likewise instanced some Catholic soldiers and officers who had lately been accepted into the army, otherwise he would not have communicated such a report but looked upon it as a slander cast against the army and his government. Ormond pointed out to Massereene that his government had encouraged the discovery of disaffected religious in the civil and military establishment through various mechanisms such as proclamations, specific orders to the Commissioners of Muster and most importantly the administering of the Oath of Supremacy and the sacrament according to the Anglican rite. Ormond later wrote to Arran that he had contemplated questioning Massereene's position in relation to the last two as he was a well known Presbyterian, stating 'if they [Catholics] take them and frequent church service it is more than my Lord Massereene's neighbours, pastors or family do'.<sup>34</sup> He decided against this, as 'recrimination is seldom a convincing defence'. At the same time, he suggested to

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<sup>31</sup> Arran to Ormond, 12 Mar. 1681, *Ormonde MSS*, v, p. 609.

<sup>32</sup> Ormond to Lionel Jenkins, 7 Feb. 1680, *Cal. S. P. dom.*, 1679-80, p. 176.

<sup>33</sup> Arran to Ormond, 7 Feb. 1681, *Ormonde MSS*, v, pp 573-4.

<sup>34</sup> Ormond to Arran, 7 Feb. 1681, *Ormonde MSS*, v, p. 573.



Arran 'if the matter of his letter shall be spread there, possibly my return ought to counter it in as many places as may be.'<sup>35</sup>

Ormond's decision to forestall aggressive action against Massereene was extremely prudent as after further correspondence it became clear that Massereene had no wicked designs. Ormond took steps to appease him by removing the soldier in question and impressing upon Massereene his duty as an Irish Privy Councillor by making the militia in his area ready and accepting none that had not taken the requisite oaths, though Ormond knew the majority of officers would more than likely be Presbyterians. He informed Massereene that he would have his work cut out for him for if 'Jesuits can get into pulpits in meeting houses and conventicles [...] it may be as easy for popish lay soldiers to get into armies if great care be not taken to prevent it'.<sup>36</sup> At the same time, Ormond privately believed that Massereene had highlighted an embarrassing problem that could very well be used against him in the upcoming parliament. On 1 March 1681, he informed Arran that after a preliminary investigation it had been found that many of the foot soldiers in the Irish army had Catholic wives. Ormond defended himself by stating that the problem was not unique to his tenure as viceroy, a statement which contradicted the original purpose of a preliminary investigation if he was already aware of these discrepancies in the army.<sup>37</sup> During March Ormond set to work on reinforcing his position in regard to this defect, which he had hitherto ignored lest it be used against him in parliament by having an account prepared of the numbers of soldiers throughout Ireland with Catholic wives. On 8 March, Captain Thomas Bridges, captain of a foot company in the county of Antrim, was cashiered out of the army for swindling his men out of large sums of money and forging certificates that many of them had received the sacrament

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<sup>35</sup> Ormond to Viscount Massereene, 5 Feb. 1681, *Ormonde MSS*, v, pp 571-2; *Ibid.*, p. 573.

<sup>36</sup> Ormond to Viscount Massereene, 15 Feb. 1681, *Ormonde MSS*, v, pp 583-4.

according to the 'discipline of the Church of Ireland'.<sup>38</sup> Furthermore on 23 March, Ormond issued new orders to the Muster Master-General of the Irish army whereby the sixty-fifth article of the laws and ordinances of war dealing with the exclusion of disaffected from the military was altered and improved to meet its purpose.<sup>39</sup>

On the other hand, Ormond had concrete proof of Viscount Clare's waywardness as several of his letters to Shaftesbury had been intercepted in January 1681. Therefore even before he presented the County Clare petition, steps had been taken to undermine O'Brien's reputation. In his letters, Ormond depicted O'Brien as a desperate and opportunistic individual 'prepared for any change that he hopes to mend his condition by'.<sup>40</sup> This was why he was masquerading as a zealous Protestant, whereas Ormond was painfully aware of his true character stating to Arran;

that since he became a Protestant he made his wife a papist and left her in a nunnery in France, that he had been in Spain and there went to mass, that his son is or was a page to the French king, with whom he treated with when he was in the Prince of Orange's service, and shamed me [Ormond] that recommended him.<sup>41</sup>

Despite this attention, Ormond was taken aback and shaken at the news of O'Brien's petition. 'The petitions are not so come to me as that I need to take any notice of them, but when they do I shall not know what to say to them.'<sup>42</sup> This indecision was clearly induced by the times as Ormond stated that he knew 'what should be said and done but cannot judge the season'.<sup>43</sup> Ormond therefore took steps to insulate himself with the safeguard of the king's directions, desiring Conway 'how to carry myself upon so surprising an occasion I am to seek'.<sup>44</sup> Arran was also commanded to impart

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<sup>37</sup> Ormond to Arran, 1 March. 1681, *Ormonde MSS*, v, pp 592-3.

<sup>38</sup> Sir William King to William Ellis, 15 Mar. 1681, *Ormonde MSS*, v, p. 613; Sentence of Court Marshal upon Captain Thomas Bridges, 8 Mar. 1681, *Ormonde MSS*, v, pp 604-5.

<sup>39</sup> Lord Lieutenant to the Muster Master-General, 23 Mar. 1681, *Ormonde MSS*, v, p. 221.

<sup>40</sup> Ormond to Earl of Conway, 20 Feb. 1681, *Ormonde MSS*, vi, pp 587-8.

<sup>41</sup> Ormond to Earl of Conway, 19 Feb. 1681, *Ormonde MSS*, v, p. 586; Ormond to Arran, 11 Feb. 1681, *Ormonde MSS*, v, pp 576-8.

<sup>42</sup> Ormond to Arran, 12 Mar. 1681, *Ormonde MSS*, v, pp 608-9.

<sup>43</sup> *Ibid.*, pp 608-9.

<sup>44</sup> Ormond to Earl of Conway, 12 Mar. 1681, *Ormonde MSS*, v, pp 609-10.

all the information he possessed regarding Daniel O'Brien to Conway, and over the following days Ormond added more incriminating evidence to the list. He informed Conway on 14 March that the real purpose of O'Brien's petition was to divide Protestants to the advantage of Catholics as he had good reason to suspect him of holding correspondence with Bishop John Maloney of Limerick who had been implicated in the plot by Maurice Fitzgerald and other witnesses from Munster.<sup>45</sup>

Ormond was saved from the agony of this position by factors over which he had no direct control. The judge who had received the address, Chief Baron Hene, kept it till the Munster assizes were concluded, by which time the Oxford parliament had been dissolved.<sup>46</sup> In County Clare, various figures reasserted their authority over its jury and, although they could not force a retraction of the first petition, they had a second short and more dutiful petition drawn up and endorsed. The other counties of Munster did not follow the example of county Clare. O'Brien put it down to the actions of Protestants like Donough O'Brien and Mr. Turner, the Recorder of Limerick, who along with John Roan, bishop of Killaloe, the archbishop of Tuam, Lord Chief Justice Sir William Davys, and others frightened the jury by telling them it was unlawful for them to petition. The danger had fizzled out as quickly as it arose. At the same time, Charles had acted decisively in supporting his lord lieutenant, commanding on 22 March that Daniel O'Brien 'be put out of the Commission of the Peace and out of the militia, and out of all other employments whatsoever, by order of the Council Board in Ireland'.<sup>47</sup>

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<sup>45</sup> *Ibid.*, pp 608-9; John Roan, Bishop of Killaloe, to Primate Boyle, 10 Mar. 1681, *Ormonde MSS*, v, pp 606-8; Ormond to Earl of Conway, 14 Mar. 1681, *Ormonde MSS*, v, pp 611-12.

