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Archbishop William King (1650-1729)

and the

Constitution of Church and State

Submitted in two volumes by Philip O'Regan for the Degree of Ph.D. to the National University of Ireland.

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Date of Submission: July 1996.

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Dedication and Acknowledgements

'He will not be afraid of bad tidings; his heart is fixed, trusting in the Lord'

- William King's motto, (Psalm 112:7).

On numerous occasions during the preparation of this thesis I felt the need to claim the benefits of King's personal motto. Without fail I experienced its truth.

I would like to thank my supervisor, Professor Tom Dunne, for both his patience and encouragement.

I would also like to acknowledge the assistance of various librarians at the University of Limerick, Trinity College Dublin, University College Cork and the National Library of Ireland.

Finally, I would like to thank my wife, Veronica, to whom this thesis is dedicated, for her support and love, without which it would never have been completed.

References and Conventions

The following abbreviations are used throughout this thesis:

B.L.	British Library
CJI	Journals of the House of Commons of the Kingdom of Ireland, vols.iii-v, Dublin, 1753-1791.
Cal. Dept. Corr.	Calendar of Departmental Correspondence, 1683-1714, Public Records Office, Ms. 1A/52
CSP Dom.	Calendar of State Papers, Domestic Series, 1689-1704, 7 vols., London,1895-1937.
HMC	Historical Manuscripts Commission
IHS	Irish Historical Studies: the joint journal of the Irish Historical Society and the Ulster Society for Irish Historical Studies.
LJI	Journals of the House of Lords of Ireland, vols. i and ii, Dublin, 1779-1790.
NLI	National Library of Ireland
PRO	Public Record Office.
PROI	Public Record Office, Ireland.
S.P.	State Papers in the Public Record Office, London.
TCD	Trinity College, Dublin.

Spelling and punctuation have, for the most part, been modernised in all quotations. Dates are given in old style, as used by contemporaries. However, the year is taken as commencing on 1 January.

Introduction

'The task of ecclesiastical biography' has been identified in a recent critical bibliography as one which, with some notable exceptions, 'remains to be undertaken' for the Church of Ireland during the period from 1690 to 1800. The fact that William King, (1650-1729), '[t]he most prominent churchman of the post-revolutionary decades', has 'attracted remarkably little attention' is singled out as a particularly glaring omission, all the more so given 'the existence of a voluminous archive that makes him probably the best-documented individual in early eighteenth century Ireland'. 'Perhaps', the reviewer speculates, 'the sheer scale of the task has frightened off would-be biographers'.[1]

The archival record relating to King is indeed voluminous. An assiduous administrator and bibliophile, he has left behind a collection of primary data containing, amongst other material, copies of over 3,000 letters written by him, almost 2,500 letters written to him, as well as a large number of sermons, notes and miscellaneous manuscripts.[2] Apart altogether from the mass of archive

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[1] S.J. Connolly, 'The Church of Ireland: a critical bibliography, 1690-1800', *IHS*, 28, 1993, p.367. F.G. James is another who has lamented the fact that there is 'no recent biography of King', who he describes as a 'man of keen wit, perceptive reasoning and political sagacity': F.G. James, 'The Church of Ireland in the early Eighteenth Century', in *The Historical Magazine of the Protestant Episcopal Church*, 1979, 48, p.436. See T.C. Barnard, 'Crises of Identity among Irish Protestants, 1641-1685', *Past and Present*, 127, 1990, p.49, in which he remarks on the fact that the contributions of individuals such as King 'are (oddly) allowed little part in forming Irish Protestants' attitudes'. See also, idem., 'Historiographical Review: Farewell to Old Ireland', *The Historical Journal*, 36, 1993, pp.909-928.

[2] King's Letterbooks, stored at Trinity College, Dublin, (TCD Ms. 750/1-9), augmented by

sources, however, a number of other factors conjoin to make any attempt at a comprehensive study of King appealing yet daunting. One is the sheer range of his interests and involvements. Politician, 'patriot', bishop, theologian, philosopher, historian, controversialist, astronomer, bibliophile, he excelled, often through sheer doggedness, in a variety of roles. Another is his longevity. Born in 1650 while Cromwell was still campaigning in Ireland, he died in 1729 in his eightieth year, having survived six monarchs, the demise of the Stuart regime, and one revolution. And in many of the political and social upheavals which accompanied these events, King invariably played a part, a fact not denied by contemporaries who, even when critical, rarely contradicted his own accounts of the extent of his involvement.

While King himself has not been the subject of an integrated and comprehensive biographical study, his role in many of the events of the period has been. Allied to the sheer impossibility of ignoring his impact on the political, ecclesiastical and philosophical life of late seventeenth and early eighteenth century Ireland, this is also a consequence of the fact that his letters form one of the richest sources of data for the period. Ironically, while this has led to a situation in which King's rather idiosyncratic perspective has been allowed to unduly influence the historiography of the period, it has also meant that he has been the victim of a rather piecemeal and episodic study. In the absence of a

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some early twentieth century transcripts of those not fit to be handled, (TCD Ms. 1489/1-2, 2531-7), form the principal primary source upon which this thesis is based. They are augmented by various letters written to and by King also stored at Trinity College (TCD Ms. 1995-2008, Lyons Collection, [hereafter, Lyons]), as well as various sermons, pamphlets and books by him. For the years 1650-1686 the main source is a short autobiography in Latin by King dating from *circa.* 1703. This was translated and published, with notes, by C.S. King as 'Quaedam Vitae Meae Insignoria', [hereafter: Vitae], in *A Great Archbishop of Dublin: William King, D.D, 1650-1729, autobiography and selected correspondence*, London, 1906, pp.1-42.

thorough, contextual biography, a rather incomplete and sometimes contradictory picture of the man has been allowed to emerge.

For example, while King's commitment to his church has always been acknowledged, one of the legacies of the selective use of his correspondence and an over-emphasis on his political life has been the enduring impression of him as an 'impeccably patriotic' individual whose predominant concern was parliamentary politics.[3] However, as this thesis illustrates, King was, first and foremost a churchman whose primary concern was securing the place of the Church of Ireland in Irish life. Indeed, what becomes evident is that his vision for the Kingdom of Ireland was both informed by, and subordinate to, his vision for the Church of Ireland. His ambition was not a quasi-independent Anglo-Irish kingdom *per se*, but a strong, national church untainted by the political, social, moral and doctrinal perversions which he believed characterised the English body politic. In this context, while allowing that, as it matured, his proto-nationalism was to become less reactionary, his battles with the English political establishment can be seen in their true light: he sought an independent Irish parliament dominated by the Anglican interest primarily because it seemed to him the only way to protect the Church of Ireland, indeed Anglo-Irish society in general, from the influence of an English parliament which he believed to be anti-monarchist, republican and dangerously secular. Unless an analysis of his politics is informed by this underlying determinant, then King is too easily portrayed as a champion of Protestant nationalism in the line of Molyneux, Swift, and Grattan. He was, rather, an independent-minded churchman whose

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3 J. Smyth, "Like Amphibious Animals': Irish Protestants, Ancient Britons', *The Historical Journal*, 26, 1993, p.789.

public life embraced far more than constitutional politics and whose overriding concern was the securing of what he called his 'constitution of church and state', a political scheme which sought to reconcile the claims of church, monarch and parliament in a settlement which would secure the status and influence of the church as a dominant force in shaping Irish society.

The fact that King has not been the subject of a thorough study is particularly remarkable given that within a few years of his death three accounts of his life, admittedly hagiographic in nature, had already appeared. In 1737 a relative, Rev. James King, produced a short manuscript version of his life, drawing heavily on King's own hand-written autobiography. The following year a brief biography, based on James King's work, appeared in Bayle's *General Dictionary*. Shortly after this Harris devoted several pages to describing King's political activities, and, in particular, his role in ensuring the peaceful transition to the Hanoverians in 1714. King, he opined, deserved to be 'enrolled amongst the greatest, the most universally accomplished and learned prelates of his age'. Further perpetuating his memory was the fact that many of his books and sermons were regularly reprinted in the years immediately after his death.[4]

Over the course of the following one hundred and fifty years, however, although he was kept in the public mind by historians such as Lecky, Froude, and

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[4] James King, *Paraphrase of the Life of William King*, 1737, (transcript copy) TCD Ms. 1121, [hereafter: *Paraphrase*]; 'William King' in *Bayle's General Dictionary*, ed., Birch et al., London, 1738; *The Whole Works of Sir J. Ware concerning Ireland, i*, ed., W. Harris, 1739, pp.365-8.

Killen, King received little detailed attention. Indeed, during this period only Richard Mant attempted to recount to any significant degree King's involvement in the political and ecclesiastical events of the period. In the process, however, by basing his work so heavily on King's correspondence, he unwittingly perpetuated the rather unflattering assessment of the condition of the Church of Ireland which King had, for his own purposes, felt it necessary to advertise.[5]

It was to be the early years of the twentieth century before an attempt at a comprehensive study of King was undertaken, when G.T. Stokes, drawing upon a series of lectures he had given at Trinity College, published the first critical assessment of King's contribution to the political and ecclesiastical events of the period. This was followed shortly afterwards by the publication of his autobiography, a selection of his correspondence and a diary he had written while incarcerated in Dublin Castle during 1689.[6]

But this interest in King proved short-lived. While his letters and books continued to inform general political and ecclesiastical histories such as Phillips' *History of the Church of Ireland*, and Trevelyan's *England under Queen Anne*, (in which he was described as 'perhaps the wisest and best of the Irish Statesmen

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[5] J.A. Froude, *The English in Ireland in the eighteenth century*, 3 vols., London, 1872-1881; W.E. Lecky, *A History of Ireland in the Eighteenth Century*, 5 vols., London, 1888-1892; R. Mant, *History of the Church of Ireland*, 2 vols., London, 1840-41; W.D. Killen, *Ecclesiastical History of Ireland*, 2 vols., Belfast, 1875.

[6] G.T. Stokes, *Some Worthies of the Irish Church*, ed., H.J.Lawlor, London, 1900; C.S. King, *A Great Archbishop of Dublin: William King, D.D., 1650-1729, autobiography and selected correspondence*, London, 1906; H.J. Lawlor, 'William King, Archbishop of Dublin', *Peplographia Dublinensis*, London, 1902; idem., 'The Diary of William King, D.D., Dean of St. Patrick's, afterwards Archbishop of Dublin, during his imprisonment in Dublin Castle', in *Journal of the Royal Society of Antiquaries of Ireland*, 1903, pp.119-138, 139-152, pp.255-283 and pp.389-411; W.A Phillips, ed. *The History of the Church of Ireland from the earliest times to the present*, 3 vols, 1933-4; G. Trevelyan, *England under Queen Anne: the Peace and the Protestant Succession*, London, 1934, p.165.

of the time'), it was to be the 1940's before attention was re-directed to King himself, this time by J.C. Beckett. Commencing in 1944, Beckett published a series of studies which highlighted King's role in many of the central events of the decades following the Battle of the Boyne. For the first time he was being presented in a broader political and social context, with Beckett emphasising the various ecclesiastical and political pressures under which he was operating, without, however, drawing together the various elements into a coherent whole.[7]

In spite of the fact that it concentrated mainly on the earlier part of his life and on his relationship with Swift, Andrew Carpenter's Ph.D. thesis, *Archbishop King and Dean Swift*, completed in 1970, marked a milestone in the study of King, being the first attempt at a more contextual assessment. As Carpenter himself remarked, however, it was 'beyond the scope of this study to make more than passing mention of many aspects of King's life [which] must regretfully be left for the present until a definitive biography can be undertaken'. 'Such a work is surely needed', he concluded, 'for King was not only an outstanding churchman but a great and influential man'. Augmented almost two decades later by the somewhat flawed attempt by Luebben to characterise King as a tolerant and enlightened individual, it remains the most detailed study of King to date.[8]

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[7] J.C. Beckett, 'The Government and the Church of Ireland under William III and Anne', [hereafter: 'The Government and the Church of Ireland'], *IHS*, 2, 1940-1, pp.280-302; idem., 'William King's administration of the Diocese of Derry, 1691-1703', *IHS*, 4, 1944, pp.164-180; idem., *Protestant Dissent in Ireland*, 1687-1780, [hereafter: *Dissent*], London, 1948.

[8] A.I. Carpenter, *Archbishop King and Dean Swift*, unpublished PhD thesis, University College Dublin, 1970, pp.2-3. See also, idem., 'William King and the Threats to the Church of Ireland during the reign of James II', [hereafter: 'William King and the Threats to the Church'], in *IHS*, 18, 1972, pp 22-8; N.C. Luebben, *Tolerance in an Irish context: Archbishop William King*, unpublished M.Phil. thesis, Trinity College, Dublin, 1989. The most useful element of this is the bibliography of King's works printed before 1800 which

The fact that both of these theses remain unpublished has, however, diminished their impact. Indeed, as Connolly observes, the only recent published works relating directly to King have been Patrick Kelly's and Isolde Victory's assessments of his role in the political developments leading to the Declaratory Act 1720. But, even these, by concentrating upon King's involvement in the cathartic struggle of the Irish parliament with its British counterpart, have tended merely to perpetuate an historiographical pattern which has too often concentrated on King as politician rather than as ecclesiastical statesman.[9]

In attempting a more complete analysis of King than has been undertaken heretofore, this thesis aims to re-assess his contribution to the political, ecclesiastical and intellectual life of the period. In particular, it seeks to examine the interplay between his various ecclesiastical and political involvements, emphasising, in the process, a dynamic which existed from his early years. It is this, coupled with extensive use of quotation from his own letters and publications, which provides the framework upon which this narrative of his life has been constructed.

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constitutes the main part of the thesis.

[9] P. Kelly, 'Archbishop William King (1650-1729) and colonial nationalism', in C. Brady (ed.), *Worsted in the game: losers in Irish History* (Dublin, 1989), pp 85-94; I. L. Victory, *Colonial Nationalism in Ireland, 1692-1725: from Common Law to Natural Right*, [hereafter: *Colonial Nationalism in Ireland*], unpublished Ph.D. thesis, TCD, 1984; idem., 'The making of the 1720 Declaratory Act', in G. O'Brien ed., *Parliament, Politics and People: essays in Eighteenth-century Irish History, Dublin, 1989*, pp.9-29; S.J. Connolly, 'The Church of Ireland: a critical bibliography, 1690-1800', *IHS*, 28, 1993, p.367, footnote, 34.

CHAPTER 1

1650-1687: '..... *drawn to the better part* .....'[1]

The most important event in the life of William King, and the episode which, more than any other, helps to explain many of his later involvements and priorities, occurred while he was still a student at Trinity College, Dublin. Born in Antrim on May 1, 1650 to a poor Scots Presbyterian miller and his wife who had emigrated from Barra in Scotland, and who would move to Tyrone some years later, King had arrived in the College in the spring of 1667. His family's impoverished background was reflected in his admittance as a 'sizar' - a student who performed menial duties in return for two free meals a day. Within a year, however, he had managed to elevate himself to a 'natives' place. This not only enabled him to escape the indignity of serving meals to his fellow students, but brought with it a small stipend which freed him to spend more time at his studies.[2]

One consequence of his presence in an Anglican college and the attendance at church services which this entailed, however, was that whatever Presbyterian beliefs he may have held were directly challenged. King was the

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[1] *Vitae*, p.10.

[2] ibid., pp. 1-8. Prior to entering Trinity King had been educated by a Rev. William Delgano at an Anglican School in Dungannon. The Trinity College Matriculation Book states that he entered the College in 1666. However, this appears to be a later interpolation and King's record of 1667 is consistent with Christian's appointment as tutor. His early years in the College were uneventful with the exception of his involvement during his second year in a student protest at the excessively authoritarian approach of the authorities as a result of which he was publicly disciplined, albeit lightly: J.W. Stubbs, *The History of The University of Dublin*, Dublin, 1889, p.109; C. Maxwell, *A History of Trinity College Dublin, Dublin, 1946*, p.71; Stokes, *op. cit.*, pp.145-152.

first to admit that his own religious formation had been somewhat deficient. Reared amidst the social, political and religious turmoil which had followed almost a decade of war, he had received little formal education. This had been compounded by his father's refusal to subscribe to the Solemn League and Covenant, which had resulted in the family being ostracised by the local Presbyterian community. As a result, he had arrived in Trinity with little allegiance to the religion of his forebears.[3]

What brought this spiritual poverty to a head was the fact that in 1669 he was assigned to a new tutor, John Christian, a man of strong religious convictions. 'I cannot but remember what benefits I owe him,' King recalled some years later, '[i]n the first place, therefore, and because it is the chief, he imbued me with a true sense of religion.' Prompted by Christian, King responded to this spiritual awakening by undertaking a systematic investigation of the claims of Christianity:

> 'The whole subject of religion had therefore to be thoroughly examined by me and to be traced out again from its first principles. This was seen by me to be a great and arduous task and not to be attained without labour and immense study. I meditated how difficult and laborious the investigation before me would be, nor yet did that very greatly deter me, but the momentousness of the matter itself and the danger of error excited in me a greater tumult.'

This determination to 'examine religion from its foundations' led him to a study which lasted several months and saw him examine not only Christianity, but also 'natural' religion, a process which involved consulting 'grave and experienced men'.[4]

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[3] *Vitae*, p.2.

[4] ibid., pp.9, 11, 12. John Christian died shortly before King obtained his Bachelor's degree in 1671. For a poem in his memory by King, dated November, 1671, see Lyons 2286a. King maintained contact with Christian's family and later made arrangement's for several of them to attend Trinity College: King to Ewan Christian, 1/1/13, TCD Ms. 750/4/94-6; Same to Same, 14/2/15, 2536/183; Same to Same, 17/3/18, TCD Ms. 750/11/3/117-8. Another whose acquaintance King made at this time was the historian and theologian, Henry Dodwell. Dodwell would later become one of the few Irish non-jurors in

The impact of his investigation was cathartic: 'I discerned clearly enough,' he recalled, 'that I must either renounce religion or that I must addict myself to its practice.' He was faced with a stark choice:

> 'either I should hold the worship of God before all the delights of the world, its commodities and benefits so that I might be prepared to renounce them all when they could not consort with the commands of God, or that I might inwardly say farewell to religion for I saw plainly that there is no middle course between these.'

The issue 'was whether I wished to be a servant of Christ or of the world'. For several months 'the choice was continually floating before my eyes, and the matter was ungrateful enough to a young man and its meditation aroused very grievous troubles in my spirit.' Unable to deny what he came to regard as a divine calling on his life, he eventually succumbed. In the spring of 1670 he embraced the Anglican faith. Unusually for a man who would never be given to the use of pious or devotional language, and indicative of the sincerity of his conversion, he described what happened in spiritual rather than intellectual terms:

> 'I was drawn to the better part by the admonitions and exhortations of my tutor and I trembled lest I should abjure the hope of eternal felicity, the Divine Power and the assurance of His grace I was obtaining, and in this conflict I learned by experience how insufficient my strength was without the aid of Divine Grace since not only [did] I experience my powerlessness to overcome worldly temptations but also to mistrust the motive of contending with them.'

Under the watchful of Christian he made public his new faith and within weeks he had been accepted into the Church of Ireland.[5]

King's conversion had profound implications for him. He saw it as embracing not only the spiritual but also the moral, legal and administrative

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the wake of William and Mary's accession to the throne, in spite of which King maintained a regular correspondence with him: King to Dodwell, 17/8/09, TCD Ms. 750/11/1/94-6.

[5] ibid., p.10.

structures of the church into which he had now been accepted, a church which he viewed as the repository of both spiritual and ethical truth. A man of Scottish descent and Presbyterian background, moving now in an Anglican society which was itself torn between its affinity to England and things English on the one hand, and a dawning awareness of its own distinctiveness on the other, he found in the doctrines and historical independence of the Church of Ireland, however compromised, a sense of identity and belonging which would shape fundamentally his religious, social and political outlook. Henceforth his life would be informed by a determination to see the influence of this church extended.[6]

The church into which he had been accepted and which inspired this vision was the Church of Ireland as established by law. Its influence and security were, however, far less assured than this grand title implied. To all intents and purposes it wielded whatever influence it did, not by virtue of its spiritual authority, but as a result of the legal powers vested in it by the state. This was part of the constitutional settlement which had accompanied the restoration of the monarchy in 1660 when, as if by divine intervention, both the hereditary monarchy and the church had re-emerged in the aftermath of the *interregnum.* Few doubted but that their well-being would depend on the development of some form of mutual support.[7]

For its part the Anglican Church contributed a theory of kingship which

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[6] T.C. Barnard, 'Crises of Identity among Irish Protestants, 1641-85', in *Past and Present*, 127, 1990, pp.46-9.

[7] J. McGuire, 'The Dublin Convention, the Protestant community and the emergence of an ecclesiastical settlement in 1660', in Cosgrave and McGuire, eds., *Parliament and Community, Historical Studies 14*, Belfast, 1983, pp.121-46; F.R. Bolton, *The Caroline Tradition of the Church of Ireland, with particular reference to Bishop Jeremy Taylor*, London, 1958, pp.30-39; *The History of The Church of Ireland from the Earliest Times to the Present Day*, ed. W.A. Phillips, Oxford, 1934, vol. iii; M. Gilmore, *Anthony Dopping and the Church of Ireland, 1685-1695*, [hereafter: *Dopping*], M.A., Queens University, Belfast, pp.4-29; A.L. Capern, 'The Caroline Church: James Ussher and the Irish Dimension', in *The Historical Journal*, 39, 1, 1996, pp.57-85.

invested the monarch with an almost mystical quality. This found its most compelling and trenchant expression in the doctrines of Divine Right and Passive Obedience which refused to communicants the right to oppose the monarch under any circumstances.[8] In return, by restoring to it the legal and administrative influence which it had enjoyed previously, the monarch assigned to the church a role which fastened its influence on the everyday life of the subject. Thus, the church taught obedience to the crown while the crown insisted upon submission to the ecclesiastical authorities. In such a scheme men equated the power of the church with the authority of the law.[9]

It was for this reason that an intimate knowledge of the law of precedent and of property rights was as important a quality in a cleric as his religious beliefs. Endowed with a mind and a personality which delighted in mastering and manipulating such dry matter, and possessing a strong litigious streak, King excelled in this area, accounting, in part, for his later dramatic rise within the church structure. Indeed, the greater part of his energies as both priest and bishop would be consumed, not by matters of state or politics, but with details of church claims to lands held under ancient charters, the pronouncements of prelates sitting on the various ecclesiastical courts and the rights of ministers in remote rural parishes to claim recompense from specific parishioners for repairs done to long-neglected glebe houses.

But, while recognising that only by the exploitation of such legal niceties could the pastoral authority of the church be made effective, King was painfully aware of the restrictions which this state of affairs placed on the church and its ministers. The benefits which the church received were almost

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[8] M. Goldie, 'The Political Thought of the Anglican Revolution', in R. Beddard, ed., *The Revolutions of 1688*, Oxford, 1991, pp.126-33; J.N. Figgis, *Theory of the Divine Right of Kings*, Cambridge, 1896, pp.217-253.

[9] Bolton, *op cit.*, pp.30-39; T.C. Barnard, 'Lawyers and the law in later seventeenth-century Ireland', *IHS*, 28, 1993, pp.256-261.

entirely temporal; all church lands were vested in it, public office holders were required to conform to Anglican beliefs, while the hierarchy had the right to operate ecclesiastical courts and to sit in the House of Lords. However, tied to the monarch by doctrine, to the gentry by family association and to the government by interest, the result was that few within the church either desired or saw the need for reform. Indeed, in a milieu which was politically, economically and spiritually incestuous, offending clerics could only be disciplined with difficulty, while genuine spiritual zeal was often a passport to pastoral anonymity.[10]

To a man like King, however, imbued with an evangelical zeal in the wake of his conversion, there were many things about the church, particularly in its relationship with the state and its representatives, which were less than appealing. It was a dilemma which King would only resolve with some difficulty, eventually inclining towards an anti-Erastianism which, while accepting the symbiosis which existed between church and state, viewed with suspicion anything which saw churchmen place their confidence in the state as guarantor of the church's temporal welfare. He 'never was of opinion', he would maintain some years later, 'that the Church and State interest should be united and that the clergy should have no separate interest from the

[10] The spiritual and temporal ill-health of the post-Restoration church is attested to in several reports drawn up by various bishops of the period. See, for example, *The Ecclesiastical Condition of the City and County of Londonderry*, 1670, by Bishop Robert Mossom, cited in Mant, *op. cit.*, i, p.667; *The Sad Condition of the Church and Clergy in the Diocese of Derry, by Bishop Griffith Williams*, cited in Mant, *op. cit.*, i, p.664. In his first diocesan visitation, Bishop Dopping of Meath discovered over 150 churches 'out of repair': Gilmore, Dopping, p.2; See also Clarendon to Archbishop of Canterbury, 25/5/86, *The State Letters of Henry, Earl of Clarendon,* [hereafter: Clarendon Correspondence*]*, ed., J. Douglas, i, p.108, for an official assessment of the state of the church. This should not, however, be allowed to detract from the fact that, in some respects, the church was quite vibrant and served many of its communicants well. For example, during the course of the seventeenth-century it produced several individuals of extraordinary calibre such as Archbishop Ussher, and Bishops Taylor and Bedell: see T.C. Barnard, 'Improving Clergymen, 1660-1760', in Ford, McGuire and Milne, eds, *As by Law Established*, pp.138-9.

kingdom.....'[11]

Yet the Church of Ireland could hardly have survived without such close links to the state and the gentry. King, if only grudgingly, acknowledged as much: in a country where 'the bulk of the common people .....[were] enemies to the established church', he realised that 'the gentry [were] generally conformable and the church interest, apparently lies in them.' Not that King regarded the gentry as ever acting purely in the interests of the church. He was fully aware that few of their number regarded the church as a source of spiritual nourishment and he railed persistently against the moral and religious laxity which he believed their too prevalent influence induced. Nor could he ignore the fact that reliance on such a small group ran counter to his vision for the church - a vision which sprang from his view of the Church of Ireland as one whose destiny was that of a truly national church, commanding the loyalty of a majority of the population and aiding the state in the creation of an environment characterised by a Christian social and moral order.[12]

The major obstacle in the way of the realisation of this exalted vision was the existence on the island of a predominantly Roman Catholic population. In every part of the country Anglicans found themselves facing a Catholic populace which was both politically and religiously hostile. As recently as 1641 they had shown that they remained intent upon eradicating both Protestants and Protestantism from Ireland. These religious divisions had been further entrenched by a series of land settlements which, assuming religion to be a badge of loyalty, had rewarded Protestants at the expense of Catholics. The existence of marked cultural and linguistic barriers ensured that this divide

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[11] King to Ashe, 2/5/15, TCD Ms. 2536/260-1.

[12] King to _____, [1715], quoted by Beckett in 'The Government and the Church of Ireland', p.283; L.M. Cullen, 'Population Trends in Seventeenth-Century Ireland', *Economic and Social Review*, 6, 1975, pp.149-165.

could never be easily bridged.[13]

The numerical inferiority of Protestants was compounded by the fact that Protestantism in Ireland was not a cohesive force: in many parts of the island, particularly the north, Anglicans were confronted not only by large numbers of Catholics, but by a non-conformist population which distinguished itself in historical, religious and cultural terms.[14] These non-conformist or dissenting groups comprised a number of sects ranging from Quakers to Congregationalists, of which Presbyterians were by far the most significant. Common cause in their hostility to Catholicism did cause both Anglicans and non-conformists to recognise their mutual political and military interests. Yet, in spite of the fact that prior to the events of 1689 and 1690 the lines of demarcation between Anglican and others were less marked than they would later become, as evidenced by King himself, the various groups had markedly divergent agendas.[15]

Much of the cause of this divergence could be traced to the origins of Irish Presbyterianism.[16] Protestant dissent in England had been shaped largely by the Puritan movement which, prompted by its successes in the civil war, had

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[13] J.G. Simms, *The Williamite Confiscation in Ireland*, 1690-1703, London, 1956, [hereafter: *Williamite Confiscation*].

[14] P. Brooke, *Ulster Presbyterians: The Historical Perspective*, Dublin, 1987, pp.14-62; S.J. Connolly, *Religion, Law and Power: The Making of Protestant Ireland, 1660-1760*, Oxford, 1992, [hereafter: *Religion*], pp.159-163; Beckett, *Dissent*, pp.20-22; R. Gillespie, 'The Irish Protestants and James II, 1688-90', *IHS*, 27, pp.124-6; W. Macafee and V. Morgan, 'Population in Ulster, 1660-1760', *Plantation to Partition: Essays in Ulster History in honour of J.L. McCracken*, Belfast, 1981, pp.46-83.

[15] Barnard, 'Crises of Identity among Irish Protestants, 1641-85', pp.39-83; Connolly, *Religion*, pp.26-7; R.L. Greaves, "That's no good religion that disturbs government': the Church of Ireland and the non-conformist challenge, 1660-1688', in Ford, McGuire and Milne eds., *As by Law Established*, pp.120-135; J.D. Neville, 'Irish Presbyterians under the restored Stuart monarchy', in *Eire-Ireland: A Journal of Irish Studies*, 16, 1981, pp.29-42. King was not alone in his family in converting to Anglicanism, at least one of his sisters adopting the same course, while two nephews subsequently became Anglican ministers: Rev. W. Delgarno to King, 29/1/84, Lyons 21.

[16] Brooke, *op. cit.*, pp.14-62; Beckett, *Dissent*, pp.20-22.

overthrown episcopacy and instituted a form of government which depended on local rather than national structures. Thus, upon its re-establishment in 1660 the Church of England had found itself confronting not a single non-conformist opposition, but a rather ragged and splintered collection of independent churches. Irish Dissenters, on the other hand, (with the exception of a small number of congregations in Dublin and the south of the island which were English in origin), traced their ecclesiastical and spiritual roots to the more vigorous form of Scottish non-conformism. It was from here, a country where the Anglican Church had found itself unable to re-assert its authority in the aftermath of the *interregnum*, that tens of thousands of Scots Presbyterians had streamed into Ireland during the latter half of the seventeenth century. This had meant that the Presbyterian communion in the north was of sufficient critical mass and cohesiveness to survive. It had also established an enduring link with the Scottish dissenting movement which focused the attentions of Irish Dissenters on Glasgow and Edinburgh rather than on Dublin for direction. The result was a vibrant community which dominated much of the economic and social life of Ulster, which looked to Scotland for models of church government and civil authority, and which interpreted Charles II's grant of a stipend to its ministers, the *Regium Donum*, as a sign of official favour.[17]

In addition to circumstances peculiar to Ireland, the Church of Ireland was also vulnerable to the uncertainties induced by changes in society at large. It was particularly ill-equipped to confront the increasingly secular environment being fostered by philosophical and scientific enlightenment. For the greater part of the seventeenth century and beforehand belief in God and His providential ordering of events had dominated public and private views of the

[17] Brooke, *op. cit.*, pp.46-53; J. McGuire, 'Government attitudes to religious non-conformity in Ireland, 1660-1719', in Caldicott et al., eds., *The Huguenots and Ireland*, pp.255-264; Greaves, *op. cit.*, p.129.

world. Disagreements might exist as to how God ordered society, but political as well as religious debate had always taken place against the background of the infallibility of scripture and the authority of the church. With the Restoration, however, had come a theological revolution of sorts. To a large extent this had been prompted by a reaction to the turmoil of the *interregnum* which many felt had owed much to endless disputes over the finer points of theology and the nature of church government. Individuals such as Cudworth, Bayle, May and later Locke, encouraged by the scientific findings of Newton and others, suggested that reason and tolerance might be far more potent forces for good than doctrine, custom and blind obedience. With its authority dependant more on land rights, rent rolls and statute books than on religious fervour, the Anglican Church was particularly susceptible to such ideas, standing to lose its biblical fundamentalists to the non-conformists and its rationalists to the Deists or Socinians.[18]

King was not blind to any of these difficulties. But he was convinced that the Restoration Settlement, particularly in the symbiosis between crown and church which it espoused, offered the only prospect of stability in a society confronting such an uncertain social, religious and political future. Reared amid the chaos of the *interregnum* in Ulster, and familiar with the rather anarchic world of northern Presbyterianism, the doctrines of Passive Obedience and the Divine Right of Kings seemed to him to be fundamental to the relative civility which characterised much of the world in which he was now moving. It was not surprising, therefore, that he was to become a wholehearted champion of this constitutional arrangement as the only one capable of securing peace and order in Ireland.

Indeed, in spite of several inherent frailties this arrangement did have

[18] C. Hill, *The English Bible and the Seventeenth-Century Revolution*, London, 1993.

the desired effect of ensuring some level of political stability and was recognised by many as essential to the continued well-being of both kingdoms. As long as both crown and church remained united in their promotion of this constitution, it became increasingly obvious that the settlement was, in fact, quite robust. What had been neither anticipated nor tested, however, was the ability of this arrangement to survive a situation in which the interests of church and crown diverged, something that was likely to arise in the wake of the decision of James Stuart, Duke of York and heir to the throne, to convert to Roman Catholicism in 1673.

At the same time as James was publicly declaring his Catholicism, King was pursuing his studies at Trinity having decided to remain on to take an M.A. with a view to ordination.[19] Now a dedicated Anglican, he was determined to understand and proclaim the faith with which he believed he had been divinely entrusted. To this end he devoted a large part of his time to the further study of the Christian religion and, in particular, to the doctrines and rubrics of the Church of Ireland.

In an environment which depended heavily upon family connection and patronage, however, he soon found himself at a disadvantage and, in an attempt to improve his financial position, he applied for one of the annual fellowships at the college, but was unsuccessful. But, his candidacy did lead, indirectly, to opportunities which he could never have imagined. One of the examiners for the fellowships was Dr. John Parker, Archbishop of Tuam.[20]

[19] King graduated with his B.A. in February 1671.

[20] Parker had been appointed to Tuam in 1667 having been previously consecrated Bishop of Elphin in 1661 in a ceremony which had seen six other prelates ordained in a show of strength by the resurgent post-Restoration Church of Ireland. He had suffered

Impressed by the earnestness and ability of the young student, he offered him a position in his diocese upon graduation. Ordaining him shortly afterwards as deacon and then priest, he appointed King as his personal chaplain.[21] This brought with it the prebend of Kilmainmore and several vicarages in Tuam. It also promised not only access to Anglican society, but an end to the relative penury in which King had subsisted all of his life. In the summer of 1674, therefore, having graduated with a Master's degree, and eagerly looking forward to his new way of life, he travelled west with his patron to take up his position.[22]

King's readjustment to country life after seven years in the capital was not without its problems. The diocese of Tuam had been particularly neglected over previous decades and King witnessed firsthand the difficulties confronting the church. Parker, determined to redress this situation, demanded much of his protégé. Under his tutelage King applied himself to the study of Canon Law and Scripture and to the spiritual needs of his parishioners. However, he also took time to enjoy the rewards of his new station. In fact, he positively revelled in his new prosperity, finding it difficult to control his appetites. His studies gradually gave way to 'trifles or games or fooleries or worse'.[23]

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imprisonment during the *interregnum* while Prebendary of Maynooth, and had spent several years in London after his release prior to taking up his appointment in Elphin: *Dictionary of National Biography*, vol., 43, p.247. King remained in contact with members of Parker's family long after his patron's death, arranging, and financing the education of his sons and the marriage of his daughter: see, for example, Lady Mary Dillon (daughter of Parker) to King, 8/11/95, Lyons 472 and King to Tollet, 19/12/02, TCD Ms. 1489/2/124-5.

[21] *Vitae*, p.13. King was ordained deacon in July, 1673 and was admitted to the priesthood in April, 1674.

[22] *Vitae*, p.13. In all, King was granted eight parishes in the south-eastern corner of Mayo, covering an area of approximately 300 square miles: *Calendar of Title Books of Tuam, 1665-1752*, entries 122-4, Representative Church Body Library, pp.144-146. Almost three decades later, at the height of one of his campaigns to combat pluralism, he would be reminded that he had been a pluralist himself: Archdeacon Lemuel Matthews, *A Letter to the Right Reverend William, Lord Bishop of Derry*, 1703, p.5.

[23] *Vitae*, p.15.

Hawking and hunting were two of his favourite pastimes. The archiepiscopal table also provided overwhelming temptation, to which he readily succumbed. Here he enjoyed 'a copious supply of eating and drinking..... with a very large variety of wines and a profusion of other generous liquors.' For several months he indulged himself wholeheartedly. But it was a diet to which he was completely unaccustomed. In the winter of 1675, little more than a year after arriving in Tuam, he began to notice a serious deterioration in his health. Not long afterwards he was diagnosed as having been 'seized with the gout'. It was a condition which was to afflict him for the rest of his life, proving, on occasion, almost fatal.[24]

In spite of this handicap King did eventually settle into the lifestyle of a country curate. He was raised to the Provostship of Tuam in October 1676 and showed himself to be both a capable administrator and a diligent pastor. But he was still a relatively unknown cleric in an impoverished diocese in the remote west of the country. It was Parker's appointment to the Archbishopric of Dublin in 1678 which was to change this. Within a year he had offered his young chaplain the prestigious Chancellorship of St. Patrick's Cathedral in Dublin. This was a position which brought with it the rectorship of St. Werburgh's, one of the wealthiest livings in the country. The entreaties of Parker's successor in Tuam, John Vesey, who regretted the loss of 'a person so qualified' as King, were to no avail. In August, 1679, trembling 'with fear' at the prospect of 'the continued anxiety' which his new charge would bring with it, but fully confident that he would rise to the challenge, King departed for the

[24] *ibid.*, p.14; Stokes, *op. cit.*, p.154. There is no evidence to suggest that King's condition was hereditary. It appears to have been a form of secondary gout (*Hyperuricemia*) induced by a metabolism which retained excessive quantities of uric acid in the body, thereby inflaming the arm and leg joints. It would have been triggered by a high purine diet such as that described as set before him at the Archbishop's table in Tuam. The fact that his later attacks followed periods of physical exertion is consistent with this diagnosis.

capital.[25]

By any standards his advancement had been dramatic. He had embraced Anglicanism less than a decade previously and now, at twenty-nine years of age, he found himself the incumbent of one of the most important cures in the country.[26] This, he was aware, had aroused the antipathy of several of the more senior clerics in the diocese. But he refused to be intimidated. He immediately set about replicating the pastoral and scholarly habits he had developed in Tuam and which had served him to such good effect. Indeed, combining 'holding services, visiting the sick, catechising the ignorant,' with 'the night turned to studies and books', he found his new position more spiritually and intellectually rewarding than anything he had experienced before. 'Immersed in occupations', he also felt himself 'less subject to passions and worldly temptations', many of which were, in any case, denied him because of his worsening gout.[27]

One 'worldly temptation' to which he felt increasingly 'less subject' was marriage. Indeed, one of the reasons he was delighted to have left Tuam was

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[25] Vesey to King, 13/11/79, Lyons 2; *Vitae*, p.18; Stokes, *op. cit.*, p.158; Samuel Hold to King, 24/7/80, Lyons 4. He was officially installed on October 27, 1679: *Paraphrase* p.46. One of the consequences of his new prosperity was that King found himself being called upon for assistance by 'a numerous tribe of poor relations, near 200'. Over the course of the next fifty years he estimated that he expended several thousand pounds on the dowries, education and careers of various family members. One relative who proved a particular drain was his nephew, William King. Beginning in 1708, when he purchased a place for him on a frigate, King expended an amount in excess of one thousand pounds on him, culminating in 1718 in the purchase of a lieutenantship for him on HMS Rippon: King to Thomas Knox, 10/5/07, TCD Ms. 750/3/2/114; King to Captain (later Rear-Admiral) Saunders, 11/9/08, TCD Ms. 750/11/1/15; Same to Same, 3/3/18, TCD Ms. 750/11/129; King to William King, 29/3/26, TCD Ms. 750/8/83.