<sup>46</sup> Ormond to Earl of Conway, 12 Mar. 1681, *Ormonde MSS*, v, pp 609-10

<sup>47</sup> Lord Clare to the Earl of Essex, 7 Mar. 1681, *Cal. S. P. dom., 1680-81*, pp 201-2; John Roan, Bishop of Killaloe to Primate Boyle, 10 Mar. 1680, *Ormonde MSS*, v, pp 606-7; Earl of Conway to Ormond, 25 Mar. 1681, *Ormonde MSS*, v, pp 1-2.

When the Oxford parliament met at the end of March, no attacks materialised against Ormond. To discover the reason for this, his position in relation to the Irish plot at the beginning of 1681 needs to be examined. By the end of the Second Exclusion Parliament many of the Irish witnesses had become discredited by their incompetence, and infighting amongst them soon escalated into a bitter quarrel between David Fitzgerald and William Hetherington.<sup>48</sup> On 4 February 1681, matters came to a head when Hetherington presented ten articles of misdemeanour to the English Board against Fitzgerald accusing him of stifling the witnesses against the queen, Ormond and Davys in return for £100 from Ormond, £500 from the king, a commission to be a captain and a grant of the commons of Rathkeale and Knock-Greary in the county of Limerick.<sup>49</sup> In an attempt to substantiate these claims Hetherington instanced Fitzgerald's failure to accuse Colonel John Fitzpatrick and others of being concerned in the plot before the Lords on 6 November and later in his printed narrative though he had previously submitted evidence to this effect before the Committee of the Lords examining the plot.<sup>50</sup>

From the onset of this dispute in January, Arran and Jenkins had actively supported Fitzgerald against Shaftesbury's henchman, Hetherington. On 15 January 1681, Arran informed Ormond,

Hetherington and David Fitzgerald are at open wars before the board, and I take part as much as I do appear with the latter, whom I am sorry has not all the proofs against that fellow he might be furnished with on that side.<sup>51</sup>

<sup>48</sup> Arran to Ormond, 28 Dec. 1680, *Ormonde MSS*, pp 537-8; Sir John Davys to Ormond, 8 Jan. 1680, *Ormonde MSS*, v, pp 546-7; Sir Francis Gwyn to Ormond, 29 Jan. 1681, *Ormonde MSS*, v, pp 566-7. Fitzgerald was certainly an ardent champion of Ormond's cause for he was involved in several fracas with Oates, Ingoldsby and others on his behalf; newsletter to Roger Gastrell, Newcastle, 29 Jan. 1681, *Cal. S. P. dom., 1680-81*, pp 150-1.

<sup>49</sup> Anon, *A true and brief account of the proceedings between Mr. David Fitzgerald and William Hetherington before his majesty in council, on Friday the 11<sup>th</sup> of February 1681* (London, 1681), pp 4-5.

<sup>50</sup> *Ibid.*, pp 4-5.

<sup>51</sup> Arran to Ormond, 15 Jan. 1680, *Ormonde MSS*, v, pp 551-3.

Ormond took the hint and on 11 February 1681, the day appointed by Council for Fitzgerald to respond to the charges lodged against him, Fitzgerald produced six articles framed by a lawyer who was well informed of his accuser's disreputable life and exploits. These articles along with the witnesses who accompanied Fitzgerald proved sufficient to expose Hetherington before the Council.<sup>52</sup> It was established that he had pocketed large sums of money collected around London for distribution amongst the Irish witnesses. Also he had endeavoured to suborn witnesses and Tories like Redmond O' Hanlon to swear that the queen, duke of York, Ormond and Michael Boyle were 'all privy to and principally concerned in the plots in England and Ireland'.<sup>53</sup> These proceedings encouraged many witnesses to abandon the self-styled 'manager of the Irish evidence'. Many did not need much persuasion as the Whigs had inadequate resources to maintain them all and Justice Edmund Warcup, the examining magistrate in most of their cases was now in the pay of the crown.<sup>54</sup> On 12 February, when a London Grand Jury including Sir William Waller found a bill of high treason against Sir John Davys, the Whigs were unable to prevail upon any witnesses to swear against Ormond. Instead on 26 February Sir Francis Gywn informed him that

John Moyer, [Hugh] Duffy, and [Paul] Gormly came to the Council to accuse Hetherington of endeavouring to persuade them and others to swear against the queen, the duke and your grace [...] his majesty and the board inclining after the full hearing the matter to order Mr. Attorney General to prosecute Hetherington upon the said informations.<sup>55</sup>

The Irish witnesses were now a political liability for Shaftesbury and his allies, and as such they refused to bring them upon the stage in Oxford lest they be used against

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<sup>52</sup> John Brady, 'Oliver Plunkett and the popish plot' in *I. E. R.*, 5<sup>th</sup> ser, ixxxix (Jan-Jun 1958): xc (Jul-Dec 1958), p. 342.

<sup>53</sup> Anon, *A true and brief account of the proceedings between Mr. David Fitzgerald and William Hetherington before his majesty in council, on Friday the 11<sup>th</sup> of February 1681*, p. 12.

<sup>54</sup> Arran to Ormond, 5 Feb. 1681, *Ormonde MSS*, v, pp 572-3; Arran informed Ormond 'Justice Warcup has very friendly given me the copies of the examinations he has taken of the witnesses brought over by Owen Murphy'; Haley, *The first earl of Shaftesbury*, pp 642-4. Ronald Hutton, *Charles the Second, king of England, Scotland and Ireland* (Oxford, 1989), pp 406-7.

<sup>55</sup> Arran to Ormond, 15 Feb. 1681, *Ormonde MSS*, v, pp 581-2; Newsletter to Roger Garstell, Newcastle, 15 Feb. 1681, *Cal. S. P. dom., 1680-81*, pp 169-70.

them. Besides they had already found another mechanism to whip up anti-Catholic hysteria, in the person Edward Fitzharris.<sup>56</sup>

Fitzharris was an Irish Catholic employed by many about the English court as an informer. He was also on personal terms with Arran.<sup>57</sup> At the end of February 1681 he was caught like Thomas Dangerfield attempting to incriminate several Whigs by planting a treasonous pamphlet called *the true Englishman speaking plain English, in a Letter from a friend to a friend*.<sup>58</sup> In an effort to save his own neck Fitzharris now claimed that he could make great discoveries of the plot. Charles refused to pardon him, lodging him instead in the Tower of London until he could be tried for treason.<sup>59</sup> The Whigs were determined to bring his fresh revelations before parliament by impeaching him once it met. They now believed that the rejuvenated plot in conjunction with Charles II's financial worries would eventually force him to abandon his brother. However the Whigs were grievously mistaken. By 19 March 1681 Charles had no need for parliament because he had signed a secret treaty with Louis XIV granting three million French livres over three years on the condition that Charles would summon parliament no more.<sup>60</sup> On 28 March the Oxford parliament, or what is now called the Third Exclusion Parliament, was dissolved before a fresh exclusion bill could originate in the lower house, but not before a bill impeaching Fitzharris was

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<sup>56</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, p 400.

<sup>57</sup> *Ibid.*, pp 400-1; Arran to Ormond, 4 Jun. 1681, *Ormonde MSS*, vi, p. 74; Arran to Ormond, 5 Mar. 1681, *Ormonde MSS*, vi, pp 598-9; Warrant for apprehending with his papers, Edward Fitzharris, 26 Feb. 1681, *Cal. S. P. dom.*, 1680-81, p. 184.