[26] In addition to being Chancellor of St. Patrick's and looking after St. Werburgh's, King was also responsible for St. Canice's Parish in Finglas. His income was circa. £250 p.a. and he employed several curates to assist him. During this time he lodged with a Mrs Crooke, widow of John Crooke, former Printer-General, in Skinner's Row. He remained in contact with Mrs Crooke for many years and her son, Andrew Crooke, was the Dublin printer of his book, *De Origine Mali*, in 1702.

[27] Samuel Hold to King, 24/7/80, Lyons 4; *Vitae*, p.18.

that he felt he would 'have been driven to contract a marriage' out of sheer loneliness and boredom had he remained there any longer.[28] His resolve on this point was reinforced by an incident which occurred during his years as Chancellor of St. Patrick's. Much to the amusement of his friends, a rumour linking him amorously with the wife of a prominent Dublin gentleman began to circulate throughout the city. It was only when a correspondent wrote to inform him of a chance encounter with a woman who had been employed by the aggrieved husband to 'discover passage' between his wife and a certain clergyman, that King became aware of this gossip. Convinced that King was the guilty party, the woman had let slip that a plot had been laid by herself and several others 'to take you [King] and the gentlewoman in the action.' King was horrified, realising how easily a rumour such as this might be used to malign him. Making a point of publicising the fact that there were three Trinity College students with his surname living quite close to the home of the woman in question, he protested his innocence vehemently. His protestations were accepted and nothing further was heard of the matter. But it did steel him in his determination never to marry, all the more so since he had decided that such a step would distract him from 'thoughts of the next world'.[29]

While King was slowly but surely securing a reputation for himself as a dedicated and competent pastor, he was delighted to discover that his new eminence also gave him access to the political elite of the country. He soon

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[28] *Vitae*, p.17. King's discomfort in the presence of women was reciprocated by several females who made his acquaintance. One, having met him at a dinner party, described him as a 'savage monster', and a '*purpled* brute' with '*devilish* eyes': Eliza Berkeley, (quoted by David Berman in *Notes and Queries*, 58, 1982, p.529). Another, Eliza Tollet, wife of King's London agent, took such a disliking to him that, suspecting her husband to be involved with another woman, she wrote to Bishop Dopping accusing King of having supplied her husband with the 'adulterous wretch': Eliza Tollet to Dopping, 22/12/93, TCD Ms. 2254a. p.52. But, see also George Tollet to King, 24/11/92, Lyons 246, and Same to Same, 10/2/94, Lyons 332, in which the writer apologises for his wife's outbursts, ascribing them to insanity on her part.

[29] Mr. T. L_____ to King, 1/11/87, Lyons 47; King to Bonnell, 14/4/96, Lyons 493.

made a favourable impression on several of the principal officers of state. One of these was Edward Herbert, later Lord Chief Justice of England and James' Lord Chancellor. For a brief period in 1682 King held the seals of the Palatinate of Co. Tipperary on his behalf. Writing to thank King for his assistance, Herbert was uncannily prophetic: 'I hope', he told him, that 'the next great seal you will have the custody of shall be in your own right with the Archbishopric of Dublin.' King soon found himself moving in even more exalted company. St. Werburgh's acted as parish church for the Chief Governor and his entourage and, as a result, he had regular contact with senior government officials. By 1683 he had impressed the Lord Deputy, the Earl of Arran, sufficiently to be appointed one of his chaplains. When, in 1684, Ormonde returned to Ireland as Lord Lieutenant, he was happy to continue King in this position. But, perhaps the surest evidence of his new renown was that he, and especially the strong Scottish accent which he retained all of his life, had become a regular target of the student parodies which accompanied the annual commencement ceremonies at Trinity College.[30]

He found some respite from his various responsibilities in the activities of the newly formed Dublin Philosophical Society. Although not one of the founding members, he was one of its earliest and most active contributors. Within a few months of its formation he presented a paper, later published, on the subject of the productive capacities of bogs. Between October 1683 and December 1684, he contributed a further six papers on topics as diverse as Hydraulics and Denis Papin's recently invented *Digester*. It was also here that

[30] E[dward] H[erbert] to King, 16/12/82, Lyons 14; Daniel Lloyd to King, 19/7/81, Lyons 59; *Certificates of Appointment*, Tertowie papers, TCD MS. 2957/6/2/2 and 2957/6/2/3; King's strong accent was one of the more obvious legacies of his Scottish background. In spite of his best endeavours he was never able to discard it. Writing of his manner of speech, his earliest biographer recalled that he spoke 'in Scotch dialect that he lamented all his days after, that he found it hardly possible to reform his pronunciation, which, with a kind of lisping and stammering natural to him, render[ed] his voice and manner of speaking very ungraceful': *Paraphrase*, p.10.

he formed friendships with individuals such as St. George Ashe, William Molyneux, John Baynard, Samuel Dopping, Samuel Foley, Patrick Dun, and George Tollet as well as Mark Baggot, a Catholic, men who were later to play important roles in his life.[31]

In the midst of this frenetic activity, however, King was finding that his deteriorating health was something he could no longer ignore. After a series of attacks during his first few years in Dublin, he had to concede that his gout was becoming a serious impediment to his ministry. He was regularly forced to withdraw to his chambers for considerable periods of time. In the summer of 1683, after a particularly painful attack, he went to England for the first time to 'take the waters' at Tunbridge.[32] He found this treatment so successful that he took the waters again in 1684 and 1686, although on these occasions he travelled only as far as Wexford.[33] On the instructions of his physician, Dr. Patrick Dun, he was also careful to take regular breaks in the country, although, unknown to Dun, he availed of the opportunities afforded by these trips to indulge his liking for hunting.[34]

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[31] W. King, *Of the Bogs and Loughs of Ireland*, London, 1686; C. Robbins, *The Seventeenth-Century Commonwealthman*, Massachusetts, 1959; K.T. Hoppen, *The Common Scientist in the Seventeenth Century*, London, 1970, pp. 25-43; idem, 'The Dublin Philosophical Society and the new learning in Ireland', *IHS*, 14, 1964, pp.99-119; Baggot to King, -/12/00, Lyons 743; Same to Same, 15/3/01, Lyons 775; Same to Same, 16/3/04, Lyons 1071. King was also a member of the Royal Society in England where he made the acquaintance of Newton, Stukely and several other prominent individuals.

[32] Dr. P. Dun to King, 2/6/83, Lyons 17. While at Tunbridge he attended the court physician, Dr. Thomas Millington.

[33] Dun to King, 6/6/84, Lyons 24; Same to Same, 3/8/86, Lyons 40; Same to Same, 15/8/86, Lyons 2292. While in Wexford in 1684 he availed of the opportunity to carry out some experiments on the curative qualities of the spa waters. This formed the basis of a paper which he later delivered to the Dublin Philosophical Society.

[34] Thomas Otway, Bishop of Ossory, to King, 4/4/83, Lyons 16; Dan Lloyd to King, 19/7/81, Lyons 6; Dun to King, 8/4/84, Lyons 22; Rev. Thomas Benson to King, 26/4/84, Lyons 23. King had first made Dun's acquaintance at meetings of the Dublin Philosophical Society of which Dun was a founding member. He was appointed Physician to the Army by William in 1688 and accompanied the king throughout Ireland. In 1690 he became President of the College of Physicians. He continued as King's doctor for many years and in 1713 appointed King as his executor: see *Memoir of Sir Patrick Dun*, ed., T.W. Belcher,

In spite of his illness, however, King's range of involvements steadily grew. This was partly the result of the increased responsibilities assigned to him by his superiors. But it was also due to the fact that during his time as Chancellor of St. Patrick's he became embroiled in two major controversies. Significantly, both revolved around the question of the nature and extent of the authority of the established church and its ministers. Since this was a matter which would occupy a large amount of his attentions in later life, these two incidents are important in highlighting his thinking on this point in the early part of his career.

The first of these disputes had its origins in the peculiar nature of the constitution of St. Patrick's Cathedral. In 1220 the constitution of the Diocese of Salisbury had been imposed on St. Patrick's by Archbishop Henry of London when he granted the church cathedral status. This rather idiosyncratic arrangement had resulted in many of the rights and privileges of the Chapter never being clearly defined. In particular, the respective prerogatives of the Dean and Chancellor were unclear. This was a situation which a man like King would not tolerate. The fact that the incumbent Dean, the Rev. John Worth, was a man equally determined to protect his privileges made a conflict of some sort likely.[35]

Worth had been appointed as Dean over a year prior to King's arrival and, merely continuing a long established practice, he had nominated January 12, 1680 as the day for his visitation of the Chapter of St. Patrick's. Protesting that nothing in the ancient charters of the Cathedral endowed any such power on the Dean, King, supported by five prebendaries, refused to attend. The

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Dublin, 1866.

[35] William Monck-Mason, *The History and Antiquities of the Collegiate and Cathedral Church of St. Patrick*, Dublin, 1820, pp.201-202; H.J. Lawlor, *The Fasti of St Patrick's*, 1930, pp.7-11, 48; *Paraphrase*, pp.48-52.

remainder of the Chapter reacted by pronouncing the protesters *contumacious*, insisting that they either explain their action or face suspension. At this point the five prebendaries succumbed. King alone refused to yield. Worth reacted by suspending him from the Chapter. This was a highly embarrassing situation for King who now found himself excluded from the Cathedral. Yet he was absolutely determined not to concede. Appealing to Parker, he was reinstated pending an investigation. It was agreed that this would involve referring the matter to the Archbishop's Court and the Vicar General, Sir John Topham. It was the prelude to a series of hearings and depositions by both men. But, although it was over eighteen months before the court finally adjudicated on the matter, King's doggedness was eventually vindicated. The Dean, it was decided, did not have the powers he claimed.[36]

King was delighted and presumed that this was an end to the matter. But, not to be denied, Worth appealed to the Court of Delegates.[37] Once again there was a delay of several months while the two men engaged in a series of lengthy submissions. It was 1683 before a final decision was reached. This time, however, the members found in Worth's favour. Pursuant to an Irish Act for the Regulation of St. Patrick's Cathedral made during Edward VI's reign, they decided that the Dean was entitled to act as he had done. They fully endorsed his behaviour and commended his determination to vindicate his rights. In stark contrast, they made plain their annoyance at King's insubordination. His conduct had reflected badly on the church in government circles. He was severely reprimanded, and, as a 'mulct for his contumaciousness', was ordered to erect new stalls in the Chapter House at his

[36] T. Cotton, *Fasti Ecclesiae Hibernicae*, 1847, ii, p.101; Stokes, *op. cit.*, p.178; Monck-Mason, *op. cit.*, pp.211-3.

[37] Stokes, *op. cit.*, p.180. This Court consisted of the Bishops of Kildare, Cork and Killala, Sir Richard Reynell, Oliver Jones and the Deans of Christ Church and Armagh.

own expense.[38]

It was an ignominious, and very public, reprimand for King, the fact that government officials had commented adversely upon his actions making it especially embarrassing. But, in spite of this, his appetite for controversy showed no sign of abating. Indeed, by 1686 he had become embroiled in yet another very public dispute. On this occasion, however, he had been careful to engage a topic which he was confident would re-establish his reputation within the church: the question of the relationship between Anglicanism and Catholicism.

This was always an issue of fundamental political as well as ecclesiastical importance in Ireland. The enthronement of a Catholic king in February 1685 had, however, given it an immediate relevance. Fears that James' accession might precipitate a spate of defections to the Catholic Church had been fuelled by the highly controversial decision of Peter Manby, Dean of Derry, to do exactly this in early 1686. When this was followed by James' refusal to demand that Manby resign his position within the Church of Ireland, it became apparent that not only the spiritual authority, but the temporal security of the church was being challenged. If other churchmen could be persuaded to follow Manby's example, and they too were allowed to retain their benefices as well as their remuneration, then the privileges and assets of the Anglican Church might well be transferred piecemeal to the Catholic Church.[39] Manby's decision to publish a defence of his action seemed calculated to encourage this very course. Consequently, when his

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[38] Monck-Mason, *op. cit.*, p.202.

[39] Bonnell to Strype, 28/8/86, 5/12/87 and 17/4/88, (quoted in Gilmore, *Dopping*, pp.14-16). A similar situation had arisen in relation to vacancies in the Archbishopric of Cashel, the Bishoprics of Clonfert, Elphin and Clogher and the Deanery of Down: Cotton, *Fasti Ecclesiae Hibernicae*, ii, p.45; Clarendon to Rochester, 20/3/86, *Clarendon Correspondence*, i, p.312; *Paraphrase*, pp.58-62; Stokes, *op. cit.*, p.186.

'Considerations which Obliged Peter Manby..... to Embrace the Catholique Religion.....' appeared in 1687, it demanded an immediate rejoinder from the church authorities.[40] King was the first to respond in print with *An Answer.*[41] By the time that Manby had followed up his first book with two further pamphlets, King had emerged as his most trenchant critic.[42]

Determined to 'keep his flock safe from being perverted to the Church of Rome', King had already made plain his views on Roman Catholicism and had 'often disputed publicly with Popish Priests'. In March, 1685 he had invited Bishop Sheridan of Kilmore to preach at St. Werburgh's. The sermon, an outspoken attack on both Catholics and Presbyterians, had been published subsequently with an introduction by King.[43] Fully endorsing Sheridan's sentiment's, he had expressed the view that the Catholic Church was apostate and the Pope damned. But, mindful of the presence on the throne of a Catholic

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[40] *The Considerations which Obliged Peter Manby, Dean of Derry, to Embrace the Catholique Religion*, Dublin, 1687.

[41] *An Answer to the Considerations which Obliged Peter Manby, Dean of Londonderry in Ireland, (as he pretends) to embrace what he calls the Catholique Religion*, London, 1687, [hereafter: *An Answer*]. This was subsequently published in Dublin in the same year and bore the imprimatur of Archbishop Francis Marsh of Dublin.

[42] After King's first retort Manby produced *A Reformed Catechism, in Two Dialogues concerning the English Reformation, collected for the most part, Word for Word, out of Dr. Burnet, John Fox and other Protestant Historians for the information of the people*, Dublin, 1687. King replied to this with *A Vindication of the Answer to the Considerations that obliged Peter Manby etc. to embrace, as he pretended, what he calls the Catholique Religion, being an Answer to the first Dialogue already printed of his Reformed Catechism*, Dublin, 1688. Manby followed his earlier books with a pamphlet entitled *A Letter to a Friend showing the Vanity of this opinion: that every Man's Sense and Reason is to guide him in matters of Faith*, Dublin, 1688. King responded with *A Vindication of the Christian Religion and Reformation against the Attempts of a late Letter wrote by Peter Manby, dean of Derry, pretending to show that all Religions have a like Plea and that there can be no such Sins as Heresy and Schism, if every Man's Sense and Reason are to guide him in Matters of Faith*, Dublin, 1688.

[43] *Paraphrase*, p.24; *St. Paul's Confession of faith, or a brief account of his religion; in a sermon preached at St. Werburgh's Church in Dublin, March 22, 1685 by William Lord Bishop of Kilmore and Ardagh*, [hereafter: *St. Paul's Confession of faith*], Dublin, 1685. King's introduction was in the form of a letter to Sheridan. Captain Charles Holcroft to King, 25/1/82, Lyons 8; Miles Higgins to King, [1683], Lyons 2288.

monarch, he had also taken the opportunity to reaffirm the need for Anglicans to remain true to the doctrine of Passive Obedience: it was 'impossible', he wrote, in words which would be employed in the aftermath of the war to imply expediency on his part, that 'anyone of our communion should be disloyal without renouncing his religion.'[44] He had repeated these sentiments even more forcefully in a sermon of his own in October of that year.[45] Speaking before the Primate and the Lords Justices, he had also reminded his congregation of the cruelty inflicted upon Protestants by Catholics in 1641. More pointedly, he had taken the opportunity to warn Catholics of the dire consequences of any insolence they might be contemplating now that one of their own persuasion was on the throne.[46]

Interpreting Manby's actions as intended to stimulate such 'insolence', King's purpose in entering the fray was simply to deter others from following the Dean's example. He presented Manby as an opportunist and dismissed his protestations of conversion as profane, intended merely to find favour with the new regime. But personal denunciations such as this were of little value. King knew that the critical issue was whether, in dealing with a recalcitrant clergyman, the final authority rested with the church or with the crown. It was

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[44] W. King, Introduction, pp.v-vi, to *St. Paul's Confession of faith;* [Charles Leslie], *An Answer to a Book Intitled, 'The State of the Protestants of Ireland'*, London, 1692, p.113. See also Stokes, *op. cit.*, pp.184-5.

[45] Anti-Catholic sermons were preached every year on October 23, the anniversary of the 'massacre' of 1641, and on November 5, the anniversary of the Gunpowder Plot: T.C. Barnard, 'The Uses of 23 October, 1641 and Irish Protestant Celebrations', *English historical review*, 1991, p.893, (especially footnote 3); *idem*, 'Athlone, 1685; Limerick, 1710; Religious Riots or Charivaris?', *Studia Hibernica*, 28, pp.61-75; J. Kelly, "The Glorious and Immortal Memory': Commemoration and Protestant Identity in Ireland, 1660-1800', *Proceedings of the Royal Irish Academy* 94c, 1994, pp.25-52.

[46] W. King, *A Sermon Preached at Christ Church, Dublin, on the 23rd of October 1685, before Michael Boyle, Lord Primate and Lord Chancellor and Arthur Forbes, Earl of Granard, Lords Justices on Isaiah 59:6,7,* in Samuel Foley's Commonplace book, TCD Ms. 865. The text in Isaiah reads: '..... their works are works of iniquity and the act of violence is in their hands. Their feet run to evil and they make haste to shed innocent blood..... wasting and destruction are in their paths.'

this which forced him to commit to print his idea of 'natural authority', a radical declaration of the integrity and independence of the national church, a concept which owed much to the notion of the Church of Ireland as a 'free national church' which had been articulated earlier in the century by Ussher and developed by others since the Restoration.[47]

In many ways, in fact, King was the inheritor of that remarkably ambitious vision of the Church of Ireland first conceived in the early seventeenth-century. For him the term 'natural authority' described that primacy of dominion which flowed from those historical, legal, spiritual and political developments which had patently been approved by God. In particular, it referred to 'the whole body of men professing the religion of Christ and living under their lawful governors', that is bishops, which, in an Irish context, meant bishops of the Church of Ireland. Under these criteria it was possible to dismiss the claims of Presbyterians and the Roman Catholic Church to primacy in the ecclesiastical affairs of Ireland, since they 'proceed on their own heads in spite of their lawful governors'.[48] The claims of the Church of England to primacy over Ireland could also be denied since, like the Roman Catholic Church, its centre of authority was outside the island. The only properly constituted church which could lay any claim to spiritual jurisdiction in Ireland was the Church of Ireland. Its claims were based on its status as a national church with an episcopal structure which had been providentially established and approved. And while in the past its 'legal governors', (the bishops), might have devolved the right to make appointments to the crown, it was implicit in this arrangement that the ultimate authority remained within the church. Therefore, since in this case its episcopal bench had already declared

[47] See Bolton, *op cit.*, pp.2, 8-22 for a discussion of Ussher's vision of what he called a 'Free National Church'.