<sup>58</sup> Edward Fitzharris, *Treason in graine that most traitorous, or libel of Fitzharris, whereby he designed to raise a rebellion amongst us the better to make way for a French invasion, and our utter destruction, as it was read in both Houses of Parliament at Oxford, and upon which the House of Commons impeached him of high treason. Falsely and maliciously called by him, the true English-man speaking plain English, in a letter from a friend to a friend* (London, 1682).

<sup>59</sup> Miller, *Charles II*, pp 343-4; Haley, *The first earl of Shaftesbury*, 629-31.

<sup>60</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, pp 338-9; Miller, *Charles II*, pp 342-3; Haley, *The first earl of Shaftesbury*, p. 622; John Kenyon, *Stuart England* (London, 1978), pp 233-4.

unceremoniously thrown out of the Lords.<sup>61</sup> On 8 April, Charles undermined the already demoralised Whigs by attempting to entice those wavering amongst their ranks to gravitate towards his standard. He issued a proclamation stating that although the last three parliaments had been dissolved for 'undutiful behaviour', nothing could alter his affection for the Protestant religion as established by law nor his love of parliaments.<sup>62</sup>

In Ireland despite the numerous scares and his own apprehensions in the months leading up to the Oxford parliament, Ormond's position in Ireland in regard to the plot had consolidated as the reaction set in. Many Protestants were repulsed by the insolent outrages of rogue discoverers like Geoghegan who had beaten, plundered and imprisoned with unlicensed abandon. The discoverers who followed him were no better. In Ormond's own opinion they 'give more discredit than confirmation to the plot'.<sup>63</sup> Ormond sought to perpetuate this view, instancing to Arran a notorious Tory named 'Henaghan', who even the zealous plot hunter Orrery had sought to imprison. Regarding his story he sarcastically informed Arran that 'he has put his tale as well together as any in this country'.<sup>64</sup> In Munster, Viscount Shannon viewed his tale with scepticism, the accused 'Dermot Donsworth' being 'a man of good means and reputation among the English where he lives.'<sup>65</sup> Indeed from Shannon's reply we can ascertain the disdain and contempt with which the plot was now viewed. He informed Ormond of what petty vindictiveness really underlay many allegations involving the plot 'for indeed swearing treason against men is now grown so common that many say

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<sup>61</sup> Richard, L. Greaves, *Secrets of the kingdom: British radicals from the popish plot to the revolution* (Stanford, 1997), pp 22-3.

<sup>62</sup> This is paraphrased from Burnet, *History of my own time*, ii, p. 871.

<sup>63</sup> Ormond to Arran, 29 Dec. 1680, *Ormond MSS*, v, pp 538-40; Ormond to the Earl of Arran, 25 Jan. 1681, *Ormonde MSS*, v, pp 559-60.

<sup>64</sup> *Ibid.*, pp 559-60.

<sup>65</sup> Ormond to Arran, 12 Mar. 1681, *Ormonde MSS*, v, pp 608-9.

they dare hardly ask for their debts, or distain for their rents, for fear of being sworn into the plot.’<sup>66</sup>

Scepticism of the plot and reaction against the Whigs manifested itself in other ways. In Munster, Daniel O’Brien’s aspirations for a petition had met widespread opposition and were rebuffed by local notables. On 4 May 1681, Richard Ryves, the Recorder of Dublin, informed Ormond of the desire of its citizens to make an address to Charles II thanking him for his ‘gracious declaration’ upon the dissolution of the Oxford parliament.<sup>67</sup> On 14 May, the corporation of Dublin declared the pamphlet *Ireland’s sad lamentation* to be ‘unchristian, false and scandalous’.<sup>68</sup> Ormond’s proceedings in regard to the plot were fully endorsed; furthermore they acknowledged Charles II’s wisdom in appointing him as lord lieutenant because under his government ‘they have enjoyed freedom of trade and commerce, the benefit of the laws and quiet enjoyment of their estates and fortunes.’<sup>69</sup> By far the greatest encouragement which Ormond received at this time was a letter privately sent over by Charles on the person of Fitzpatrick. In it, Charles refuted court gossip by emphasising how important it was to the royal interest that Ormond remained in Ireland as viceroy,

The impertinent and groundless report being now revived again of your being recalled, is the pure invention of your enemies and mine; there never having been the least occasion given for such a report. For I assure you I value your services there too much to think of any alteration. The bearer Fitzpatrick, will tell you more at large, and give you a good

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<sup>66</sup> Ormond to Arran, 29 Dec. 1680, *Ormond MSS*, v, pp 538-40; Ormond to the Earl of Arran, 25 Jan. 1681, *Ormonde MSS*, v, pp 559-60; *Ibid.*, pp 3-4; Ormond to Secretary Jenkins, 31 Mar. 1680, *Cal. S. P. dom.*, 1680-81, pp 226-7.

<sup>67</sup> Kilkenny Borough Council Archive: The White Book of Kilkenny Corporation 1656-88, fols 70v, 71, 119; it must be highlighted of course that this request on behalf of Dublin Corporation was being made by one of Ormond’s creatures. In a letter written from Clarendon House dated 20<sup>th</sup> of June 1671 Ormond recommended to the mayor, aldermen and common council of Kilkenny that they appoint Richard Ryves as Recorder of the said city. This was a post which he was to retain until the 6<sup>th</sup> of May 1680 when Ormond almost certainly had him appointed to the same position in Dublin. In 1690 Ryves became lord chancellor of Ireland.

<sup>68</sup> Act of the lord mayor and corporation of Dublin, 14 May. 1681, *Cal. S. P. dom.*, 1680-81, p. 281.

<sup>69</sup> Ormond to Arran, 4 May. 1681, *Ormonde MSS*, vi, pp 57-8; Act of the lord mayor and corporation of Dublin, 14 May. 1681, *Cal. S. P. dom.*, 1680-81, p. 281.



account how all are here. And therefore I will say no more, only to assure you that you may be so much assured of my kindness to you, as I am of yours; which is all I can say. Charles Rex.<sup>70</sup>

It is in the light of these developments that we can best understand Ormond's actions in the months before and after the Oxford parliament. He exerted a great deal of prudence allowing matters to take their natural course and refusing to be drawn on contentious issues. He ordered Ryves not to bring up the issue of a loyal address without his consent because as he later pointed out to Arran 'it cannot be expected but that some opposition will be given to it, and the number of the disaffected may be found to be greater than, whilst there is no discrimination, they are supposed to be.'<sup>71</sup> Arran agreed with Ormond's decision for there were many 'notable knaves' amongst the citizens of Dublin willing to emulate the Whigs in England by promoting counter petitions demanding that parliament should meet.<sup>72</sup> Ormond first wanted to see how they would react to a Conventicle house set up near the Irish Council chamber by William Jacque, a Scottish Presbyterian minister who had been arrested for complicity in Blood's plot in 1663.<sup>73</sup>

Ormond was equally cautious in regard to the revelations of the earl of Anglesey his former partner in the government of Ireland in the 1660s. The crux of their dispute revolved around the heated events of the 1640s and '50s. The Popish Plot and the Exclusion Crisis had accentuated the tensions and divisions within the polity inherited by Charles II at the Restoration to such a degree that by the 1680s

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<sup>70</sup> Thomas Carte, *An history of the life of James duke of Ormonde from his birth to his death in 1688*, (3 vols, London, 1736), appendix I, letter xxii. *Ormonde MSS*, vi, preface ii.

<sup>71</sup> Ormond to Arran, 4 May. 1681, *Ormonde MSS*, vi, pp 57-8.

<sup>72</sup> Arran to Ormond, 14 May. 1681, *Ormonde MSS*, vi, p. 62; Haley, *The first of earl of Shaftesbury*, pp 638-42; Miller, *Charles II*, p. 355.