[48] King, *An Answer*, pp.4, 6, 29.

that Manby should be deprived, it remained simply to see these wishes carried out. Indeed, if only 'national churches were left to be governed by themselves', as had been intended by the original reformers, he was moved to lament, all such 'contentions [would] soon come to an end'.[49]

King was delighted to find that the initial response to his articulate ripostes to the challenge posed by Manby was highly favourable. Archbishop Marsh, for example, had been sufficiently impressed to allow *An Answer* to be published with his imprimatur. He was especially gratified to see that his reputation as a keen defender of the Anglican cause had spread to England: a friend wrote to tell him that, despite 'the tartness of your style,' his pamphlets 'had taken well' there.[50]

But accolades such as this could not survive the tensions induced by Tyrconnell's policies and the appearance of James' *Declarations of Indulgence*. Indeed, they soon gave way to outright denunciation. The reason for this could be traced, not to any criticism of the king's religion, but to a relatively minor aspect of King's thesis. Addressing the nature of ecclesiastical and secular authority had required that he deal, however obliquely, with the claims of the other large denomination on the island, Ulster Presbyterianism. His characterisation of all non-conformists as being outside the Christian church 'having separated from their lawful governors', had, however, been both scathing and dismissive.[51] In King's scheme of things, however, order and structure were as much determinants of orthodoxy as doctrine. Roman Catholicism's liturgical and episcopal qualities made it vaguely compatible with the scriptural pattern to which the Anglican Church conformed. But the

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[49] ibid., p.31; Goldie, *op. cit.*, pp.125-8.

[50] Henry Dodwell to King, 19/2/88, Lyons 51a.

[51] King, *An Answer*, p.6.

rejection of these by Dissenters removed them from the natural order altogether. Their refusal of even local systems of authority not only made their religion suspect, but in King's estimation, made them harbingers of anarchy. Indeed, it was the fact that non-conformism appeared so doctrinally akin to Anglicanism on so many points that made it so insidious. Since the features that distinguished the true church from its Presbyterian impostor were those of order, episcopacy and historical legitimacy, these required to be disproportionately emphasised.

The problem with the forthright denunciation of Presbyterianism which flowed from such an analysis, was that it offended potential allies at a time when an increasingly resurgent Catholic nation was emerging under Tyrconnell. It was certainly at odds with the need for Anglicans and dissenters to come together to confront a foe which made little distinction between conformist and non-conformist. As concerns such as this began to take precedence over theological niceties, favourable reviews soon gave way to more critical assessments. When one prominent Presbyterian publicly rebuked King for his 'uncharitableness and ignorance, pride and confidence [and] immoderate affection to a party which blinded his judgement.....', the Anglican leadership took fright. By early 1688 King, although indignant at what he believed was 'this severe treatment', had been dissuaded from taking any further part in the controversy.[52]

[52] *Paraphrase*, pp.62-66; [Joseph Boyse], *Some impartial reflections on D[r]. Manby's Considerations etc. and Mr King's Answer*, Dublin, 1687, (also published as *Vindiciae Calvanisticae*).

CHAPTER 2

1688-1690: '..... *sad and gloomy days* .....' [1]

King's conversion was the seminal event of his life. It imbued him with an enthusiasm for the things of God which would shape not only his personal life, but his entire political and social outlook. However, at this stage in his career his zeal lacked definition and direction. He wished to see the influence of the Church of Ireland extended but had no idea of how this might be achieved. It was this which his experiences during the period from 1688 to 1690 would provide.

These were years when many of the elements of the Restoration Settlement to which he had given his wholehearted support were exposed as inadequate to deal with a situation in which the interests of the crown and church diverged. But, in what was to prove to be the main legacy of this period for him, he was motivated to construct a viable alternative. It was out of this time of upheaval that he emerged with what he called his 'Constitution of Church and State', a political, ecclesiastical and social blueprint contouring his vision of how society in general, and Anglo-Ireland in particular, might appropriate to itself the achievements of both the Restoration and the Glorious Revolution.[2] While reminiscent of the Restoration Settlement in many respects, in some of its key elements it did evidence a radical break with the past,

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[1] King, *Sermon on Matthew 5:16*, preached in September, 1688, TCD Ms. 1123/5.

[2] The term 'Constitution of Church and State' was commonly used to describe a political and religious settlement.

envisaging, for example, changes in the relative powers of crown, church and parliament. It was a measure of the cathartic effect of the war years and the intensity of personal struggle which accompanied its conception that it was to inspire him for the remainder of his life.

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King had become aware of the political and religious turmoil which might accompany James' accession when, in Tunbridge in 1683 to take the waters for his gout, he had observed the emergence of 'factions..... between Royalists and Republicans.' Nevertheless, James' accession in February, 1685 had not perturbed him unduly. He was confident that, in spite of his religious beliefs, the new monarch would honour his promise to defend the established church. Like the bulk of his colleagues, therefore, he continued to preach the doctrine of Passive Obedience as applying to James.[3]

This was consistent with the various declarations of fidelity he had made ever since the crisis induced by James' conversion. In 1679, while attempts were being made in England to exclude James from succeeding his brother as monarch, he had, along with other Dublin clergymen, endorsed a statement of fealty to Charles and to James as his rightful heir.[4] Shortly after James had succeeded to the throne, and just prior to Monmouth's rebellion, King had again been one of several clerics to sign his name to an *Address* to James promising 'dutiful submission': 'We can give your Majesty no greater

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[3] *Vitae*, p.19. At his first Privy Council meeting as monarch James had promised to 'preserve this government both in Church and State' and to 'take great care to defend and support' the church. It was presumed that this was intended to include the Church of Ireland since, in February, 1685, James ordered that his remarks be printed and circulated in Ireland as *The Account of What His Majesty said at his first coming to Council.*

[4] *A statement by the Archbishop of Dublin that William King had come before him and made the declaration prescribed by law that he would not take up arms against the King*, dated December 20, 1679, Tertowie Papers, 2957/6/2/1.

assurance,' it had declared,

> 'than that we do hereby sincerely acknowledge ourselves indispensably obliged thereto by the principles we have been taught and can't unlearn; by the doctrines wherein we have instructed our particular charges; by virtue of that religion we profess..... under which mighty obligations we humbly prostrate ourselves at your Majesty's feet in perfect recognition and to all extremities to approve ourselves forever your Majesty's most faithful and most obedient subjects.'

As late as February 1688 King was still protesting his loyalty to both the king and those political doctrines of the church which denied the option of active resistance.[5]

But such declarations were becoming increasingly irrelevant to the majority of the Anglo-Irish who felt threatened by James' divisive rule. In Ireland, Tyrconnell's policy of appointing Catholics to civil and military posts left no one in any doubt as to either the likelihood or the cathartic potential of impending confrontation.[6] For Catholics it raised the possibility of regaining lands lost after the rebellion of 1641. For the New English Protestant population, who in the main held their lands and influence as a result of the Restoration Settlement, the immediate prospect was the loss of this property to the Old English and native Catholic interest. The Church of Ireland found itself in a particularly invidious position. Under a regime which had been diligently nurtured by both the episcopacy and clergy, it had allowed its fortunes to become inextricably linked with those of the crown. With the

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[5] *The humble Address of the Archbishop of Dublin and his clergy, March 12, 1685*, reprinted in Stokes, *op. cit.*, p.171-2; *Certificate of Assent*, 24/2/88, Tertowie Papers. For similar protestations of loyalty by prominent churchmen see Dopping, *A Sermon on Hebrews 10:23*, preached on 29/2/87, TCD Ms. 1688.

[6] P. Kelly, 'Ireland and the Glorious Revolution, from Kingdom to Colony', in R. Beddard, ed., *The Revolutions of 1688*, Oxford, 1991, pp.165-171, [hereafter: 'Ireland and the Glorious Revolution']; J Miller, 'The Earl of Tyrconnell and James II's Irish Policy, 1685-88', *The Historical Journal*, 20, 1977, p.813.

interests of both now diverging, James' actions were threatening to undermine both the church's privilege and its exclusive hold on the establishment.[7]

Ironically, King's own responsibilities were rising in inverse relation to the fortunes of his church. When his erstwhile protagonist, Dean Worth, died in April, 1688 he was elected President of the Chapter of St. Patrick's. From this position appointment to the Deanery was normally merely a formality. Indeed, the Chapter quickly approved his nomination and advised the authorities accordingly, but King now found himself a victim of Tyrconnell's policy of allowing Church of Ireland benefices to remain vacant. However, having just emerged from his skirmish with Manby over the respective roles of church and state in the matter of ecclesiastical appointments, King had no intention of meekly acquiescing. He made a determined and very public bid to have his advancement approved by the authorities. At a hearing before Tyrconnell in June, he pointed out that the vacancy had occurred through the death, not the promotion, of the incumbent. As such, he insisted, the appointment of a successor devolved to the Chapter. He was 'shamed off' by the Lord Deputy, however, when he was unable to produce certain supporting documents. But still he refused to submit. For several months he continued to pester the authorities, citing precedent and the unanimity of the Chapter in his favour. Eventually Tyrconnell relented. Acknowledging that the Chapter had followed the correct procedures in this case, he gave permission for the investiture to proceed. In January 1689, at a ceremony in St. Patrick's Cathedral, King was finally installed as Dean of the Chapter.[8]

His elevation soon proved to be of critical importance. James' flight to

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[7] Figgis, *op. cit.*, pp.207-8, 217-253; G. Straka, 'The final phase of divine right theory in England, 1688-1702', in *English Historical Review*, 77, 1962, pp.638-658.

[8] J.G.Simms, *Jacobite Ireland, 1685-91*, London, 1969, p.42; Monck-Mason, *St. Patrick's*, pp.206-7; King to Dopping, 2/3/88, TCD Ms. 2254a/2-4; *Paraphrase*, pp.72-4.

France and eventual arrival in Ireland, coupled with the enthronement of William and Mary in England, had heightened tensions considerably, resulting in the departure for England and subsequent attainder of many leading Irish Protestants. Thus, as King was being installed, many of his parishioners and fellow clergy were fleeing the country. When Archbishop Marsh of Dublin joined this exodus in February 1689, King found that, as Dean of St. Patrick's, he was the most senior diocesan cleric remaining. Along with Samuel Foley, who had succeeded him as Chancellor of St. Patrick's, he was nominated by Marsh to act as commissary in his absence.[9] 'Under colour of that power,' King recalled, 'I assumed myself jurisdiction of the whole diocese'. When, some weeks later, Foley departed for England, he was left in sole charge of the administration of the see.[10]

To the extent that he could King tried to minister to the needs of his charges. But, with the political situation becoming more volatile, he soon found himself having to confront the particular difficulties posed for the church by James' policies. Throughout 1688 the position of Catholics in Ireland had improved as the fortunes of Protestants and the Church of Ireland had declined. In these circumstances King could no longer avoid the fact that the gradual disestablishment of the Church of Ireland was a possibility, particularly with a parliament likely to be dominated by Catholics called for the summer of 1689. His friend, the Accountant-General, James Bonnell, had long feared

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[9] King to Marsh, 28/2/89, Lyons 68; Rev. Jeremy Dawson to King, 8/5/89, Lyons 70; Marsh to King, 8/12/88, Lyons 61; King to Rev. Samuel Foley, 13/11/88, Lyons 60; Typescript copy of Diary of Archbishop Narcissus Marsh, in Marsh's Library Ms Z2. 2. 3b, March, 1689, [hereafter: *Marsh's Diary*].

[10] King to Foley, 15/7/90, Lyons 82; *Vitae*, p.23; King to Marsh, 28/2/89, Lyons 68; King to Wyndham, 12/2/03, TCD Ms. 1489/2/149-51; Gillespie, *op. cit.*, pp.129-130. With the Archbishopric of Cashel vacant, the Archbishops of Tuam and Dublin in England and Primate Boyle almost senile, Anthony Dopping, Bishop of Meath was the *de-facto* head of the church at the time.

just such a development: '..... the army is already changed', he noted with apprehension, 'and God knows what an effect a commission here might produce in the church'.[11]

King's reaction was both decisive and telling. Publicly, according to one of those who would subsequently accuse him of duplicity, he continued to declare loyalty to James, insisting that there was 'no way to preserve the honour of our religion, but by adhering unalterably to our loyalty..... a rebellion would ruin and disgrace it'. As late as September 1688, after returning from a visit to see some of his family in the north, he even preached a long sermon restating the traditional position:

> 'Although the principles of loyalty may seem to expose men to sad and gloomy days, nay though our lives and fortunes seem to be in the balance with them, yet let us not despond or cast away religion..... This may be only a trial of our faith and nothing can persuade us to alter what our saviour has taught, our parliaments decreed and ourselves profess: that it is not lawful in any pretence whatsoever to take up arms against our lawful governors.....'[12]

But privately he had come to the conclusion that Passive Obedience was no longer tenable. The consequence of blindly adhering to such dogma would, he believed, be the loss of both the established church and civilised society in Ireland. He was not about to allow allegiance to a discredited doctrine to contribute to such a situation. At some point during the winter of

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[11] Bonnell to Strype, 28/8/86, (quoted in Gilmore, *Dopping*, p.30); A.I. Carpenter, 'William King and the Threats to the Church, pp.22-4.

[12] [Charles Leslie], *An Answer to a Book Intitled, 'The State of the Protestants of Ireland'*, London, 1692, p.113; W. King, *Sermon on Matthew 5:16,* preached in September, 1688, TCD Ms. 1123/5. Other prominent churchmen were also exhorting their congregations to remain true to the doctrine: see, for example, Dopping, *A Sermon on Hebrews 10;23*, preached on September 9, 1688 and May 12, 1689, TCD Ms. 1688. See also Marsh to King, 8/12/88, Lyons 61 and Vesey to King, 17/1/89, Lyons 66. The author of the *Paraphrase* recounts that King used the opportunities afforded by his trip north to review the defences in many of the towns and to read 'books of fortification and gunnery': *Paraphrase*, pp.70-2.

1688, therefore, and some time before William had committed himself to bringing an army to Ireland, he had decided not only to refuse to support James but to actively resist him. Indeed, although technically engaging in treasonable activity, King, heretofore a champion of non-resistance, had begun to send intelligence to his London agent, George Tollet, who, in turn, was passing it on to 'ministers of the greatest interest', including Marshal de Schomberg.[13] He recalled some years later how he came to be in possession of such valuable information:

> 'In many cases..... the Protestants of Dublin, under the difficulties which oppressed them, were accustomed to consult the Bishop of Meath [Anthony Dopping] and myself, ... hence we were held to be almost oracles and whatever news they either heard or learned they brought to us; whatever evil had happened to them, or was feared, they opened to us. Hence almost all the history of things about to be done was made known, private letters directed to themselves or otherwise authenticated, public instruments, proclamations, orders of council, even transcripts of those which were being preserved in the Secretaries' chests were communicated to us..... What we discussed was communicated to friends in England and the northern part of Ireland.....'

Bonnell, commending him in the aftermath of the war for being 'more clear in the point of opposing K[ing] J[ames] than most', provided more detail of the manner of King's subterfuge:

> 'He managed his correspondence so that [though] they shrewdly suspected him they could never find it out; for he never employed fools and those that carried it had it always from a third or fourth hand except two gentlemen that went over

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[13] Tollet to King, 22/2/89, Lyons 67; Goldie, *op. cit.*, pp.107-110. See Carpenter, 'William King and the Threats to the Church', p.23 and Gillespie, *op. cit.*, p.130 for suggestions that King acted in an equivocal manner. That William had not yet decided to take on James' army in Ireland is evidenced by the correspondence of one of his principal advisers, the Earl of Clarendon, in which he describes William as setting 'a very small value on Ireland', an indifference which was prompting many Irish Protestants then exiled in England to consider returning to Ireland 'if King James offered them good terms': *Clarendon Correspondence*, ii, pp.296, 324; *Paraphrase*, p.54.

> immediately from him in boats after Christmas 1689, when he understood how Schomberg stifled the intelligence that came to him: Mr. King, the attorney, and Mr. French, a clergyman. He sent once a large account to Schomberg sowed up in a Crupper.'

Delighted to be in receipt of such information, William's agents in turn kept King fully informed of developments in England via Tollet. In February 1689, Tollet wrote relaying Marshal de Schomberg's appreciation of the intelligence transmitted to date, and requesting further information about Jacobite defences in Dublin. King duly obliged.[14]

This *volte-face* on King's part was evidence of the profound change in outlook had been induced by recent events. It certainly ran counter to the tenets of Passive Obedience which he had preached with such steadfast devotion for so long. Nor was it a decision made without considerable anguish. A manuscript in his hand dating from this period gives some idea of the problems of conscience which it caused him. Entitled *Principles of Church Government*, it speculated on how the church might deal with the many challenges posed by James' rule. As such, it not only highlights the way in which his moral and constitutional thinking was being affected by what was happening around him, but gives an insight into the principles which were to underpin much of his subsequent political activity.[15]

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[14] *Vitae*, p.24-5; Tollet to King, 22/2/89, Lyons 67; Bonnell to Strype, 24/4/91, Transcript copy of Bonnell/Strype Correspondence, Baumgartner Papers, Cambridge University Library, at Trinity College, Dublin, Ms 2929, [hereafter: Strype Corr. TCD Ms. 2929], p.137; Same to Same, 21/2/92, Strype Corr. TCD Ms. 2929 p.128; *Paraphrase*, pp.54-8. A crupper was a strap looped under a horse's tail to hold the harness back.

[15] *Principles of Church Government in general, or such as manifestly result from the nature of Christian religion*, TCD. Ms. 865. This manuscript is to be found in Samuel Foley's *Commonplace Book* which contains six separate items probably collected with a view to being used in the forthcoming Jacobite parliament by Protestant members: see Carpenter, *Archbishop King and Dean Swift*, pp.157-179; idem., 'William King and the Threats to the Church', pp.23-5; Goldie, *op. cit.*, pp.128-131; J.C. Beckett, 'The Government and the Church of Ireland under William III and Anne, p.281. Around this time King had also completed his dissertation for the Doctorate of Divinity degree which he received in the summer of 1688. The thesis dealt with 'the distinction between civil and ecclesiastical powers' and more than likely formed the basis of the *Principles of Church Government*

Twenty-seven pages in length, the document comprised of two main sections: the first set out thirty-five regulations relating, in the main, to the organisation and regulation of the church;[16] the second, framed as a series of forty-three[17] questions, dealt more specifically with various aspects of the church's correspondence with, amongst others, the monarch. Indeed, it is at its most revealing in the way in which it addresses the relationship which should exist between crown and church, King's now entrenched anti-Erastian axiom that the church was a 'society' with certain rights and privileges which were 'distinct from the rights and privileges of civil society', providing the basis on which he proceeded. Predicating his thesis on the notion that both the king (the 'civil magistrate') and the church were appointed by God, King insisted that in normal circumstances they were 'obliged to help and assist one another.'[18] Thus, while, for example, the church granted the monarch the right to appoint bishops, the king reciprocated by ensuring a system of 'temporal rewards and punishments' which enforced the church's teachings:

> 'All visible or outward actions that are either good or bad may be rewarded or punished both in this world and the next, and therefore both the civil magistrate may take cognisance of every action, in order both to reward and punish it temporally, and likewise the church, in order to reward or punish it spiritually: and therefore the most spiritual person or outward action is not exempted from the magistrate's power, nor the most temporal from the church's.[19]

But the immediate problem confronting the church was that this symbiosis was

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document: King to Madden, 19/1/01, 750/2/2/49.

[16] The first nineteen principles are devoted almost entirely to this topic.

[17] The questions are only numbered as far as 42, but there are two questions numbered 27.

[18] Principle 29, f.268.

[19] Principles 27, 28 and 32, f.268.

being undermined by a king who was unwilling to uphold the authority of the church with corresponding temporal penalties. Having concluded that the security of the church was paramount and no longer guaranteed by James, King had already decided that he was free to support William. What was needed now, however, was a doctrinally and historically sustainable justification for the church as a whole severing its link with a monarch who had shown himself unwilling to honour his promises. In principles 33, 34 and 35 of the document King committed to paper the basis upon which he felt such a step would be acceptable.

In essence he would argue that while the monarch and church were divinely appointed, the 'correspondence' between them was not. It was merely 'an union' between them and, 'as it began by the mutual agreement of the parties, so it may be broken again..... by the withdrawing of the parties'.[20] As such, it was little more than a political arrangement which could be broken by either party without that party's claims to divine appointment being compromised. In normal circumstances 'this condescending of the Civil magistrate and governors of the church to act jointly' was intended to ensure 'the mutual good'. Since this was manifestly not being achieved while James remained on the throne it was impossible to 'oblige either party' to continue in that arrangement.[21] Therefore, he concluded, while

> 'both derive their authority from God, independently of one another, and are immediately accountable to him, and being entrusted with the government of their respective society, they cannot by any act or promise of their own divest themselves of that power which is necessary for the preservation of their

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[20] Principle 33, f.267v. In adopting this line, King was following the approach espoused by several of his contemporaries: see, for example, Samuel Hill, *The Catholic Balance*, London, 1687; Goldie, *op. cit.*, pp.126-131; Carpenter, 'William King and the Threats to the Church', pp.23-5.

[21] Principle 34, f.267v.

> societies or discharge of the trust reposed in them, that is to say it will be no excuse to the governors of the church, when they should preserve the flocks by care and preaching or doing any other act necessary to their preservation to say they promised the magistrates not to do it.'

With the church being undermined piecemeal by James, it would be 'no excuse', King was arguing, for the leaders of the church to say that they had promised not to interfere with him in any way. Their charge was the protection of the church and to this all else must be subordinate.[22]

The monarch's failure to protect the rights and privileges of the church was the only basis upon which King considered such a breach to be justified, however. He did not, for example, accept that the sovereign's becoming 'apostate or heathen' would, of itself, allow the church to take such unilateral action. He was rejecting, therefore, the argument that James' conversion to Roman Catholicism was sufficient to allow the church to take such a step. Furthermore, aware that 'such a breach' would 'be very fatal', he was careful to make the point that this step should only be taken 'if the matter should come to this extremity.'[23]

But, in even countenancing the possibility of resistance King was essentially denying the inviolability of those doctrines which he and others had so vigorously espoused for over a generation. Ever the pragmatist, however, King was interested simply in framing an expedient by which the church might survive and accommodate itself to a new situation. He had already decided to ally himself with William and had framed this scheme with a view to circumscribing the impediments imposed by Passive Obedience. In his view the church and its members were now free to not only desert James, but to actively oppose him.

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[22] Principle 35, f.267v. Goldie, *op cit.*, pp.128-9.

[23] Principle 35, f.267v.

The delicacy of the Church of Ireland's position to which the *Principles of Government* testified is more starkly evident in a second document written by King during this time. Headed *The Present State of the Church*, it dealt mainly with the structures and practices of the church, proposing a series of reforms and remedies which might be instituted in order to improve it. Given the circumstances in which it was written, however, it was unlikely that these were a priority for either clergy or laity. In fact, the document's true purpose is indicated in an endorsement at the rear in King's hand - *Notes of a design, 1688, for Union,* - that is, a scheme for some form of union or comprehension between Anglicans and Dissenters.[24]

Notwithstanding this subtitle, it is unlikely that a union would have been welcomed by King. Nevertheless, the uncertainties induced by the political situation required that previously untenable contingencies be explored. Increasingly isolated from power, the leaders of the Church of Ireland were painfully aware that in Scotland non-conformism had emerged triumphant while in England a strategy for the comprehension of Dissenters was being explored by a royal commission. To a man like King, obsessed with the notion of episcopacy and order as prerequisites of divine blessing, these options, however unpalatable, may have seemed the only hope of securing the continued existence of an episcopal church in Ireland in its privileged, established position.[25]

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[24] *The Present State of the Church*, (endorsed at rear 'Notes of a design, 1688, for union'), Lyons 69a; Carpenter, 'William King and the Threats to the Church', pp.25-8. ('Comprehension' described the incorporation of non-Anglican congregations within the established church structure and organisation under terms which allowed them to retain some of their own unique forms of worship.)

[25] J. Spurr, 'The Church of England, Comprehension and the Toleration Act of 1689', *English Historical Review*, 54, 1989, pp.927-946; G.J. Schochet, 'John Locke and Religious Toleration', in L.G. Schroerer, ed., *The Revolution of 1688-89*, Cambridge, 1992, pp.147-151; I.B Cowan, 'Church and State Reformed? The Revolution of 1688-9 in Scotland', in J.I. Israel, ed., *The Anglo-Dutch Moment: Essays on the Glorious Revolution and its World*

The detailed teasing out of various issues in the manuscript confirms that whatever his personal inclinations, King gave the prospect considerable thought.[26] Indeed, evidencing the vulnerability of the Church of Ireland at that moment, he appeared willing, as Bramhall had 30 years previously, to consider some extraordinary concessions to Dissenters in the areas of baptism, public worship, communion and public prayer. On the question of ordinations his comments were especially remarkable. Re-affirming his belief that only bishops, or those delegated by them, could ordain, he hoped that any Presbyterian ministers who might join the Anglican communion would agree to be re-ordained. But this was not intended, he was at unusual pains to point out, to invalidate, condemn or diminish the power such ministers had before, but only to make it 'more unexceptionable to the church'.[27] In the event that such a scheme caused insurmountable difficulties in individual cases, then he was prepared to advocate a system by which they would 'be connived at in his own congregation and owned as a brother by the other clergy.'[28]

For a man like King these were radical concessions. In even admitting the legitimacy of non-conformist ordinations, for example, he was explicitly renouncing his previous characterisation of them as schismatic and uncanonical. But the real measure of his fear that the war would induce major changes is revealed in his belief that a 'legal toleration by the state' would have to be granted to those Dissenters who could not 'come into the church upon

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Impact, Cambridge, 1991, pp.163-183; Greaves, *op. cit.*, p.123; Neville, *op. cit.*, p.35; Connolly, *Religion*, p.285, especially footnote 65.

[26] Carpenter, 'William King and the Threats to the Church', pp.25-8.

[27] Section VII, no.2. [Ordination]. Reflecting his Caroline formation King did not envisage a similar process being imposed upon Catholic priests who converted. He accepted as valid the orders of such priests provided they had been ordained by a bishop: King to Godwin, 11/6/23, 750/7/353-4.

[28] Section VII, no.3. [Ordination].

these terms'. Indeed, cognisant of the fact that a Comprehension Bill and a Toleration Bill were being debated by the English Parliament at that very moment, his approach was predicated upon the likelihood that there would be 'different communions tolerated' in the aftermath of the war.[29] Although by the time such a toleration for Ireland came to be discussed, King would be confident enough of the Church of Ireland's re-emergence in a form similar to its Restoration status to actively oppose it, the fact that he felt compelled to even consider the possibility at this point is evidence of the lengths to which he was willing to go to ensure the preservation of an episcopal church. It certainly marked a radical change from the approach he had adopted towards Dissenters less than two years previously in his pamphlet war with Manby.[30]

The fact that these ideas would not survive the war testifies to the extent to which they were merely a response to a particularly bleak set of circumstances and outlook. Indeed, the only set of proposals in this document which would survive the war were those relating to the internal reform of the church, something to which he was passionately committed. Non-residence, pluralities, simony and that 'parcel of harpy proctors and registers who really mind nothing too often but the getting of money', all came under scrutiny. Here, for the first time, he detailed what he considered the most appropriate ways of dealing with these issues: visitations, stricter discipline, construction and repair of churches and better examination of candidates for the ministry. It was an early indication of the manner in which he would conduct himself once

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[29] ibid.; Spurr, *op. cit.*, p.939; Section III, no.5. [As to calling offenders of the laity to account and punishing offenders].

[30] King's proposal in Section III, no. 6. that 'No person of a differing communion ought to be summoned for any crime into the bishop's court, but ought to be left to the common law and their own communions' was another example of that transient tolerance which would not survive the war. In later years he would become one of the most fervent champions of the ecclesiastical court system by which Presbyterians who had not had their marriage consecrated by an Anglican minister could be punished - see chapter 5, Section I.

he was raised to the episcopal bench.[31]

These two documents, unsanitized by later editing, provide a critical insight into the manner in which King attempted to cope with the constitutional and social turmoil in which he found himself. He had seen the weaknesses of his cherished Restoration Settlement exposed by the actions of a king to whom he had once sworn undying loyalty. In reflecting later on the most appropriate settlement for Ireland this would cause him to accept that constraints would have to be placed on the powers of the monarch. In the meantime he had come to the conclusion that James' actions had freed him and his church from any constraints imposed by doctrines or oaths. He felt no qualms, therefore, about continuing to pass information to England regarding Jacobite defences in the capital. A slip on the part of one of his confidants, however, led to his being suspected of being the 'author' of many of the communiqués reaching de Schomberg. Although the authorities could not actually prove his complicity he now came under closer observation. He was attacked, not only in Jacobite broadsheets, but on one occasion by a soldier who approached him on the street and threatened to shoot him on the spot. His services in St. Werburgh's were also regularly interrupted. During one Sunday service seven officers charged into the church and swore they would 'cut his throat' if he did not desist from his denunciation of Jacobite activities. Bonnell, fearing for his friend's safety, urged him to flee: 'Of our clergy Dr. King has been very eminent', he recalled in the aftermath of the war,

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[31] Section V. See also *The State of the Church of Ireland*, (a manuscript, not in King's hand), 1690, Lyons 115a, which deals in a similar manner with proposals for church reform.

> 'of all men he had most need to have gone away from here for none had exasperated the Irish and papists to the degree he had done formerly in his sermons; they hated him mortally and he knew he was their utter enemy.'[32]

But King refused to budge, becoming, if anything, even more forthright in his resistance as he received details of developments in England and of William's and Mary's enthronement. This, he believed, increased the prospect of military intervention in Ireland by William, something made all the more attractive to King by reports of his Majesty's promise to 'approve himself a good Church of England man'.[33]

There was one other circumstance which was an important factor in propelling King deeper into the Williamite cause. This was the fact that James had summoned a parliament to meet in Dublin in the summer of 1689. King can have had little objection to the legitimacy of this parliament since it had been called by the *de-jure* monarch. But he was highly suspicious of James' intentions, particularly in relation to the established church, in spite of the fact that it had been the Anglican bishops, rather than their Catholic counterparts, who had been summoned to take the seats of the Lords Spiritual in the House

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[32] King to Samuel Foley, 13/11/88, Lyons 60; King to Marsh, 28/2/89, Lyons 68; B[onnell] to Strype, 5/8/90, Strype Corr., TCD Ms. 2929 p.97; Same to Same, 24/4/91, Strype Corr., TCD Ms. 2929 p.137; *Vitae*, pp.24-5; Tollet to King, 22/2/89, Lyons 67; King to Dean Trench, 23/2/00, TCD Ms. 1489/1/138-9; *The Whole Works of Sir J. Ware Concerning Ireland, i*, ed., W. Harris, p.365.

[33] Tollet to King, 22/2/89, Lyons 67. The possibility that a visit by Bishop Moreton of Kildare to London in March, 1689 was an attempt by Primate Boyle, Bishop Dopping and Bishop Moreton, with the assistance of Lords Granard and Longford, to lobby William to come to Ireland is discussed by Gilmore in *Dopping*, pp.73-6. One of those in William's entourage attempting to influence his policy for Ireland was Richard Cox, later Lord Chancellor of Ireland. His *Hibernia Anglicana: or the History of Ireland from the conquest thereof by the English to the present time*, 2 vols, published in 1689 and 1690, although a substantial work of history in its own right, was intended, in part, to present Ireland as a kingdom historically subject to the king of England, with the clear implication that this required William to regain it from James. See also idem., *A Discourse of the methods necessary to be observed for the speedy reduction of Ireland*, TCD Ms., 1180, pp.67-78; *Autobiography of the Rt. Hon. Sir Richard Cox, Bart., Lord Chancellor of Ireland*, ed., R. Caulfield., London, 1860.

of Lords. His fears were heightened by warnings he had received from various quarters of the 'wicked designs' which some of James' more prominent supporters had on the church's assets. Thus, while the proposed Acts of Settlement and Attainder attracted the opposition of the Protestant community as a whole, King was equally concerned about the proposed ecclesiastical legislation. He viewed one bill, which would have allowed Catholics to withhold tithes from the Anglican Church, as particularly insidious. In an attempt to rally Protestants to oppose this he circulated a letter to all clergy remaining in the city advising them that it was intended to pass a bill depriving the church of much of its revenue with a view to eventually disestablishing it. In a move which angered the Jacobite authorities he then formulated a petition signed by several clergymen which, along with Nathaniel Foy, Senior Fellow of Trinity College, he presented at the bar of the House of Lords on June 19 at the very moment when a bill which would strip the church of some of its other revenues was being discussed.[34] Lord Chief Justice Nugent, who had been intercepting King's letters for some time in an attempt to obtain proof of intelligence gathering, and who was fearful that if left at liberty he would cause further difficulties, had had enough. Sending a troop to his lodgings, he had him arrested and imprisoned in Dublin Castle.[35]

King was to remain incarcerated for almost five months while the Williamite army under de Schomberg, which had eventually landed in the

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[34] James Lloyd to King, [early 1689], Lyons 2305; Connolly, *Religion*, p.38; J.G. Simms, *Jacobite Parliament*, p.4. The bills which would have affected the revenues of the Church of Ireland were: a Bill Concerning Tithes and Other Ecclesiastical Duties; a Bill Concerning appropriate Tithes and Other Duties payable to Ecclesiastical Dignitaries; and a Bill for Provision of Ministers in Cities and Corporate Towns.

[35] *A True Account of the Whole Proceedings of the Parliament of Ireland*, London, 1689, pp.3-13; *Paraphrase*, p.56; King and Foy to Clergy of Dublin, 17/6/89, Lyons 7; King to Rev. Henry Price, 24/7/89, (reproduced in C.S. King, *op. cit.*, pp.70-1); B[onnell] to Strype, 5/8/90, Strype Corr., TCD Ms. 2929 p.103-5; King to Trench, 23/2/00, TCD Ms. 1489/1/138-9.

north, gradually worked its way south before camping near Dundalk for the winter. A diary which he kept while there testified to the fact that he found the experience physically and emotionally trying, his sickly constitution being weakened further by the crowded and miserable conditions. Despite this he attempted to minister spiritually to his fellow prisoners, many of whom were Presbyterians and Catholics. In fact, one of the more interesting consequences of his time in prison was that it convinced him that many Catholics were not only ripe for evangelism, but would make ideal coverts to the Anglican fold.[36] Nor did King allow the obvious difficulties posed by imprisonment to deflect him entirely from his responsibilities. In fact, primarily through the visits of Bonnell, who relayed back and forth between King and members of the Chapter of St. Patrick's, he actually managed to remain quite *au fait* with the affairs of the diocese.[37]

One reason that he was so anxious to remain involved was the very delicate problem posed by James' appointment of John Gordon, erstwhile Bishop of Galloway, to the positions of Chancellor and Vicar-General of the Diocese of Dublin in August 1689. Gordon, a Jacobite and suspected crypto-Catholic, had begun to issue judgements from the Court of Probate which were almost entirely prejudicial to Protestants. He had also attempted to use his position to impose excommunications on several key clerics. Conscious of the

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[36] This diary, edited by H.J. Lawlor, was published as 'The Diary of William King, D.D., Dean of St. Patrick's, afterwards Archbishop of Dublin, during his imprisonment in Dublin Castle', in *Journal of the Royal Society of Antiquaries of Ireland*, 1903, pp.139-152, pp.255-283 and pp.389-411, [hereafter, *Diary*]. A lengthy introduction to the Diary by Lawlor in *Journal of the Royal Society of Antiquaries of Ireland*, 1903, pp.119-138, [hereafter: *Introduction to Diary*], contains a discussion on the actual date of King's incarceration, which Lawlor gives as July 22, and not July 25 as suggested by King in *Vitae*, p.25. For reference to the presence of Roman Catholics at King's services see, for example, the entry for September 22 in *Diary* and *Vitae*, p.26.

[37] Bonnell to Strype, 21/2/91, Strype Corr., TCD Ms. 2929 p.128; King to Henry Price, 24/7/89, (reproduced in C.S. King, *op. cit.*, pp.70-1).

legal implications of Gordon's status as the most senior clerical figure of the Dublin diocese then at liberty, King was convinced of the need to move against him as soon as possible. In his opinion, with the Archbishopric 'void by the attainder', the jurisdiction was 'by law and custom' in his own hands. As such, no Vicar General, 'by whomsoever appointed', could supersede him. Together with Bishop Dopping of Meath, therefore, he arranged for a meeting of the Chapters of Christ Church and St. Patrick's. The members were directed to elect Dopping as Guardian of the Spiritualities, a post which would supersede that of Gordon. Threatening him with excommunication if he failed to act immediately, he instructed Henry Price, Sub-Dean of St. Patrick's, to arrange matters. On October 24, after some delay, Dopping was eventually appointed to the position, thereby frustrating Gordon's power to issue excommunications, and returning administration to more dependable hands.[38]

In spite of his confinement King also managed to continue his intelligence gathering activities, resulting in several more threats on his life. At one point Bonnell was convinced that the authorities 'would have hanged him with all their hearts' if they could have proved his treachery. Nugent, in particular, was determined to see him punished. But King had 'managed himself [with such] wariness and prudence that they had nothing against him'. It was at this stage that his friend, Edward Herbert, James' Lord Chancellor, intervened on his behalf. At a Privy Council meeting, with James in attendance, he proposed that King be freed, offering to pay his bail himself. Nugent objected strenuously. Denouncing King as 'a dangerous man' who 'preached sedition' and engaged in outright treachery, he pleaded for more time

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[38] King to Henry Price, 10/10/89, Chapter Book of St. Patrick's (reproduced in *Diary*, p.416); Lawlor, *Introduction to Diary*, p.128; King to Dopping, 3/9/89, TCD Ms. 2254a, p.7; Same to Same, 6/9/89, TCD Ms. 2254a, p.10; Same to Same, 7/9/89, TCD Ms. 2254a, p.12; Same to Same, 9/9/89, TCD Ms. 2254a, p.14. Gordon's appointment was legitimate since the incumbent, Samuel Foley, had resigned his post and fled to England.

to gather evidence against him. It was only when Tyrconnell intervened in support of Herbert that the matter was decided. On December 4, after almost five months in prison, and with his health rapidly deteriorating, King was released from the Castle.[39]

In spite of the fact that he had been kept informed of developments while imprisoned, King was shocked at state of the city and the decline in the morale of the remaining Protestants.[40] He immediately resumed his clerical duties at an even more frenetic pace than before, in spite of a recurrence of his gout. Together with Dopping and Foy he endeavoured to instil the same zeal into some of his colleagues. In some cases this was not appreciated. One disgruntled cleric wrote to him pointing out that those who had wives and children could not stay up until after midnight preparing sermons and shepherding their flocks as King seemed to expect![41]

But, it was soon obvious that this was not the entire range of King's activities - he had resumed his contact with de Schomberg. Aware of this, the authorities kept him under constant surveillance and he was regularly the object of attack by Jacobite supporters and propagandists. For the next few months he was unable to leave his residence without being followed. As the summer of 1690 approached, and with the Williamite army massing in the

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[39] B[onnell] to Strype, 5/8/90, Strype Corr., TCD Ms. 2929 pp.103-5; King to Trench, 23/2/00, TCD Ms. 1489/1/138-9; *Vitae*, p.28; King to Foy, 8/3/90, Lyons 73. *Paraphrase*, p.58.