<sup>73</sup> Richard L. Greaves, *God's other children: Protestant nonconformists and the emergence of denominational churches in Ireland, 1660-1700* (Stanford, 1997), pp 120-1; Phil Kilroy, *Protestant dissent and controversy in Ireland, 1660-1714* (Cork, 1994), pp 119-23; J. R. Hill, 'Dublin corporation, Protestant dissent, and politics, 1660-1800' in Kevin Herlihy (ed.), *The politics of Irish dissent* (Dublin, 1997), p. 31; Hill asserts that the partisan support which the Whigs received in the city of London during the exclusion crisis was not mimicked by the Corporation of Dublin largely because of the management skills of the adroit duke of Ormond.

many contemporaries could not but see parallels with the British civil wars. This view is reinforced by the popularity of histories of this fractious period for instance Sir John Temple's *The Irish rebellion*. What however prompted Anglesey as a member of the English Council to also regurgitate such a contentious subject in public? The Popish Plot had occasioned trouble for Anglesey as it was generally known in Ireland that he had reputation of being sympathetic to papists because two of his daughters were married to Catholics. One son-in-law was the earl of Tyrone, accused by Burke and MacNamara.<sup>74</sup> Pressure increased when he protested at the Second Exclusion Parliament agreeing to a bill that would have prevented Catholics from inheriting land and practicing 'law, physic, or any trade'.<sup>75</sup> He was subjected to savage abuse by the Lords and forced to sit down, whilst on 26 October 1680, Dangerfield alleged before the Commons that Anglesey was also privy to the 'Meal Tub Plot'.<sup>76</sup> On 6 November, Burke, MacNamara and Sampson swore 'bloodily' against him especially MacNamara who revealed before the Lords that Anglesey had written two letters to the earl of Tyrone from the duke of York, 'encouraging him to go on vigorously with the matter in hand', and that his credit was so great among Irish Catholics 'that they prayed for him at Mass'.<sup>77</sup>

Anglesey now sought to save himself by proving his zeal for the Protestant religion. On 15 November 1680, he voted in favour of the exclusion of James from the throne, whilst in Ireland his relatives were busily working in conjunction with Henry Jones to reinvigorate the plot. On 9 December, Francis Annesley told

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<sup>74</sup>Michael Perceval-Maxwell, 'The Anglesey-Ormond-Castlehaven dispute' in Vincent P. Carey and Ute Lotz-Heuman (ed.), *Taking Sides: colonial and confessional mentalities in early modern Ireland: essays in honour of Karl S. Bottigheimer* (Dublin, 2003), p. 216; *Journals of the House of Lords*, viii, pp 650-2.

<sup>75</sup>--- to Lord Lanesborough, 23 Oct. 1680, *Ormonde MSS*, v, p. 456; Earl of Longford to Ormond, 26 Oct. 1680, *Ormonde MSS*, v, pp 461-2; Earl of Longford to Ormond, 6 Nov. 1680, *Ormonde MSS*, v, pp 479-81.

<sup>76</sup>*Ibid.*, p. 456; *Ibid.*, pp 461-2; *Ibid.*, pp 479-81.

<sup>77</sup>*Ibid.*, p. 456; *Ibid.*, pp 461-2; *Ibid.*, pp 479-81.

Katherine O’Hanlon that if her son Redmond became a discoverer of the Irish plot ‘I also will improve my interest with the earl of Anglesey and other friends there for their advantage.’<sup>78</sup> It has also been argued by Michael Perceval-Maxwell that Anglesey persuaded the earl of Castlehaven, a Catholic royalist with whom he had frequently corresponded regarding the 1640s, to write his memoirs so that he could denounce them, and as such demonstrate his zeal for the Protestant religion.<sup>79</sup> In this letter Anglesey not only attacked Castlehaven but also sought to ingratiate himself with the Whigs by providing them with ammunition to rail against the duke of York’s key ally, Ormond.<sup>80</sup>

Anglesey attacked the image that Ormond had cultivated of his actions during the 1640s, of being a staunch defender of the Protestant religion and a loyal servant to the crown. He claimed that by negotiating the cessation of September 1643 and the two peace treaties of 1646 and 1649, Ormond had strengthened the Confederates. With peace the Irish did the English more hurt ‘than ever they did or could do by open force after the first massacre’, as the rebels had been wasting their stores upon unprofitable, fruitless marches before Ormond’s intervention.<sup>81</sup> They were saved, Anglesey was convinced, because Ormond ‘being related to so many of them by blood and alliance’ had ‘compassionately designed’ the cessation and the peace treaties ‘with a great deal of hardship and damage to the English.’<sup>82</sup> Anglesey further charged that the peaces and cessations were against the law and several acts of parliament in both kingdoms, and also against the wishes of Protestants at the time:

it is not then to be wondered at, that the chief and most of the English nobility in Ireland, and the generality of English, Scotch and Irish

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<sup>78</sup> Francis Annesley to Mrs Katherine O’Hanlon, 9 Dec. 1680, *Ormond MSS*, v, p. 536.

<sup>79</sup> Perceval-Maxwell, ‘The Anglesey-Ormond-Castlehaven dispute’, pp 215-6.

<sup>80</sup> *Ibid.*, p. 216.

<sup>81</sup> Arthur Annesley, earl of Anglesey, *A letter from a person of honour in the country written to the earl of Castlehaven being observations and reflections upon his lordships memoirs concerning the wars of Ireland* (London, 1681), pp 61-64.

<sup>82</sup> *Ibid.*, p. 66.

Protestants of all qualities and degrees, sooner or later, opposed both the cessations and the peaces, as destructive to them, and derogatory to the crown.<sup>83</sup>

Anglesey also insinuated that Ormond had deserted his Old English allies at the Restoration by helping himself to vast swathes of their land confiscated during the 1650s.<sup>84</sup> Finally, not content at besmirching Ormond's name and his actions in that letter, Anglesey invited Castlehaven to respond further to several queries, one of which questioned Ormond's loyalty to the Protestant religion

One passage in your lordships memoirs I cannot but take notice of, for your honour, as an Englishman, that when the marquis of Ormond in his extremity, between the Nuncio party and the parliament of England, asked your lordship with which of his enemies he should treat. You answered that you were confident he had resolved that before, there being no question in the case; when it was no question with your lordship, I wonder how it came to be one with his lordship.<sup>85</sup>

On 19 February, Ormond received copies from Arran of Anglesey's observations. He misinterpreted the words of Arran's letter: 'upon the discourse I had with the secretaries before his majesty, your grace will, I hope, make some observations upon what my lord Anglesey has writ in answer to my lord Castlehaven's memoirs', as meaning Charles II desired a response.<sup>86</sup> However two weeks later, Ormond was still procrastinating stating to Arran that if Charles II desired his letter to be answered, 'it cannot be made so soon nor so short as may be thought, for I [Ormond] had rather say nothing to it than not enough to stop his [Anglesey's] mouth.'<sup>87</sup> Ormond had good reason for such behaviour as it was written from London that 'the lords of the Cabal [Shaftesbury and his followers] say this letter [...] must either do your [Ormond] work or his [Anglesey]'.<sup>88</sup> On 8 March, Arran clarified to

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<sup>83</sup> Ibid., p. 65.

<sup>84</sup> Ibid., pp 66-7.

<sup>85</sup> Ibid., pp 68-9.

<sup>86</sup> Arran to Ormond, 12 Feb. 1681, *Ormonde MSS*, v, pp 580-1; Arran to Ormond, 15 Feb. 1681, *Ormonde MSS*, v, p. 582.

<sup>87</sup> Ormond to Arran, 1 Mar. 1680, *Ormonde MSS*, v, pp 592-3; Perceval-Maxwell, 'The Anglesey-Ormond-Castlehaven dispute', p. 216.