[40] *Account of State of Dublin, 1690*, (in King's hand), Lyons 2310. See Gilmore, *Dopping*, pp.51-8, for an account of the closing of Protestant places of worship and the general harassment of its ministers which became even more prevalent at this time in Dublin. See also King to Willoughby, 20/5/91, Lyons 128, in which King gives details of a crude census carried out by some ministers about this time which estimated the number of adult Protestants remaining in the city at circa. 8,300.

[41] Rev. Thomas Bladen to King, 5/5/90, Lyons 76; King to Foy, 8/3/90, Lyons 73; *A Full and True Account of the Late Revolution in Dublin, and of what happened there from the time of the Defeat of King James and his army at the Boyne*, London, 1690, p.2, [hereafter: *Full and True Account*].

north, the Jacobite authorities in Dublin decided that it was too dangerous to leave him at liberty any longer. In June, as William advanced southwards, King was arrested and imprisoned once again, this time 'with so great a flock of Protestant to at least 3,000'.[42]

On this occasion incarceration proved short lived. William's victory at the Boyne saw the Jacobites fleeing the capital, and within a few days King had been freed. But he was given little time in which to recuperate. Early on the morning of his release, along with Dopping and 'other principal Protestants', he found himself a member of an *ad hoc* Committee of Affairs, the main task of which was the securing of the city in readiness for William's arrival. Meeting in the Castle, this group 'sent out Proclamations by beat of Drum for regulating these disorders, and forming a Protestant militia'.[43] King's was the first signature on the proclamation by which Robert Fitzgerald, uncle of the Earl of Kildare, was appointed Governor of the City. Later that day he also signed 'an express to the king, of this town's being at liberty.' His Majesty's presence in the city was, it proclaimed, 'eagerly anticipated'.[44]

William's triumphant arrival on the outskirts of Dublin should have been the catalyst for a display of unbounded joy on the part of all Anglicans. That it was not seen in quite so positive a light by many senior churchmen testified to

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[42] King to Foy, 8/3/90, Lyons 73; *Vitae*, p.28.

[43] Simms, *Jacobite Ireland*, p.156; *A True and Perfect Journal of the Affairs in Ireland since His Majesty's Arrival in that Kingdom*, London, 1690, p.9, [hereafter: *True and Perfect Journal*]; *Full and True Account*, p.4.

[44] *True and Perfect Journal*, p.9; *Full and True Account*, pp.4-5; Froude, *The English in Ireland in the Eighteenth Century*, iii, p.306.

the uneasiness felt by many of their number who realised that, if he so wished, William could find in the church's response to the crisis induced by James' presence in the country over the previous fifteen months valid reasons why it should not be continued in an exclusive and undiluted establishment. He would certainly have been reminded by the many non-conformist Whigs in his entourage that some Irish Anglicans had been either very quick to flee the country or less than forthright in their support. In stark contrast Dissenters had been 'great instruments in setting up and supporting his M[ajesty's] interest'. At the very least they expected to be granted a toleration and access to public positions. In view of what had been settled for Scotland, the continuation of an episcopal, national, Anglican Church in an exclusive establishment could by no means be presumed.[45]

Anglican apprehension was reflected in Dopping's welcoming speech to the king at Finglas. Aware of the manner in which the church's repudiation of passive obedience was being portrayed as both tardy and self-serving, he began by attempting to pre-empt such criticisms: 'We may possibly be censured,' he opened nervously,

> 'by those who understand not the Grounds and Reasons of our continuance in this kingdom, as Trimmers or Favourers of Popery. From the first we are able to acquit ourselves, having been guilty of no compliances but such as were the effects of Prudence and Self-preservation, such as were at once both innocent and necessary, and fit to be observed to a Power that was able to crush us far worse than it did. And we are so far from being guilty of the latter, that we humbly conceive that we could not more effectually oppose the growth and inundation of Popery than by keeping up the public Assemblies, by sticking to our Flocks and preventing their seduction by the Romish

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[45] Carpenter, 'William King and the Threats to the Church', pp.22-3, 28. Mant quotes one Irish prelate as reporting that in the summer of 1690 at least two petitions, one seeking the abolition of episcopacy in the north of the country and another seeking the legal establishment of Presbyterian worship and discipline, had been submitted to his Majesty: Mant, *op. cit.*, ii, pp.4-5.

emissaries.'

This was a humiliating manner in which to have to address the man the church hoped would confirm its continued and exclusive privilege. Consequently, he felt it prudent to allude to the one circumstance which he believed gave some credibility to the church's claims: the suffering and deprivations it and its communicants had endured under James: 'We do not come to crave your Majesty's Protection for our persons, our churches, our religion or our Properties, which have all been in some measure invaded,' he concluded,

> 'Our persons have been imprisoned, our Churches taken from us, our Properties taken from us by a late Act of parliament that took away our Tithes, and the free exercise of our religion for some time interrupted. A request of this nature might perhaps look like a distrust of your Majesty's care of us and seem to contradict the glorious design of your coming into this Kingdom. We are sensible that the generous end of your Majesty's presence is to rescue us from the Oppressions and Tyranny of Popery and are well assured that the same Paternal Affection that moved your Majesty to pity our distress will still protect us now we are delivered.'[46]

While Dopping might protest his confidence in William's 'Paternal Affection', it was painfully obvious that he was unsure of whether the church would be the object of it. Nor can he have been reassured by the king's peremptory reply which promised merely to 'protect the Protestant religion' without making any specific mention of the Anglican Church. He was heartened, however, by William's acceptance of an invitation to attend a Thanksgiving Service in St. Patrick's Cathedral on the following Sunday, which suggested that he was still amenable to the Church of Ireland acting in such an official capacity. It nothing else, it at least afforded the church a forum in which it might explain to his Majesty the conduct of its clergy and laity over

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[46] *A Speech spoken by the Bishop of Meath at the Head of the Clergy when they waited on his Majesty at his camp at Finglas, 7 July, 1690*, Dublin, 1690; [Charles Leslie], *An Answer to a Book Intitled 'The State of the Protestants of Ireland'*, London, 1692, appendix, pp. 29-30.

the previous few years.[47]

It was vital, therefore, that a suitable preacher be nominated for the occasion. As Dean of the Cathedral, King could lay claim to being considered. But it was his conduct throughout the conflict, and, in particular, his role as an informant for which he had suffered imprisonment, which made him the ideal candidate. His commitment to William's cause was beyond question. With only four days, then, in which to prepare what would be one of the most important sermons of his life, King was informed by Dopping that he was being entrusted with the task.[48]

King chose as his theme for the sermon the providential role of God in ensuring William's victory. It was a wise approach, allowing him to portray both the king's success and the church's actions as divinely ordered. It had the desired effect. He spoke, one hearer recorded, 'concerning the Power of God, of which that which seemed to us greatest upon Earth, mighty Armies, was a faint shadow.' It was, *The London Gazette* reported, 'an excellent sermon'. William himself was 'highly pleased' with what he heard. Enquiring who had preached, he was informed that it was William King, 'at which his Majesty smiled and said their names were both alike; W[illiam] K[ing] and K[ing] W[illiam].[49] Equally impressed was Robert Southwell, Secretary of State for Ireland and a staunch defender of the Anglican Church: 'an excellent man and a great sufferer', he remarked of King, after making his acquaintance, '[he] preached much to the purpose.'

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[47] *King William's Answer to a Speech Spoken by [the] Bishop [of] Meath at Finglas, 7 July, 1690*, reproduced in [Leslie], *An Answer*, pp.31-2.

[48] ibid. Beckett, 'The Government and the Church of Ireland under William III and Anne', pp.88-9.

[49] *True and Perfect Journal*, p.11; Simms, *Jacobite Ireland*, p.156; *Paraphrase*, p.82.

These were meaningful tributes and King was suitably gratified. He was delighted to have been given the opportunity to declare the loyalty of the church and its communicants to the new regime. He was also relieved that he had managed to present a clear explanation of the actions of the church and its members over the previous few years.[50] But his priorities were not entirely altruistic. Conscious of the role he had played in guiding that remnant of the church which had remained in Ireland through a particularly traumatic episode, he had more substantial and tangible rewards in mind. When his friend and agent, George Tollet, wrote from London, therefore, to inform him that moves were afoot to secure one of the vacant Irish bishoprics for him, he was delighted.[51] The fact that the influential Bishop of Asaph was supporting his cause was especially encouraging. Impressed by the fact that King had stayed in Ireland throughout the war, the bishop had spoken very favourably of him before the Queen. As a result her Majesty 'appeared very well inclined to serve you', and had promised to press William to support his nomination. Tollet was careful, however, to remind King of the vagaries of court intrigue. While sure that his 'own merit' would be his 'best advocate,' he warned him 'against delays and bashfulness' and urged him to visit Southwell immediately to make his case. He need not have worried. Never shy in this regard, King had already asked his old friend Dr. Dun, who was with the army at Clonmel, to speak to Southwell, while he wrote immediately to the Bishop of London and others

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[50] Robert Southwell to Nottingham, 6/7/90, HMC Finch Ms. ii, p.344; *True and Perfect Journal*, p.11. King and Southwell had first met when the latter accompanied William into Dublin. The two men had struck up an immediate and genuine friendship which would continue, much to King's benefit, until Southwell's death in 1702. One feature of their relationship was a copious correspondence in which, unusually, King revealed many of his private thoughts on both personal and political matters.

[51] Tollet to King, 12/7/90, Lyons 81. Rev. James Duncan, another man who canvassed on King's behalf in London, was later to confirm that it was Tollet who had 'managed the business' of obtaining a see for him: Duncan to King, 6/12/90, Lyons 104.

soliciting their support. He also enlisted the assistance of Bonnell in canvassing his name. Bonnell duly obliged, publicising the valorous way in which his 'very eminent' friend had remained in Ireland, while so many other clergymen had been a little 'too hasty' in deserting their charges.[52]

With William pre-occupied by military affairs, there was no immediate decision on the vacancies, but King and his friends remained confident that he could not be denied. He would not only be appointed to one of the richest sees in the country, Bonnell predicted, but was 'like to make an extraordinary government and to be a signal instrument of good to this church.' Southwell's promise to 'serve [him] before any man in Ireland', was seized upon as a crucial endorsement. So too was Archbishop Marsh's gracious offer of support. But Tollet remained more circumspect. Although he had obtained guarantees of support from Gilbert Burnet, Bishop of Salisbury, he was still unwilling to promise success. He was particularly concerned that William had not appointed Southwell to the commission charged with selecting suitable candidates for promotion. He advised King to approach Lord Sidney who was then in Dublin and whom Tollet had heard was about to be nominated as Lord Deputy. He also suggested that he canvass Sir Thomas Clarges, a prominent English politician of Flemish extraction, who had considerable influence with the ministry in London, and who had promised to assist King's cause. In the meantime, he undertook to continue lobbying various bishops and politicians.[53]

As the military campaign in Ireland proceeded throughout the autumn

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[52] Tollet to King, 12/7/90, Lyons 81; Same to Same, 11/8/90, Lyons 91; B[onnell] to Strype, 5/8/90, Strype Corr., TCD Ms. 2929, pp.97, 103; Dun to King, 26/7/90, Lyons 86.

[53] B[onnell] to Strype, 5/8/90, Strype Corr., TCD Ms. 2929, pp.97, 103; Tollet to King, 18/11/90, Lyons 101; Same to Same, 20/11/90, Lyons 101a; Same to Same, 11/8/90, Lyons 91; Dun to King, 27/7/90, Lyons 88; Same to Same, 26/7/90, Lyons 86; Marsh to King, 9/8/90, Lyons 90; Same to Same, 10/7/90, Lyons 80; Duncan to King, 6/12/90, Lyons 104.

little attention was paid to episcopal appointments. Nevertheless, King's campaign gained momentum. The appearance of two accounts of events in Dublin during the war years, in one of which King and Dopping were singled out as 'the bulwark of the Protestants in these sad times', provided a timely fillip.[54] The Bishops of St. Asaph and Oxford intimated to Tollet that his cause had progressed to the point where he was now being specifically mentioned for preferment to either Elphin or Derry. But still, the most that Tollet would allow was that King's chances were 'as good as could be expected.' The reason for this reticence was that he had encountered significant resistance to King's candidacy, with several 'men of considerable station' having 'manoeuvred many ways to prejudice' his chances. Mainly Whig politicians sympathetic to Presbyterian claims for toleration, their antipathy stemmed from what they believed to be King's 'bitterness against Dissenters', which they traced back to his controversy with Manby. Only advising him of this so that he might 'prevent the malice of those who envy you without a cause', Tollet urged King not to give his enemies any further cause for complaint.[55]

In fact, this opposition proved ineffective. The intervention of the king in mid-November, when he specifically mentioned King as a man 'of whose merits [he was] very well satisfied' and who he was 'willing to prefer', decided matters. His name was immediately approved by the commission. In early December Tollet was finally able to inform him that he had been officially appointed to the Bishopric of Derry, one of the richest sees in the country. 'I can assure you none of the late promotions has given such general satisfaction to all persons here,' the Rev. James Duncan, who had also acted on King's

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[54] *True and Perfect Journal*, p. 11; *Full and True Account*, p. 5.

[55] Tollet to King, 18/11/90, Lyons 101; Same to Same, 20/11/90, Lyons 101a; Same to Same, 13/12/90, Lyons 106; Duncan to King, 6/12/90, Lyons 104.

behalf, wrote from London, 'so that even those whose interest had been to oppose you, to make way for their relations, readily acknowledge your merit.'[56]

King's reaction to the news was typical, and indicative of the manner in which he would acquit his new charge. His thoughts turned immediately to how he might tackle the reconstruction of one of the most devastated sees in the country. He made straight for Dublin Castle to see Lord Sidney, and requested that he be allotted money by the executive to assist in the rebuilding of his new charge. His impertinence was rewarded. Impressed by King's commitment and audacity, the Lord Deputy promised to do what he could. Within a few months he had secured a grant of £500 which King was free to use in the repair of the numerous ruined churches that dotted his diocese.[57]

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[56] Nottingham to Royal Commissioners, (Bishops of London, St. Asaph, Salisbury, Chichester, Worcester and Oxford, Deans of Canterbury and St. Paul's and Dr. Tenison), 8/11/90, CSP Dom. 1690-91, p.160; Duncan to King, 6/12/90, Lyons 104; Tollet to King, 4/12/90, Lyons 103; Bonnell to Strype, 21/2/91, Strype Corr., TCD Ms. 2929, p.128.

[57] King to Tollet, 16/12/90, Lyons 106a; Nottingham to Lords Justices of Ireland, 1/3/92, CSP Dom. 1692, p.161; Nottingham to Commissioners of the Treasury, 1/3/92, CSP Dom. 1692, p.159; Tollet to King, 21/5/92, Lyons 227.

II

King's delight at his advancement could not hide the fact that the events of the previous few years had proven extremely traumatic for him. On a purely physical level the deprivations of his confinement had weakened his already sickly nature. Of greater consequence, however, were the changes which the war had induced in his political and spiritual outlook. In the years prior to its outbreak he had been a committed supporter of the Restoration Settlement. But he could no longer pretend that this had served satisfactorily the purpose for which it had been intended. In particular, the dangers of a too-high view of monarchy had been brutally exposed. This was merely thrown into greater relief by the constitutional revolution which had accompanied the accession of William and Mary to the throne in England.

The fact that the Church of Ireland and its ministers had been amongst the most ardent proponents of the Restoration Settlement made its position particularly delicate. Those who favoured a church settlement different to that which had existed prior to the war, such as William's confidant, the Scottish Lieutenant-General Douglas, were quick to cast aspersions on Anglican protestations of wholehearted conversion to the Williamite cause. Nor had it gone unnoticed in Anglican circles that when a Presbyterian delegation had greeted him on his arrival in Carrickfergus, William had expressed himself very sympathetic to their cause. To many churchmen, therefore, it seemed imperative that if the Church of Ireland was to continue as the established church without any dilution of its Anglican character, it had to reconcile itself,

and be seen to be reconciled, to the new regime.[58] But this posed considerable problems. Not least was the difficulty of justifying the abandonment of previously sacrosanct doctrines and the transfer of allegiance to a new monarch. Nor were these merely semantic issues. While the level of non-juring in Ireland had been quite low in comparison to the experience in England, it was obvious that many, particularly amongst the clergy and hierarchy, had genuine problems of conscience in relation to what had happened. These were evident, for example, in communications by Archbishops Vesey and Marsh to King shortly before they left for London in 1689, in which they had agonised over the choices confronting people such as themselves who had for so long championed the doctrine of Passive Obedience.[59] They were also apparent in the protracted and very public struggle with his conscience played out by Bishop Otway of Ossory.[60]

King was not immune to such considerations. But nor was he willing to allow personal scruples to stand in the way of helping re-establish the church's doctrinal and political *bona-fides*. Ever the pragmatist, he was

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[58] Simms, *Jacobite Ireland*, pp.142-3; Beckett, 'The Government and the Church of Ireland under William III and Anne', p.281; *Greaves, op. cit.*, p.135; J.I. McGuire, *Politics, Opinion and the Irish constitution, 1688-1707*, [hereafter: *Politics*], unpublished M.A. thesis, National University of Ireland, 1968, pp.187-8.

[59] Marsh to King, 8/12/88, Lyons 61; Vesey to King, 17/1/89, Lyons 66. That such scruples extended to laymen is illustrated by the case of King's friend James Bonnell: see Gilmore, *Dopping*, p.35. King would later remark that he was 'apt to think that if in England they had tasted a little more of our treatment, there would have been as few non-jurors' as there had been in Ireland: King to Evans, 8/2/09, TCD Ms. 2531/49-50.

[60] Otway initially refused to include William and Mary in liturgical prayers for the monarch. The matter was only resolved when, in November 1690, William appointed Henry Compton, Bishop of London, to make a report to him on the matter, at which point Otway announced his 'cheerful obedience to the present powers': Gilmore, *Dopping*, pp. 95-99; McGuire, *Politics*, pp.210-2; idem., 'The Church of Ireland and the "Glorious Revolution" of 1688', in Cosgrove and McCartney, eds., *Studies in Irish History*, Dublin, 1979, pp.137-149. See also Edward Wetenhall, *The Case of the Irish Protestants in relation to recognising or swearing Allegiance to and Praying for King William and Queen Mary, stated and resolved*, London, 1691, [hereafter: *The Case of the Irish Protestants*]; and, idem., *Hexapla Jacobaea, a specimen of Loyalty towards James II*, Dublin, 1686.

determined to ensure that the church accommodated itself to the new reality. It was this which led him to re-assess his political priorities and to formulate a constitutional scheme which might be offered as an alternative to both the Restoration Settlement and the more radical settlement which he feared English politicians might attempt to impose on Ireland. This resulted in that personal, ecclesiastical and political programme which he called his 'Constitution of Church and State', to the achievement of which he would devote so much of his life and energies.