<sup>88</sup> Ormond to Arran, 19 Feb. 1681, *Ormonde MSS*, v, p. 586; Arran to Ormond, 5 Mar. 1681, *Ormonde MSS*, v, pp 598-9.

Ormond that Charles II had not read Anglesey's letter.<sup>89</sup> Unaware of this Ormond was already at work having a narrative prepared fearing that Anglesey's letter would be used against him in parliament.<sup>90</sup> We can ascertain what Ormond intended to say from the contents of a list of 'Queries', which, though undated, were almost certainly drawn up in 1681. The most noteworthy of these was that Anglesey had been a member of the Long Parliament until 1648 and had also sworn the 'Solemn League and Covenant', which was against both 'the government and religion established in England by law' and that the Protestants who fought under Ormond's commission from the year 1646 to the year 1648, and from 1648 to 1650 'were equal in number with those who with arms opposed him in those times and would not acknowledge the king's authority.'<sup>91</sup>

By 31 March, it is clear that Ormond had received Arran's letter of 8 March, for he responded to his son that though his answer was 'near finished', it would not be sent over to be made use of during parliament 'unless it prove longer than it is thought it will.'<sup>92</sup> His hesitation was fitting, for three days earlier Charles had surprised parliament by dissolving it just as a new exclusion bill was prepared in the Commons. In the weeks and months after the final exclusion parliament, Ormond's position in relation to the plot continued to improve. He therefore refused to transmit his answers to Anglesey's observations lest it revive the dying plot and occasion mischief for himself. Instead Ormond desired Arran to get in touch with Laurence Hyde about papers he had formerly lent to his father Edward, stating 'my lord of Anglesey's book

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<sup>89</sup> Arran to Ormond, 8 Mar. 1681, *Ormonde MSS*, v, pp 602-3.

<sup>90</sup> Ormond to Capt George Mathew, 5 Mar. 1681, *Ormonde MSS*, v, p. 599; Ormond to Arran, 12 Mar. 1681, *Ormonde MSS*, v, pp 608-9.

<sup>91</sup> Quaeres, undated, *Ormonde MSS*, v, pp 610-11; Perceval-Maxwell, 'The Anglesey-Ormond-Castlehaven dispute', p. 217-8; According to Perceval-Maxwell, Ormond was mistaken in his assertion that Anglesey had been a member of the long parliament.

<sup>92</sup> Ormond to Arran, 31 Mar. 1681, *Ormonde MSS*, vi, pp 23-4.

gave me occasion to look into the transactions of those times, of which I may perhaps find cause to give some account as far as my share comes to.’<sup>93</sup>

Ormond was as cagey in his dealings with the Irish witnesses. On 10 May 1681, Arran informed him that (according to Sir James Butler) Edmund Murphy and other witnesses against Oliver Plunkett were prepared to confess who had set them up to swear against Ormond. Ormond knew that most of the designs against him had already been proven before Council and therefore he advised Sir James Butler, ‘if it can be driven no further than Hetherington or such infamous rascals as they are here known to be, I am in doubt whether the prosecution be worth the pains.’<sup>94</sup> Ormond likewise made no attempt to intercede on behalf of Oliver Plunkett whom he knew to be innocent apart from granting several passes for safe ‘egress and regress’ to witnesses going to England on his behalf.<sup>95</sup> Instead it served Ormond well that Plunkett be executed, because his death would effectively signal the end of the Popish Plot in Ireland. All the witnesses except Oates and Dugdale would then be deprived of pensions and Charles had made it perfectly clear, in the case of Fitzharris that no more pardons would be granted for treason or knowledge of treason.<sup>96</sup> On 1 July 1681 Plunkett and Fitzharris went to the gallows together, and according to Arran, the former died with ‘great resolution’ whilst the latter ‘very pitifully’.<sup>97</sup> If Plunkett was the last victim of the Popish Plot, Fitzharris had the unwanted privilege of being the

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<sup>93</sup> Ormond to Arran, 13 Apr. 1681, *Ormonde MSS*, vi, pp 33-4.

<sup>94</sup> Arran to Ormond, 10 May. 1681, *Ormonde MSS*, vi, pp 60-1; Ormond to Arran, 18 May. 1681, *Ormonde MSS*, vi, p. 65; Ormond to Sir James Butler, 28 May. 1681, *Ormonde MSS*, vi, p. 71.

<sup>95</sup> The lord lieutenant and Council to Leoline Jenkins, 10 Jun. 1681, *Cal. S. P. dom., 1680-81*, pp 313-4.

<sup>96</sup> Arran to Ormond, 10 Apr. 1680, *Ormonde MSS*, vi, p. 36; Haley, *The first earl of Shaftesbury*, p. 631.

<sup>97</sup> Arran to Ormond, 2 Jul. 1681, *Ormonde MSS*, vi, p. 89; Miller, *Charles II*, p. 358; Oliver Plunkett, *The last speech of Mr. Oliver Plunkett, Titular Primate of Ireland, who was executed at Tyburn, on Friday the 1<sup>st</sup>. of this instant July, 1681* (Edinburgh, 1681). Edward Fitzharris, *The confession of Edward Fitzharris, Esq. Written with his own hand, and delivered to Dr Hawkins, minister of the Tower, July 1, 1681, being the day of his execution: together with his last speech* (London, 1681); Burnet, *History of my own time*, ii, pp 875-8.

first victim of the Tory reaction.<sup>98</sup> With such an action, as Kenneth Haley points out, Charles II had silenced in one stroke an informer the Whigs needed to rejuvenate the plot and also their attempts to exclude the duke of York from the throne.<sup>99</sup> The following day many of the Irish witnesses and Stephen Dugdale were persuaded to seek alternative employment. They now accused their former patron, Shaftesbury of orchestrating a Presbyterian plot against the crown. To Charles's delight, the judges of the King's Bench deemed the matters sworn against the earl to be indeed treasonous. At one o'clock the same day, Shaftesbury was lodged in the Tower of London.<sup>100</sup>

Over the coming months, the Whigs tried desperately to save Shaftesbury by invalidating the evidence against him and others implicated in the so-called Presbyterian plot. Their efforts also extended to Ireland. In late August, Sir Robert Ware, a close ally of Henry Jones (and the future author of a fiercely anti-Catholic pamphlet) persuaded William Smith, an indebted English-man in the Marshalsea Jail, to declare that a Catholic priest, Father Bartholomew St Lawrence had visited him. He promised to procure Smith his liberty if he would accuse two Presbyterian ministers, Thomas Harrison, a former chaplain to Henry Cromwell during the Interregnum, and William Jacque of attempting to suborn him to the existence of the Popish Plot. By these means the Catholic party in Ireland could concoct a Presbyterian plot and suborn witnesses against Shaftesbury and other Whigs.<sup>101</sup> This information was secretly despatched to England before Smith could be properly examined, in case of retraction

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<sup>98</sup> John Kenyon, *The Popish Plot* (London, 1972), pp 233-4.

<sup>99</sup> Haley, *The first earl of Shaftesbury*, pp 651-3.

<sup>100</sup> Arran to Ormond, 2 Jul. 1681, *Ormonde MSS*, vi, p. 89; John Ellis to ---, 2 Jul. 1681, *Ormonde MSS*, vi, pp 89-91; Richard Mulys to ---, 2 Jul. 1681, *Ormonde MSS*, vi, p. 91; Newsletter to John Squier, Newcastle, 2 Jul. 1681, *Cal. S. P. dom., 1680-81*, pp 340-1; Newsletter to Roger Garstell, Newcastle, 23 Jul. 1681, *Cal. S. P. dom., 1680-81*, pp 370-1; Warrant to Thomas Cheeke, Lieutenant of the Tower, 2 Jul. 1681, *Cal. S. P. dom., 1680-81*, p. 339.