As well as being evidenced in *Principles of Government* and *The Present State of the Church*, it is possible to trace the metamorphosis in King's political outlook which resulted in this scheme by virtue of two works written by him during the period immediately after the end of the war: the first a sermon delivered and published in November 1690 under the title *Europe's Deliverance*; the second a book published in 1691 entitled *The State of the Protestants of Ireland under the late King James' Government.* King intended these to serve primarily as *apologias* of the Anglican Church's response to the events of recent years in the hope that this would strengthen its claim to be continued in an exclusive establishment. In fact, not only would they achieve their purpose, but in the process they would secure for King a reputation as a formidable and dependable champion of the church in both England and Ireland.[61]

As far as King was concerned, William's decision, 'out of a gracious regard to the distressed condition of the church' and a determination 'to

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[61] [William King], *The State of the Protestants of Ireland under the late King James' Government, in which their carriage towards him is justified and the absolute necessity of their endeavouring to be freed from his government and of submitting to their present majesties is demonstrated*, London, 1691, [hereafter: *The State of the Protestants of Ireland*]. William King, *Europe's Deliverance from France and Slavery: a sermon preached on 16 November, 1690, being the Day of Thanksgiving*, Dublin, 1691, [hereafter: *Europe's Deliverance*].

preserve the benefit of law', to issue a royal decree ordering that 'above all things' steps were taken to 'settle matters in the church', was an early indication that the church settlement for Ireland might not, after all, be altered. It seemed to him that, under the influence of Queen Mary, who had taken a keen interest in church affairs, the king had been persuaded not to attempt any dilution of the role and constitution of the Church of Ireland. Of even greater significance, he believed, was William's appointment of a Royal Commission, comprised almost entirely of distinguished churchmen, charged with framing a church settlement for Ireland. This, coupled with the fact that many Anglican clergymen had been quick to re-assert their local influence, thus providing the government with one of its few accessible and extensive conduits of power throughout the country, had, he hoped, made the likelihood of any tampering with the church's position increasingly improbable. While reasonably confident of the support of the monarchs, he was unsure, however, about whether this extended to the English body politic, and in particular, to those Whigs who wielded great influence in the wake of the Revolution. With parliament pending in England it was, he felt, imperative that the case of Irish Anglicans be put forward without delay.[62]

By personality, conviction and experience he was ideally suited to the task. In matters political he had shown his support for the Williamite cause long before it had been prudent to do so, a fact attested to by two periods of imprisonment. His ecclesiastical credentials were soon to be confirmed by his elevation to the Bishopric of Derry. More importantly, he could argue for the

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[62] *Instructions from his Majesty to Lords Justices of Ireland*, 4/12/90, CSP Dom., 1690-91, pp.176-9; Queen Mary to King William, 7/7/90, CSP Dom., 1690-91, p.54; Same to Same, 15/7/90, p.66; Nottingham to Lords Justices, 1/11/90, CSP Dom., 1690-91, p.155; Nottingham to Archbishops of York and Canterbury, 20/4/89, CSP Dom., 1688-90, p.70; Beckett, 'The Government and the Church of Ireland under William III and Anne', pp.88-90. T. Doyle, *Parliament and Politics in Williamite Ireland*, [hereafter: *Parliament and Politics*], unpublished M.A., UCD, 1992. pp.6-13.

continued supremacy of the Anglican Church from a deep sense of conviction that this alone could ensure the return of a peaceful and ordered society.

By October he had decided that what was required was an authoritative account of the sufferings of Irish Anglicans under James. This was a monumental task, however, and while he had already collected a huge amount of material to this end, it was soon apparent that it would take almost a year to collate and edit this into a form suitable for publication. But he was anxious to publish some of his ideas as soon as possible. His opportunity came when he was invited to preach at the Thanksgiving Service on November 16, 1690, the day set aside to commemorate the kingdom's deliverance from popery.

King's ambitions for this sermon were threefold: firstly, he intended to present various arguments in favour of the retention of the greater part of the pre-revolution settlement to which, he believed, Irish Protestants owed both their property and their political privileges; secondly, after the upheavals which had seen the church's doctrine of Passive Obedience peremptorily discarded, he wanted to persuade the authorities that the Anglican Church had acted honourably and loyally, and, once directed by God, had quickly aligned itself with William; thirdly, he wanted to demonstrate that Irish Anglicans were entirely loyal to the new monarchs and ministry. These ends he hoped to achieve by presenting a catalogue of events which highlighted the providential nature of God's involvement, a theme which had begun to enjoy widespread currency amongst the Anglo-Irish. Indeed, he himself had already employed it in his sermon before William in July while both Dopping and Wetenhall had since used it to good effect.[63]

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[63] A. Dopping, *Sermon on Jeremiah 24:7*, 26/10/90, TCD Ms., 1688; Wetenhall, *The Case of the Irish Protestants*, London, 1691. 'Providential Delivery' would eventually become the standard Tory explanation of what had transpired during the years 1688 to 1691: Straka, *op. cit.*, pp.638-658.

Nothing but the Lord's 'gracious' intervention could have saved Ireland from the 'depth of the contrivance and design against us', King began, addressing a congregation which included many of his Majesty's senior officials still in Dublin. William's victory could, therefore, in the final analysis, be credited only to the direct intervention of the Almighty. In support of this contention he listed eighteen 'providences', ranging from William's interest in the English throne by virtue of his marriage to Mary, through to the dispute which had erupted between the Pope and King Louis. With this 'miraculous concurrence of providences' it had to be acknowledged that it was only 'by the grace of God that William and Mary are now our King and Queen.' His central argument was that members of the Church of Ireland had merely waited until a leader designated by God had arrived to take up their cause. Once God's anointing on William had been confirmed by these providences they had unhesitatingly and wholeheartedly supported him.[64]

One important sub-theme in all of this was King's determination to place what had happened in Ireland in a European context. This reflected his belief that Irish Protestants formed the vanguard of the European alliance confronting Louis: 'All the Princes in Europe, especially as profess the Reformed religion, being struck at' by James' ambition, the Anglo-Irish had, he argued, frustrated Louis' attempt to use him 'to destroy you and your religion and enslave all Europe'. Such bravery, and the resultant sufferings of those who had stood against such a grand design, surely entitled them to a prominent part in the shaping of the post-revolution settlement for the country.[65]

The real importance of King's approach, however, was that it appropriated to Irish Anglicans the role of obedient servants of the Almighty

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[64] *Europe's Deliverance*, p. 21.

[65] ibid.

who had been willing to suffer the consequences of Passive Obedience had He not indicated his approval of William. If critics of the church wanted to argue against such logic then they either had to deny God's approval of William's victory or propose that the church should have either anticipated or ignored His leading. The sermon was extremely well received and copies were soon circulating in both Dublin and London. Tollet wrote to tell King that Sidney, Southwell and several others had commented favourably on it. Furthermore, the Bishop of Asaph had been sufficiently impressed to bring it to the attention of the Queen. It's immediate effect, therefore, was to confirm King's growing reputation as a dependable defender of the church. It also gave him the confidence to continue with his more substantial work.[66]

The sermon was important in giving early vent to some of King's ideas and arguments, but both its scope and the numbers it could influence were quite limited. It was only with the appearance of the second work, *The State of the Protestants of Ireland*, that King's complete *apologia* for the actions of the established church and its communicants was made public. Though by 1691, when it was eventually published, it appeared that the king had accepted that the Anglican Church's place in the establishment could neither be denied nor diluted, it was not certain that English political opinion would concur. Furthermore, with the possibility that the soon-to-assemble English parliament might seek to confirm its right to legislate for Ireland, as it had effectively done for several years, it was vital that the case of Irish Anglicans be more widely

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[66] ibid. p.2; Tollet to King, 14/2/92, Lyons 207; Bonnell to Strype, 24/4/91, Strype Corr., TCD Ms. 2929 p.137.

disseminated. The book was important, therefore, in not only salving delicate ecclesiastical consciences, but in presenting a case for the continuation of the existing settlement for Ireland with only slight modifications.

With its several appendices the book ran to over 100,000 words. As such it was a much more substantial tome than any King had previously undertaken. It was also to prove his most successful. Its appeal lay partly in the nature and style of his writing which was aimed as much at the emotions as the intellect. Unlike Bishop Wetenhall's contemporary *The Case of the Irish Protestants,* which was philosophical and scholarly, *The State of the Protestants of Ireland* was intentionally more populist. For example, King gave comparatively little space to concerns exclusive to the church. Instead, he concentrated on how the upheavals of the previous three years had affected the bulk of the population. The deprivations of shopkeepers were afforded as much attention as the sufferings of bishops.[67]

The length of the book was determined, in part, by King's meticulous approach. In addition, the range of topics confronting anybody attempting to explain the Anglican response to the events of the previous few years was quite daunting. Apart altogether from the question of the change of allegiance and the problem of oaths taken and doctrines discarded, there were issues such as the loyalties of those members of the establishment who had retained their employment under the Jacobites. Returning exiles, for example, were quick to dispute the protestations of those who had remained at their posts that self-interest had played no part in their decision. In the case of the church there

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[67] Wetenhall's text was concerned primarily with the problems posed by the doctrine of Passive Obedience and the various oaths Protestants had taken. In adopting the 'Providential Delivery' argument he articulated many points which King would later take up. His text was, however, much less ambitious in both scope and intended readership than King's: McGuire, *Politics*, pp.180-7; idem., 'The Church of Ireland and the "Glorious Revolution" of 1688', pp.138-142.

were also the questions posed by the acceptance of appointments made by James. Furthermore, there was the embarrassing delay on the part of some clerics in declaring full allegiance to William and Mary.

In the face of this array of difficulties King's approach proved disarmingly straightforward. In the introduction he made plain his intention to present such a version of events in Ireland under James, that readers would have to acknowledge that

> 'King James designed to destroy and utterly ruin the Protestant religion, the liberty and property of the subjects in general, the English Interest in Ireland in particular and alter the very frame and Constitution of the Government.'

This, he hoped, to make 'manifest beyond contradiction' by relating details of Protestant sufferings under James such that even the 'very consciences of Roman Catholics cannot but own them to be true.' If proven, this would, he believed, establish the integrity of the Anglo-Irish in all they had done. While arguments based on doctrine or the theory of monarchy might well be contested, the sufferings which Protestants had endured under James, and their loyalty to the Williamite cause which this implied, could not be so easily dismissed.[68]

In adopting this approach he showed that he understood very well the mindset of Irish Protestants. Motivated more by anger at the destruction of their property and privileges by a 'Popish' government, than by scruples over the finer points of Anglican theology, they had gladly supported the Williamite cause because that regime was Protestant, favoured their property and personal rights and held out the prospect of revenge against the Catholic Irish. The strength of the book lay in the fact that it expressed these sentiments exactly. Unlike other apologists, King readily acknowledged that considerations of land

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[68] *The State of the Protestants of Ireland*, p.5.

ownership and security had dictated people's actions and that, in the circumstances, '..... it was the business of the Protestants of Ireland to preserve themselves rather than dispute the title of princes'. It was this which helped so many of his readers to identify with the thrust of the book. It was also what he hoped would make them sympathetic to his explanation of the church's doctrinal crux which he would resolve with far less aplomb.[69]

It was, in fact, to these vexed doctrinal issues that he first turned. King was painfully aware that while most churchmen had happily accepted William, the conspicuous haste with which a previously sacrosanct doctrine had been discarded could be paraded by enemies of the church as evidence of spiritual bankruptcy. Vulnerability to charges of duplicity and cowardice on this point was heightened by the fact that a number of clerics, although far fewer than in England, had refused to recognise William as *de-jure* monarch, citing their allegiance to church teaching as the reason. Thus, non-jurors such as Bishop Sheridan provided a constant and troubling reminder of the pre-revolution stance of the church in relation to the very doctrines which were now the cause of such discomfort. If the established church and its communicants were to have a central role in fashioning the constitutional settlement for Ireland then King was convinced that the church's spiritual, intellectual and philosophical integrity would have to be re-established and communicated to the new masters in London and Dublin. A satisfactory vindication of the church's position on these matters had, therefore, practical as well as moral significance.[70]

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[69] ibid., pp.106-7.

[70] The following individuals were counted as Irish non-jurors: Bishop William Sheridan of Kilmore and Ardagh; Charles Leslie, Chancellor of Connor; Archdeacon Baynard of Connor; Henry Dodwell, fellow of Trinity College; George Kelly, Fellow of Trinity College; Archdeacon John Fitzgerald of Dublin; Dean Barzillai Jones of Lismore and Maurice Dunkyn: see R.H. Murray, 'The Church of the Revolution, 1685-1702', in

King's explanation was, however, less than satisfactory, reflecting the near impossibility of justifying the church's theological *volte-face* in ethical terms. His first defence was that the various doctrines involved had never been properly understood: Passive Obedience, he proposed, not only allowed resistance in certain circumstances but also encouraged a subject to support the cause of a monarch who might better guarantee the constitution. In outlining what, he argued, had always been 'the true notion and latitude' of the doctrine, he alluded to a broad range of sources, from Grotius, Barclay and Hammond to ancient history and scripture. It had long been acknowledged 'by some of the highest assessors of passive obedience', he insisted,

> 'that if a king design to root out a people or destroy one main part of his subjects in favour of another whom he loves better, that they may prevent it even by opposing him with force; and that he is to be judged in such a case to have abdicated the Government of those whom he designs to destroy contrary to justice and the laws.'[71]

His problem was that in support of this argument he was unable to proffer any specific citations. Other than a solitary quotation from Grotius' book, *De Jure Belli et Paris*, which had never enjoyed any great favour prior to the revolution, he was reduced to fashioning rather dubious historical analogies from the classical period and to suggesting that the course taken by the Irish Protestants was implied in scripture by omission.[72]

This was very unsatisfactory and King knew it. The reality was that

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W.A. Phillips, (ed), *History of the Church of Ireland from the earliest times to the present day*, vol. iii, p.152 and J.M. Overton, *The Non-Jurors*, London, 1902, p.483. King remained in regular correspondence with Henry Dodwell, whose friendship dated from their days at Trinity: King to Dodwell, 17/8/09, 750/11/1/94-6. He was also extremely sympathetic to the fate of Bishop Sheridan, who lived in penury for several years and on many occasions he forwarded money to London for his maintenance: King to Vigors, -/2/05, 750/3/1/89.

[71] *The State of the Protestants of Ireland*, p.1.

[72] ibid., p.4; See Goldie, *op. cit.*, pp.113-7 for a discussion of the extent to which 'passive resistance' did form part of Anglican theology during the Restoration period.

the doctrine of Passive Obedience, as understood by any of the political nation who actually cared, had at the very least implied that resistance to the legally constituted monarch was not only sinful but undermined the notion of the crown as guarantor of the constitution.[73] In fact, it was only when he conceded that the doctrine was indeed flawed that King began to deal more adeptly with the problem. Acknowledging that the defects inherent in the doctrine had never been fully appreciated, he eventually admitted that this had derived from a refusal to even admit the possibility of a monarch acting in the manner in which James had behaved: 'It is observable,' he pointed out, in an attempt to justify this theological myopia,

> 'that generally in all books and sermons concerning obedience to Governors where this case is put "Suppose a king endeavour to destroy his people", there are only two answers given to it. One is that his officers and Ministers ought not to obey him; if they do the law will punish them. The other is that this case ought not to be put; that we ought not to suppose that any King will designedly endeavour to destroy his people.'

This was an accurate description of what had been allowed to happen: unwilling, in the wake of the *interregnum*, to acknowledge what the answer might be, those who had advocated non-resistance had persistently refused to speculate on the potential for 'mischief under unlimited monarchies.' In their fear of a return to the conditions of the *interregnum*, those divines who had embraced the doctrine of Passive Obedience had simply refused to allow that the king might 'attempt ..... to govern altogether by arbitrary power and the sword,' for, so they persuaded themselves, to suppose this was 'plainly to suppose the utmost impossibility.'[74]

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[73] Straka, *op cit.*, pp.638-658.

[74] *The State of the Protestants of Ireland*, p.2. Bishop Wetenhall, for example, had published a collection of sermons in 1686 under the title *Hexapla Jacobaea, a specimen of Loyalty towards James II*, Dublin, 1686, in one of which he proposed 'what an unreasonable

As a consequence, King argued, the principles developed during the preceding thirty years had never considered a situation in which the 'prerogative do swallow the liberties and privileges of the subjects.' It had been the 'unexpected' actions of James which had revealed the need to limit the doctrine of complete non-resistance. With the benefit of hindsight it was now obvious that the doctrine could only have been meant to apply where the population was subjected to 'tolerable evils' and not to a situation in which the monarch blatantly abused his prerogative: 'Whoever considers the discourses that have been written concerning non-resistance,' he persisted,

> 'will find that the reasons given for it, either from the nature of the thing or scripture reach only tolerable evils and prove that the man ought to be patient under pressures laid on him by his Governor when the mischief is not universal: or if it be universal where it is yet tolerable and not so mischievous in the consequence as a civil war.'

If, however, the consequence of non-resistance would be to lead to a situation where the 'Governor designs the destruction of the laws, lives and liberties of his people,' then 'it would be a manifest mistake' to deny assistance to any monarch who promised to restore the constitutional arrangement. This was exactly the situation in which Irish Anglicans had found themselves. In these circumstances '[t]he mischief of tamely submitting to the tyranny and usurpation of a Governor,' he contented, 'may be worse and have more dangerous consequences to the commonwealth than a war.' This dispensation had only become apparent as James true intentions had been exposed. But, to their eternal and temporal credit, once they had recognised this, Irish Anglicans

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thing it is to imagine any Prince should willingly set himself to destroy his Protestant subjects' (p.31). See also F.G. James, *North Country Bishop, a biography of Bishop William Nicolson*, Yale University Press, 1956, pp.43-4, in which Nicolson, like many other churchmen, is shown to have adopted a similar line in *A Sermon preached in the Cathedral Church of Carlisle on February 15, 1685.*

had acted accordingly.[75]

Delicate Anglican scruples may well have been salved by King's reasoning on this point, however weak. But, he was well aware that where problems of conscience did persist for ordinary Protestants they were prompted, not by the finer points of the theory of monarchy, but by the oaths of supremacy and allegiance which they had sworn in favour of James. Strictly speaking, even if the doctrine of Passive Obedience did allow for the intervention of a foreign prince, the very fact that oaths had been sworn to James would, King acknowledged, have made 'it necessary for us to fight for our own Prince [James].'[76] But once again King indicted James as the one who was culpable. By his actions he had denied his own coronation oath and in the process abandoned his 'loyal Irish subjects'. "Tis property that makes government necessary', he pointed out in a remark which said much about his view of temporal authority,

> 'and the immediate end of government is to preserve property. Where, therefore, a government, instead of preserving, entirely ruins the property of the subject, that government dissolves itself'.

The oaths sworn to him by his subjects had, as a result, been rendered null and void:

> 'These oaths were made by us to the king as supreme Governor of these Kingdoms and while he continued as such, they did oblige us. But by endeavouring to destroy us he..... in that very act, abdicated the Government, since any intention of governing cannot consist with an intention of destroying, and therefore in all equity we are absolved from oaths made to him as Governor.'

To King and those for whom he was writing, in was obvious that James had never 'intend[ed] to keep his coronation oath to us, so he did not value our

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[75] *The State of the Protestants of Ireland,* pp.3-4.

[76] ibid. p.9; McGuire, *Politics*, p.183.

oath of allegiance.....' By his own actions, King believed, James had freed his subjects from their obligations: 'kings..... that take on themselves to dispense with laws, without the consent either tacit or express of their people', he argued, 'give an ill precedent against themselves and must blame themselves if their people, taught by them, return it upon them.'[77]

Yet justifying this 'deserting King James' only addressed one aspect of the problem. To fully absolve his fellow Anglicans King had to establish that it was lawful for them to have actively supported another prince, rather than a regency or even the return of James under stricter conditions. To achieve this he had to do two things; firstly he had to show that William had a right to 'interpose' in the affairs of another kingdom; secondly he had to demonstrate that, once this was established, Irish Anglicans had given him their wholehearted support.