<sup>101</sup> Robert Ware, *Foxes and firebrands or a specimen of the danger [...] of popery...* (2<sup>nd</sup> edition, Dublin, 1683); Kilroy, *Protestant dissent and controversy in Ireland, 1660-1714*, p. 40; pp 203-5; William Smith, *Mr. Smyth's Discovery of the popish sham plot in Ireland, contrived to correspond with*

or confutation by contradictory testimony. On 4 October 1681, Sir Robert Clayton, a former Whig lord mayor of London who had patronised James Morley and other witnesses against Davys and Michael Boyle, presented the evidence before Jenkins on behalf of the poor Protestants of Dublin who believed 'that there is little justice to be had in Ireland against Romish priests.'<sup>102</sup> Within days it was in print under the title *the Irish sham plot*. Arran informed Ormond, it 'makes a great noise here at this time'.<sup>103</sup> Essex was rumoured to have declared upon this matter, that he had letters in his possession proving Ormond the architect of the Presbyterian plot.<sup>104</sup> Elsewhere in the County of Meath, William Howard, Captain Stafford Lightburne, and Captain Garrett Wesley (an ancestor of the duke of Wellington) cajoled its Grand Jury to sign a certificate in favour of James Morley, recently impeached for treason on the strength of examinations sent over by Ormond.<sup>105</sup> It read,

We whose names are underwritten do hereby certify that we have known James Morley these twenty years past and always knew him to be a very honest loyal faithful subject to his majesty and a great encourager of all those who are such, and on the contrary a great discourager of all those who are otherwise inclined.<sup>106</sup>

Having remained dormant in spite of the Tory reaction in England, Ormond was now forced by these developments to go on the offensive and finally come to grips once and for all with those disaffected to his government. Chief amongst these were two members of his own Council, Captain Robert Fitzgerald and Captain Oliver St George. In November 1680, they had abstained from putting their signatures to a narrative endorsing Ormond's actions since the first discovery of the plot.

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*their sham-plot in England* (London, 1681); Statement of William Smith, 14. Sep. 1681, *Ormonde MSS*, vi, pp 153-4.

<sup>102</sup> Leoline Jenkins to Ormond, 4 Oct. 1681, *Ormonde MSS*, vi, p. 180.

<sup>103</sup> Arran to Ormond, 8 Oct. 1681, *Ormonde MSS*, vi, p. 182.

<sup>104</sup> Earl of Longford to Ormond, 6 Dec. 1681, *Ormonde MSS*, vi, pp 249-50; Anonymous to Ormond, 14 Dec. 1681, *Ormonde MSS*, vi, pp 263-4.

<sup>105</sup> The Lord Lieutenant to Leoline Jenkins, 21 May. 1681, *Cal. S. P. dom., 1680-81*, pp 290-1; Sir Leoline Jenkins to Ormond, 20 Sep. 1681, *Ormonde MSS*, vi, pp 159-60.

<sup>106</sup> Henry Jones, Bishop of Meath---, 20 Sep. 1681, *Ormonde MSS*, vi, pp 158-9; Same to same, 24 Sep. 1681, *Ormonde MSS*, vi, pp 163-4.



Subsequently both had maintained correspondence with Shaftesbury and other Whigs.<sup>107</sup> Fitzgerald had recently attended meetings of disaffected in Dublin 'to keep up the spirits of the party with assurances that the good earl [Shaftesbury] will come off in splendour.'<sup>108</sup> Ormond summoned St George to Kilkenny where he was severely reprimanded for his infidelity and obliged to give assurances of future good behaviour.<sup>109</sup> Fitzgerald was another story. Ormond recommended to Charles that he be removed from Council and stripped of his command in the Irish army, to be replaced by the grandson of Ulick Burke, one of his Old English allies from the 1640s, who had recently converted to the Church of Ireland. Charles had long since turned his back on reconciling himself to the Whigs and was only too willing to acquiesce to such requests. He informed Longford that 'he [Charles II] will turn out of the Council and army those whomever your Grace [Ormond] thinks there in the least disaffected'.<sup>110</sup> He particularly marked out Henry Jones, Captain Henry Boyle and Sir Oliver St George, 'the relics of [...] Lord Orrery's party'.<sup>111</sup>

Ormond was content with the example made of Fitzgerald for the moment, unless Jones could be removed from his bishopric as well as his seat on Council.<sup>112</sup> In the meantime he ridiculed Jones's attempts, along with Francis Annesley, to reinvigorate the plot with sightings of the French fleet off the coast of Louth,

if he [Annesley] be as much mistaken in the number and quality of those ships as he is when he says Carlingford is but a good days march from Dublin, it may please god we are safe from an invasion at this time.<sup>113</sup>

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<sup>107</sup> Ormond to Arran, 16 Nov. 1680, *Ormonde MSS*, v, pp 489-90; Anon, *Ireland's sad lamentation...some remarkable passages which have happened since the discovery of the horrid Popish Plot. In a Letter from a person of honour to his friend in London, upon the dissolution of the late parliament* (London, 1681) p 2; Ormond to Arran, 9 Aug. 1681, *Ormonde MSS*, vi, pp 124-5.

<sup>108</sup> Ormond to Arran, 15 Aug. 1681, *Ormonde MSS*, vi, pp 132-3.

<sup>109</sup> *Ibid.*, pp 132-3.

<sup>110</sup> Arran to Ormond, 8 Oct. 1681, *Ormonde MSS*, vi, p. 182.

<sup>111</sup> Ormond to Arran, 9 Aug. 1681, *Ormonde MSS*, vi, pp 124-5; *Ibid.*, pp 143-5; Richard Burke, Lord Dunkellin, later to become the 8<sup>th</sup> earl of Clanricarde.

<sup>112</sup> Ormond to Arran, 14 Sep. 1680, *Ormonde MSS*, vi, pp 152-3;

<sup>113</sup> Ormond to Sir Hans Hamilton, 14 Jul. 1681, *Ormonde MSS*, vi, p. 99.

Ormond acknowledged that Ware, Harrison and a member of his congregation, John Page, had devised a massive propaganda coup for Shaftesbury, but was happy an investigation of how Smith's discovery was put afoot would soon see them prosecuted.<sup>114</sup> Yet Ormond was savage in his treatment of Garrett Wesley and other members of the Meath Grand Jury. He brushed aside their apologetic explanations that they had been duped by Morley's agents stating to Lord Chief Justice Keating, a relation of Wesley's:

They own they were surprised, but they do not say how or by whom, which it were good to know. In the meantime it will be worth the considering whether men subject to such surprises are fit to bear office for which there will be time enough.<sup>115</sup>

He added 'I have hitherto laid great weight on the certificates of justices of the peace and Grand Juries, but I shall hereafter doubt more of their value especially when they come out of Meath.'<sup>116</sup>

The crown's efforts to decimate the Whigs and bring about Shaftesbury's demise got underway in Ireland. Ormond was instructed to find a certain Captain Brodnex, a tenant of Sir William Temple in County Limerick. During the Second Anglo-Dutch war, he had been an associate of Lord Howard of Escrick, the reputed author of the libel for which Fitzharris lost his life. The crown believed Brodnex to have evidence that Escrick had engaged in activities during this period such as espionage and writing propaganda on behalf of the Dutch Republic, which were not covered under an Act of Oblivion issued at the end of the war.<sup>117</sup> William Hetherington was hindered from doing Shaftesbury any service during his trial by a prosecution issued in Ormond's name under 'the Statute of Scandalum Magnatum', whilst at the same time the majority of the Irish witnesses against Shaftesbury were despatched to Ireland under

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<sup>114</sup> Ormond to Arran, 18 Oct. 1680, *Ormonde MSS*, vi, pp 200-1; Ormond to Primate Boyle, 19 Oct. 1681, *Ormonde MSS*, vi, p. 203.

<sup>115</sup> Ormond to Lord Chief Justice Keating, 10 Oct. 1681, *Ormonde MSS*, vi, p. 185.

<sup>116</sup> *Ibid.*, p. 185.

the pretext of prosecuting Sir John Days and others formerly accused by them of treason.<sup>118</sup> They were all ‘tainted in credit’ or expected to be during Shaftesbury’s trial as Whig agents had obtained records of previous indictments against them in Ireland. It was suspected that others had been tampered with by Hetherington ‘and great offers made, if they would charge any of the kings ministers or servants with bribery or subornation’.<sup>119</sup> Ormond was instructed to keep them in custody lest they be tampered with by ‘fanatics’ or Whigs. He could not hide his contempt for such rogues and their dishonourable profession, which burdened his establishment, and writing to Arran on 15 November, he stated

now that they [Irish witnesses] are discarded by the zealous suborners of the city [London Whigs] they would fain invent and swear what might recommend them to another party, but as they have not the honesty to swear truth so they have not the wit to invent probability.<sup>120</sup>

On 28 November 1681, a Middlesex Grand Jury composed of Whigs dismissed the evidence against Shaftesbury. The credit of the Irish witnesses was now expended as both the Tories and Whigs had little or no faith in them.<sup>121</sup> In December, Ormond finally received permission to wash his hands of those already in Ireland, Jenkins informing him,

his majesty [...] concurs absolutely with your grace that those fellows may do him wrong but never will be able to do him right or honest service, therefore his majesty would have them cease to be a burden to himself and a trouble to your grace as soon as can be possibly [*sic*]. His majesty leaves it wholly to your grace to rid your hands of them as you shall resolve to be the most convenient way.<sup>122</sup>

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<sup>117</sup> Earl of Conway to Ormond, 16 Aug. 1681, *Ormonde MSS*, vi, p. 133

<sup>118</sup> Order of the king in council, 2 Nov. 1681, *Ormonde MSS*, vi, p. 217. The witnesses named for relocation are Murtagh Downey, Maurice Fitzgerald, John Arthur, and Owen Callaghan.

<sup>119</sup> Earl of Longford, 8 Nov. 1681, *Ormonde MSS*, vi, pp 217-8; Reasons for sending to Ireland John and Dennis MacNamara, Thomas Sampson, Hubert Bourke, George and Bernard Dennis, Edmond Murphy Eustace Comins and Edward Ivey, the witnesses mentioned in the above petitions [Oct?], 1681, *Cal. S. P. dom., 1680-81*, p. 502; Greaves, *Secrets of the kingdom: British radicals from the popish plot to the revolution*, pp 34-5.

<sup>120</sup> Ormond to Arran, 17 Nov. 1681, *Ormonde MSS*, vi, pp 230-1

<sup>121</sup> Hutton, *Charles the Second, king of England, Scotland and Ireland*, p. 408; Miller, *Charles II*, p. 358; Ormond to Col. John Fitzpatrick, 5 Dec. 1681, *Ormonde MSS*, vi, pp 248-9; Arran to Ormond, 29 Nov. 1681, *Ormonde MSS*, vi, pp 240-1; Earl of Longford to Ormond, 29 Nov. 1681, *Ormonde MSS*, vi, pp 241-2; Haley, *The first earl of Shaftesbury*, pp 680-1.

<sup>122</sup> Leoline Jenkins to Ormond, 20 Dec. 1681, *Ormonde MSS*, vi, pp 271-2.

The following month, Henry Jones, the greatest proponent of the Irish plots besides Orrery died. He was so miserably poor that Ormond had to contribute £100 towards his funeral expenses upon which he wryly commented to Arran, 'I was willing to run the hazard to give some proof that god be praised, I can forgive enemies, at least when they can do me no more hurt'.<sup>123</sup> Ormond's position steadily improved over the following months. He felt sufficiently confident to finally respond in print to Anglesey's observations on Castlehaven's memoirs.<sup>124</sup> His hold over the Irish Privy Council was strengthened with the inclusion of supporters such as Sir Richard Reynell.<sup>125</sup> The time was now right for Ormond to make peace with disobedient lords. Robert Fitzgerald was restored to the Irish Council in May but only after Ormond had presented him before the king at Windsor.<sup>126</sup> Shaftesbury's release was but a temporary set back for the Tories as the Whigs (and their main constituency, the dissenters) were gradually weeded out of office by royal prerogative and the strict enforcement of laws against Protestant nonconformists. In August 1682, Anglesey lost the Privy Seal and was removed from Council after Ormond wrote to Charles on 17 June accusing him of bringing into question his faithfulness and loyalty to Charles I and casting doubts over his religion.<sup>127</sup> In June and July 1682, Ormond, now actually in England, played a prominent role in crushing the Whig stranglehold in London,

<sup>123</sup> Ormond to Arran, 8 Jan. 1682, *Ormonde MSS*, vi, p. 287.

<sup>124</sup> James Butler, duke of Ormond, *A letter from his grace James, duke of Ormond, lord lieutenant of Ireland, in answer to the right honourable Arthur Annesley, lord privy-seal, his observations and reflections upon the earl of Castlehaven's memoirs concerning the rebellion of Ireland printed from the original, with an answer to it by the right honourable the earl of Anglesey*, (London, 1682); Arran to Ormond, 6 Dec. 1681, *Ormonde MSS*, vi, p. 251; Sir Robert Reading to Ormond, 10 Dec. 1681, *Ormonde MSS*, vi, p. 253; Arran to Ormond, 10 Dec. 1681, *Ormonde MSS*, vi, p. 254;

<sup>125</sup> Sir Richard Reynell (1626-1699), Puisne Judge of Common Pleas; appointed privy councillor of Ireland 26 July 1682. In 1690, William III appointed him Lord Chief Justice of Ireland.

<sup>126</sup> Ormond to Earl of Longford, 4 Mar. 1682, *Ormonde MSS*, vi, pp 333-4; Ormond to Arran, 22 May. 1682, *Ormonde MSS*, vi, p. 367.

<sup>127</sup> Anon., *A true account of the whole proceedings betwixt his grace James duke of Ormond, and the right honor. Arthur, earl of Anglesey, late lord privy-seal, before the king and council and the said earls letter of the second of August to his majesty on that occasion: with a letter of the now Bishop of Winchester's to the said earl, of the means to keep out popery, and the only effectual expedient to*

allowing the Tories to capture the key offices of sheriff and lord mayor. Shaftesbury and other Whigs quickly withdrew from England before the mechanisms which had sustained their assaults on the crown and its supporters for over four years could be turned against them.<sup>128</sup>

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*hinder the growth thereof, and to secure both the Church of England, and the Presbyterian party,* (London, 1682), pp 1-2.

<sup>128</sup> Hutton, *Charles the Second, king of England, Scotland and England*, pp 418-20; Greaves, *Secrets of the kingdom: British radicals from the popish plot to the revolution*, pp 38-40; Kenyon, *Stuart England*, p. 238.

## **CONCLUSION**

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This thesis has furthered our understanding of how the model of the three kingdom mechanism worked in practice during the period 1677-82. In order to accomplish this, several political crises occasioned by contemporary fears of Catholic and Presbyterian plots to subvert the Stuart polity were examined. Their importance is that they corrupted the relationship between the kingdoms of England, Scotland and Ireland highlighting frictions and tensions which had brought war, devastation and regicide to these kingdoms forty years earlier. In examining these tensions, this thesis situated itself in a non-Anglo-centric position. The position in question is that of the Irish lord lieutenant at this time, James Butler, first duke of Ormond. The genesis of Ormond's selection is simple. Ormond, crucially, transcends both the fractious period of internecine warfare that was the 1640s and the period generally but falsely regarded as little more than a hiatus between the end of the Cromwellian experiment and the final displacement of the last remaining bastions of Catholic influence by a Protestant monopoly. Moreover Ormond was more than just a simple crown servant. He was the head of one of the oldest and most distinguished noble families in Ireland. The first Irish lord lieutenant in over a century. He became a dominant figure at the Restoration on account of his sufferings and unwavering fidelity to the crown during the preceding decades. Allied to his political status, his special position in regard to Catholicism and the peculiar structure of the Irish kingdom on account of the immense political, religious and social upheavals of the previous fifty years determined that Ormond was the main figure in Ireland around whom coalesced the political and religious frictions emanating from England and Scotland on account of these late Restoration crises. By mapping out how Ormond undertook to manage such tensions and re-establish his position vis-à-vis the Stuart political nation, this thesis

has rectified a hitherto ignored aspect of the history of late Restoration Ireland—that of how politics between all three kingdoms was seen from the perspective of the Irish government.

The pressures that Ormond faced and managed during the Popish Plot and the Exclusion Crisis have been categorised chronologically in this thesis into five chapters. The first has provided a proper reappraisal of the effect of Titus Oates's revelations on the kingdom of Ireland and Ormond in particular. The plot occasioned an enormous amount of distress for Ormond because of his special position in regard to Catholicism and the sheer fact that the duke of York, who promoted his appointment, was generally suspected to have designed the hellish plot discovered by Oates. His position in regard to the Stuart political nation was further accentuated as many Protestants including Orrery openly criticised, in letters to London, the course of action undertaken to defend the established order and religion in Ireland. As such Ormond was compelled to defend and re-establish his position against his enemies in Ireland and England. He attempted to do this by demonstrating to Protestants in Ireland and eminent figures in London that his security measures had properly safeguarded the Protestant interest whilst on the other hand convincing them that Orrery's zeal was misplaced and, in fact, detrimental to the Protestant interest. However these measures could only be partly successful during a period of intense anti-Catholicism and hysteria and the real improvement in Ormond's fortunes only occurred at the end of 1678 when Oates and the plot were discredited after his accusations against Queen Catherine of Braganza were proven to be false.

In the second chapter it was found that Ormond's situation in relation to the court, parliament and king in London and to Protestants in Ireland was distorted because of unforeseen political occurrences in England and Scotland. Of these the



most significant were firstly, the disgrace, fall and imprisonment of Charles II's chief minister since 1674, Thomas Osborne, earl of Danby; secondly the ramifications of the escalation of political and religious rivalry in Scotland prior to the battle of Bothwell Brig in June 1679; and finally the sharpening of the exclusion crisis following James, duke of York's brusque behaviour towards those who had previously sided with his opponents in favouring the imposition of limitations upon any Catholic successor to Charles II. Though Ormond and his allies adopted various stratagems in order to insulate his position from the effects of these alterations in England and Scotland, ultimately they were of little value, for the re-establishment of his position in the autumn of 1679 actually resulted from the contrivance of political events over which he had little control.

In the third chapter Ormond's supposed Catholic sympathies were again a major issue, first, in the wake of the Meal Tub plot and Charles II's rash decision to prorogue parliament in October 1679 without informing his own Council. These proceedings led to the political resurgence of Shaftesbury and other antagonists of his patron, James, duke of York. Furthermore these developments put the crown, upon which Ormond depended for the security of his position, into a very awkward position whereby Charles II was compelled to negotiate with the Whigs. The second crisis was a direct result of the complete breakdown in the relationship between the crown and the opposition following Charles II's refusal to accede to Whig attempts to pressurise concessions (namely that parliament be allowed to meet) through the use of mass petitions. This was accompanied by the growing prestige of the Tories following the duke of York's return to England in January 1680. As such the Whigs were compelled to use unconstitutional means to reassert their position. A key facet of their desperate strategy was to damage the duke of York by proving that his key ally Ormond was

party to or had suppressed evidence about an Irish Catholic plot hatched by Oliver Plunkett, archbishop of Armagh, to introduce the French into Ireland to massacre the English.

In late 1680 the fragility of Ormond's position in relation to political occurrences in England and Scotland is exposed once again as the investigation into the Irish plot previously hatched by his enemies in England and malcontents from Ulster was taken out of his hands and transferred to London, where parliament at that time was convening. Such proceedings added credence to previous accusations that he had stifled those who were endeavouring to expose Catholic treasons in Ireland and that he was himself somehow tied up in their schemes. These developments were a godsend for the Whigs in their efforts to bring about the exclusion of the duke of York. However Ormond once again escaped removal or worse for a variety of reasons. Firstly, the potency of the witnesses against him was largely ruined by their ineptitude before parliament in November and during the subsequent weeks no one of any quality from the kingdom of Ireland appeared to buttress the Whigs, attempts to marshal pressure against him. Secondly, his position in London was now extremely resilient, as the earl of Arran had mobilised his supporters in both houses of parliament. In addition many lords outside his circle of allies and regular correspondents were successfully brought on side during this time. Thirdly, the defeat of the exclusion bill was crucial as it completely diverted the attention of the Whigs from Ireland to those who had frustrated their designs. Finally Ormond was saved by the complete dissolution of any vestiges of good will between the crown and the Commons which compelled Charles to dismiss parliament on the 18 January 1681; crucially this was just before they could impeach more of his ministers, including Ormond, despite the sparse evidence, if any, that was against him.

The final chapter has shown how Ormond's position in regard to the Popish Plot, to the Whigs in London and those disaffected to his government in Ireland was finally re-established during the period 1681-82. In common with many of his previous recoveries from periods of crisis, Ormond was relegated to the role of onlooker whilst these crucial events were played out around him. The panacea to his problems arrived with the dissolution of the final exclusion parliament. In its wake there was a turnaround in the crown's fortunes as a secret financial treaty with Louis XIV allowed Charles to finally escape from his dependency on parliamentary subsidies, freeing him to exact revenge against those who had sought to usurp his brother's prerogative. Furthermore he had made it clear in the case of Edward Fitzharris whom the Whigs had sought to impeach and use for their own purposes that there would be no more pardons for treason or the concealment of treason. This was the death knell for the already discredited Irish plot and after playing their part in the judicial murder of Plunkett, many witnesses found alternative employment by turning against their old patrons. Amidst this climate of reaction and revenge Ormond finally came to grips and exerted his authority over those who had contemptuously disregarded his position and powers as lord lieutenant in concert with his enemies in London.

The significance of this thesis lies in its shift of perspective. Whilst most histories of the relationship and interaction of the three kingdoms of the Stuart monarchy have been from the perspective of London, this study has attempted to remedy this defect by examining the process from the perspective of James Butler, duke of Ormond. This holistic approach to the interaction of British and Irish history reveals a fluid, highly personalised nexus of relationships, which was the interwoven history of the three kingdoms in the late seventeenth century and as such it allows us

to better understand both the importance of British events in an Irish context and of Irish events in a British context. To build on this approach it is necessary to go outside the orbit of Anglo-centric and new British history and realise that history must be studied in the same complexity in which it was lived. This calls for a greater emphasis and appreciation of local, national, three-kingdom as well as European sources and approaches, as ways of understanding the multilayered role and position of Ireland in the wider world of the late seventeenth century.

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