With regard to William's right to intervene he simply pointed out that, married to James' daughter, it was 'reasonable' for him to assume that he might eventually succeed with her to the thrones of England and Ireland. He had, therefore, a vested interest in the affairs of the two kingdoms. Since an incumbent monarch was at any time 'only a usufructuary or tenant for life', any attempt at 'destroying the inheritance gives a just provocation to him who is in reversion.' As James was using 'unlawful means..... to defeat him of his succession,' William was within his rights, King insisted, in challenging him. Indeed, it was incumbent upon a prince who had 'an interest in that people and government' of Ireland and England to guard his inheritance, to which end he

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[77] *The State of the Protestants of Ireland*, pp. 9, 65, 97. For King's influence on the thinking of Berkeley, Tyrell, Molesworth and Hutcheson in relation to Passive Obedience see D. Berman, 'The Jacobitism of Berkeley's Passive Obedience', *Journal of the History of Ideas*, 1986, pp.309-319.

might 'prevent their ruin by war.'[78]

William's intervention might also be justified if events were viewed in their European context. James, King argued, 'was in the French interests'. Therefore, 'the measures he took with his subjects must have been fatal to all Europe.....' Together with Louis XIV, he threatened the entire Protestant interest in Europe. Naturally this had prompted Holland, which 'lay nearer to destruction,' and William, 'to interpose in time' and thus 'nip these designs in the beginning which they and all Europe saw would have ended in their destruction as soon as the ruin of the Protestants in England and Ireland was accomplished.'[79]

As was the case when he had used it in his sermon, this argument had the attraction of placing Irish Protestants in the vanguard of the pan-European, anti-French alliance. William was the divinely appointed leader of this coalition and, as such, the Irish Protestants, indeed all Protestants, owed him their allegiance. This was especially so since Louis, who was financing many of James' activities, was merely seeking to extend his Catholic empire. King's point was that the fate of Ireland and that of the continent were far more inextricably intertwined than many allowed since 'the destruction of a people by their Prince be only a step and degree to the destruction of a neighbouring people.' Far from maligning them, the English political nation should be gratefully acknowledging the valour and tenacity of Ireland's defenders.[80]

Beyond stating it as an incontrovertible fact, King decided to say little on the question of Irish Anglican support for William. His main concern was simply to establish that, despite some individual cases of procrastination, the

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[78] *The State of the Protestants of Ireland*, p.5.

[79] ibid. p.7.

[80] ibid. p.6

Protestants of Ireland were entirely dedicated and loyal to William and Mary and fully acknowledged their right to reign. This point, he reckoned, was sufficiently clear from their actions in the war and required little further explanation. He mentioned it merely to establish that Irish Protestants were happy with the new constitutional monarchy. He took it for granted, and wanted others to simply accept as a matter of fact, that the vast majority of Irish Protestants welcomed as their monarch the man who had so recently removed 'the prospect of [their] destruction.'[81]

Having dealt, however unsatisfactorily, with the problems posed by the doctrine of passive obedience and the various oaths of allegiance, King now turned to what would form the most substantial part of the book. This was a justification of the Irish Protestant nation's actions based, not on theories of kingship or notions of divine intervention, but on the suffering which they had endured at the hands of James and his Catholic supporters. In settling on an outline for the book he had opted not to attempt to refute directly every possible objection which 'enemies of the Protestant interest' might raise. Instead, he had decided to present such a catalogue of atrocities perpetrated by the Jacobites that no one could reasonably object to the decision of the Irish Protestants to 'desert their Prince [James], decline his Government and service and seek protection where they can find it.'[82] It was on the basis of their sufferings in the cause of the new regime that King hoped to establish the

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[81] ibid.

[82] ibid. p.3.

claims of Irish Anglicans and their church to continue in the establishment and to be allowed to shape their own future with minimal influence from London. On this point he was unashamedly candid. It was his intention, he informed his readers, to devote the remainder of the book to proving that James 'designed and endeavoured to destroy and utterly ruin the Protestant religion and English interest in Ireland and to alter the frame and constitution of the Government'. This he looked upon 'as the most material point of our apology' and would involve demonstrating two things: firstly, that the 'possibility of a king designing the destruction of his subjects' was not only conceivable but actually incumbent upon any Catholic prince; and secondly, that James had 'made a considerable progress' to that end.[83]

That a monarch could indeed 'design the destruction' of any part of his subjects King sought to prove from both historical and contemporary parallels. Thus, James was listed with Louis XIV, Nero, Caligula, Domitian, Maximus, Heliogabalius, Commodus and Philip II of Spain, men who had conceived 'the destruction of a third or a fourth part' of their people. In such a scenario, a responsibility rested on the citizens to oppose him since such a monarch would 'design the destruction of the greater part if they will be such fools as to suffer him to effect it.' A crucial consideration here was that the destruction of his Protestant subjects was one of the 'obligations of his [James'] religion.' Quoting from the fourth Lateran Council, King explained that it was incumbent upon every Catholic monarch to carry out the destruction of Protestants: 'Every Roman Catholic king,' he pointed out to an eager readership, '..... is obliged, if he be able, to destroy his Protestant subjects [and] nothing can excuse him from doing [it] but want of power.' James was simply a pawn of

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[83] ibid. pp.12, 39. In arguing thus King was adopting an approach quite similar to that take by the Revolution Convention of 1689 which had confirmed James' abdication on the grounds that by his actions he had forfeited his crown.

the Roman church, and in particular of the Jesuits, who

> 'were the Governors and directors of his conscience and he seemed to have no other sentiments than such as they inspired into him.'[84]

His involvement 'with that party of them that most zealously assert and practice this doctrine of rooting out heretics,' - 'these Jesuitical prevaricators' - was evidence that no other course of action had ever been entertained by him. If these Jesuits had already inspired the French King, the Duke of Savoy and the Emperor to 'persecute and destroy' their Protestant subjects, then the Irish Protestants 'must all have expected the same usage.' Therefore, although earlier in his reign James had been 'more than ordinarily liberal in his promises and declarations of favour towards Protestants', once it had been considered who had become 'the directors' of his conscience, people 'ought not to wonder that he made no great scruple to evade them.'[85]

James' intentions could also be deduced from the fact that he had surrounded himself with secular officers and advisors of dubious character. They were 'men generally of little or no fortune', 'of loose principles and want of moral honesty', 'unqualified by law', the very 'scum and rascality of the world'. All that had commended these people to him in the first place was the fact 'that they were Papists' and as such tended 'to weaken or destroy the Protestants which was the sole qualification that recommended them.' 'The truth', he insisted, was that

> 'they were people that made no distinction between right and wrong but as they served their interest and therefore he chose them purposely to destroy the liberties and laws of the Kingdom

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[84] ibid. pp.13, 14.

[85] ibid. pp.15, 37.

in general and the Protestants in particular.'[86]

But for King the most telling portent of James' true intentions had been his alliance with Louis. He portrayed James as both 'a vassal to France,' and, in his 'fondness of France and his alliance with it,' doggedly determined

> 'to imitate that king in everything and, above all, his prosecuting the same if not worse methods towards the Protestants in Ireland that the King of France did with the Huguenots in his dominion.[87]

Louis' financial and military support for James was 'a clear and full proof of both kings being in the same design to root out not only the Protestants of these Kingdoms, but, likewise, of all Europe.' Urged on by James, the Catholic masses 'began to show their fondness' for the French king and his brutal methods in suppressing Protestants, and 'as their love to him commenced with that persecution, so it increased in proportion to his barbarity..... they openly declared that they liked no government but that of France.' The logical conclusion was that they hoped to see similar powers accrue to their beloved James. To this end they intended to make James 'as absolute here as that king [Louis] was there'. With this in mind they had 'affirmed both publicly and privately with many oaths that they would in a short time have our estates and churches; that if they suffer us to live they would make us "Hewers of wood and drawers of water"'.[88] They were determined, King maintained, 'to enslave the nations and destroy the settled religion.' 'No wonder,' he wrote of James,

> '..... that he resolved 'to die a martyr' rather than not settle his religion and that 'he had rather die the next day that design being compassed, than live fifty years without effecting it".[89]

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[86] ibid. pp.21, 26, 30.

[87] ibid. pp.14-5.

[88] ibid.

[89] ibid. p.43.

King was simply expressing the dread of every Protestant who had experienced the recent Jacobite ascendancy when he declared that it was now obvious, and would always be the case, that for 'papists'

> 'Ireland must be a Catholic country whatever it cost, and ..... they would make them [Protestants] as poor devils as when they first came into Ireland; and they assured us that this was no rash surmise of their own but that it was premeditated and resolved.'

The realisation that the overthrow of the 'English interest' was 'premeditated and resolved' would imprint further on Protestant consciousness the need for constant vigilance.[90]

Having established to his own satisfaction that James had intended the destruction of his Protestant subjects and their church, all that remained was to prove that he had 'made a considerable progress' to this end and it was to the illustration of this that by far the larger part of the book was devoted.[91] By presenting such a catalogue of the 'ills and deprivations' suffered by the Protestants of Ireland King hoped that it would be impossible for anyone to deny either that their annihilation had been attempted by James or that they were justified in their change of allegiance to William. It was, after all, on this point that they could be distinguished from their contemporaries in England who had suffered comparatively little, but gained much. If nothing else, this gave Anglican demands for a say in the formulation of the political and religious settlement for Ireland a credibility which was difficult to ignore.

Since he viewed this section as crucial to his argument, King was careful not to include in it examples which were either exaggerated or unsubstantiated. Unlike Temple's history of the 1641 rebellion which had been written by a man unhindered by the need to vindicate either himself or his

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[90] ibid. pp.43-4.

[91] ibid. p.39.

fellows, King was attempting to justify the actions of his co-religionists. As such he was aware that he was writing from a position which dictated that he be wary in his use of the material available. Thus, he made a point of stressing that he had declined to include accounts of several widely-accepted 'barbarous circumstances' for which he had 'not yet had full information'.[92]

King began his account by drawing a stark contrast between the condition of Ireland at the time of James' enthronement and his eventual departure. His intention was to show that, given the state of the kingdom at his accession, 'no man could be under deeper obligations to use his power' to protect the Protestant interest that James. His account of Ireland in 1685 was one at which even he must have cringed: 'At his coming to the crown,' he began,

> 'Ireland was in a most flourishing condition; lands everywhere improved and rents advanced to near double what they had been a few years before. The kingdom abounded with money, trade flourished even to the envy of our neighbours. Cities, especially Dublin increased exceedingly. Gentlemen's seats were built or building everywhere and parks, enclosures and other ornaments were carefully promoted in so much that many places of the kingdom equalled the improvements of England. The Papists themselves, where rancour, pride or laziness did not hinder them, lived happily and a great many of them got considerable estates either by traffic, by the law or by other arts and

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[92] ibid. p.88. The success of King's more circumspect approach accounts, to some extent, for the fact that Temple's historiographical method was not repeated in the aftermath of the defeat of the Jacobites in 1691. *The State of the Protestants of Ireland* does, nevertheless, testify to the enduring influence of the rebellion of 1641 on the Protestant psyche. The impact which that revolt had, especially as disseminated through the writings of Temple, was obvious from the importance which King attached to the events of that time. Large sections of *The State of the Protestants of Ireland* were given over to recounting the events of 1641 and comparing these with what had transpired throughout James' reign. Nor is there any suggestion that King did not personally believe Temple's account of those atrocities. For him, as for most Protestants, it was simply a matter of fact that 'some hundred thousands [had] perished'. This 'fear of being served as in 1641' was a very real factor in the decision of many Anglicans to either flee the country or to actively oppose James. Interestingly, in 1713 both Temple's book and King's were issued together as one publication.

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industry.'[93]

In such circumstances it behoved the king to 'keep fair with the Protestants especially with that party who were most devoted to him and had set the crown on his head. And this had been in the opinion of thinking men the most effectual way to enlarge his power and introduce his religion.....' James was, however, 'so bent on gaining an absolute power over the lives and liberties of his subjects and on introducing his religion that he valued no interest when it came in competition with those.' As a result, early in his reign he had conceived a plan for the destruction of the Protestant interest in Ireland.[94]

The elements of the Protestant establishment targeted by James, and the headings under which King proceeded, were the army; the courts, corporations and Privy Council; trade; personal property; and the church. He presented the attempts to meddle with the army as particularly treacherous. Thus, the appointment of Catholics, (thereby arming 'those whom it was designed to suppress and to destroy those who gave it'), was portrayed as 'the greatest breach of trust and prevarication of which any can be guilty'. King discerned clearly in this strategy the hand of Tyrconnell, who, knowing 'the necessity of having the army fitted to his purpose it being the engine he depended on', concentrated much of his energies on ensuring the loyalty of the military to James:

> '..... new commissions were issued out with all diligence of one sort or another, sometimes five hundred a day. All the scum and rascality of the kingdom were made officers..... Most of them were the sons or descendants of rebels of 1641 who had murdered so many Protestants. Many were outlawed and condemned persons that had lived by torying..... One

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[93] ibid. p.40.

[94] ibid. p.41.

gentleman's cow herd was made a lieutenant.'[95]

This passage was characteristic of the thrust of this entire section of the book. King dealt likewise with James' appointments to the courts, Corporations and Councils and was equally scathing when recounting the effects on trade and property. In all that they did James' supporters were portrayed as having attempted the destruction of the Protestant interest: 'They turned vast numbers of Protestants out of their houses,' he recounted, 'and left them no other way of subsisting but begging'; they commandeered churches, disregarded laws, pillaged, forged title deeds, perjured themselves and, in general, confirmed every prejudice which the Protestant community had.[96] It was plainly their intention to 'divest all those that professed the reformed religion.'[97] Continuing in this vein for the next one hundred and fifty pages, he narrated the full extent of Protestant deprivations and sufferings. When, in conclusion, he observed that

> '..... thus the case stood when his Majesty's victory at the Boyne delivered us; and let anyone judge whether we had reason to be pleased with the success and gratefully receive him that came to restore us, not only our goods and fortunes but the very necessities of life,'

anybody contemplating a refutation in parliament or in print must have been intimidated by the sheer mass of evidence which King had accumulated, as well as by the astuteness of its use.[98]

If, however, even this weight of evidence was not sufficient to convince, King had decided to conclude with what he believed to be the one argument which he believed irrefutably exonerated individual Anglicans and

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[95] ibid. pp.49-50, 52-53.

[96] ibid. p.29. See also p.193.

[97] ibid. p.143.

[98] ibid. p.131.

their church. As was already apparent from his Thanksgiving Sermon, he took great solace from what he discerned to be the entirely providential nature of events. The hand of God was indisputably evident: 'some things are recorded in history as miracles', he insisted, 'which were not accompanied with such extraordinary circumstances as our delivery.' The most miraculous of these circumstances, in his opinion, had been William's sudden arrival in Ireland. The Protestants of Ireland had, as a result, been 'forced' to the inescapable conclusion that God had sent him to rescue them:

> 'There remained ..... no other prospect or possibility for us to avoid this destruction but his present Majesty's interposing on our behalf as he had for England; a providence of which we so little dreamt and which was so strange, so unexpected and so effectual that we cannot but believe something extraordinary in it and that he was raised up by God to be a deliverer to us and the Protestant cause.'[99]

Given that 'we neither had nor have in our utmost view another chance besides this to preserve us from slavery misery and ruin.....', he wondered how anyone could propose that out of a perverted devotion to James they should have 'rejected this contrivance of providence that seemed next to miraculous.' In the circumstances, the Irish Protestants had been duty bound

> '..... to embrace and to bless God for the kind offers of a Prince who out of a public spirit generously ventured himself and all that he had to save the Protestant religion in the interest of Europe and these kingdoms in particular from the united designs

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[99] ibid. pp.208-9. Only when he mentioned the lifting of the siege of Derry did King succumb to the temptation to enumerate examples of God's providential favour towards Protestants. Indeed, he viewed what had happened there as of the greatest possible importance since 'if the design had taken, the condition of Europe, especially the Protestants, had been most deplorable.' In accordance with the Almighty's plan to allow Protestantism to be reduced to such a level that only His intervention could explain its survival, however, James had been allowed, for a time, to seem dominant. Then, when the 'Papists', with the assistance of the French King, felt that the city must fall, 'it pleased God to spoil all their measures by the opposition made by a small town.....' 'To a man that seriously reflects on it,' King concluded, 'the thing must almost seem miraculous.'

of France and King James....'[100]

Of particular interest here was King's insistence that it was William who had 'generously ventured himself' to the Irish Protestants. At no stage did he allow that William had been invited by Irish Protestants to intervene. This, he was implying, was quite different from what had occurred in England where the initiative had most definitely been with the body politic. Irish Protestants had decided to support William only when it became obvious that 'the providence of God [had] raised up his present Majesty to relieve us.' For this miracle 'we must thank God only,' and not English politicians, circumstances, or even William himself.[101]

Warming to his theme King proceeded to point out that the notion of divine providence could also be employed to refute those who criticised the church for discarding once hallowed doctrines so easily. The argument of those who had remained loyal to the doctrine of passive obedience was that Irish Protestants should have 'sat still' and 'be patient' while James ruled, since

> 'Christ had endured more whilst on earth and that they ought not to trouble themselves about their sufferings or deliverance but leave all to providence and see what God would do for them..... whilst they continued our oppressions.'

He was now able to explain to such critics that until the Lord had made his will obvious to them, this was exactly what Irish Anglicans had done, refusing, at considerable personal cost, to 'make the least step to right ourselves by force 'till God's providence appeared signally for these kingdom's in raising up a deliverer and putting a Crown on their Majesty's heads.'[102]

In making this point, King was positioning himself to rebut the

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[100] ibid. p.209.

[101] ibid. p.40, 54.

[102] ibid. p.209.

potentially devastating criticisms of one important group - those Anglicans who had refused to have anything to do with the Jacobite regime and who had fled to England at the earliest opportunity. Now returning to reclaim their inheritances, many of them were accusing those who had remained of complicity and opportunism. In fact, one of their number, the Prime Sergeant, John Osborne, had commenced an action in Chancery in November 1690, which indicted for treason all Protestants who had acted in any civil employment under James. King, who had 'seen so good an effect of my staying that if I had lost my life I had made no dear purchase', was horrified at Osborne's action, since it threatened the fragile united front which Anglican leaders had attempted to present to the government. Those who had remained had simply waited until God had indicated to whom they should give their allegiance, he repeated, in answer to Osborne's charge of complicity.[103] Up to that point they had remained true to their consciences and, to their credit, had not fled the country. If anyone needed to explain their actions, he pointed out, then it was those who had so easily abandoned Ireland's Protestant heritage to James and his Catholic allies. Only the personal intervention of Southwell who wrote assuring him that the king took it 'for granted' that those who had remained were above reproach on this point, persuaded him that there was no likelihood of Osborne's action succeeding.[104]

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[103] King to Robert Southwell, 11/11/90, Lyons 100; Same to Same, 28/11/90, Lyons 102; Southwell to King, 22/11/90, NLI Ms. 2055. B[onnell] to Strype, 5/8/90, Strype Corr., TCD Ms. 2929 pp.103-5; P. Kelly, 'Ireland and the Glorious revolution: from Kingdom to Colony', pp.177-178; King to Foley, 15/7/90, Lyons 82; Gilmore, *Dopping*, pp.104-110.

[104] Southwell to King, 23/12/90, Lyons 107; Doyle, *Parliament and Politics*, pp.11-15. Southwell's reply was in response to a letter from King who had been sufficiently alarmed by Osborne's 'fatal' action to write refuting, in a series of 24 points, the Prime-Sergeants case. While re-iterating the point about God's providential intervention he also employed some other arguments. Principal amongst these was that no-one could have been expected to declare their support for William when that prince was not yet in a position to protect them (no.7.). Furthermore, by staying in their offices Protestants had succeeded in

This was the extent of King's references to the role of providence in what had transpired. Although he had made less use of it than he had in his sermon, he had done so to telling effect. Not only did it provide a very real justification of Protestant actions, but it also served to disarm potential critics, who, as with the sermon, were required to insinuate either that William's victory was not approved by God or that the Irish Protestants should have remained loyal to James even when God's 'design' became obvious. All objections raised by others, whether on the basis of doctrine, oaths, circumstance, or the questionable loyalties of those who had remained, could be refuted by reference to the sovereign will and actions of a Creator who had indicated clearly to Irish Protestants whom they should follow. If he and his co-religionists were to be accused of anything, King argued, then it was obedience to God since it would have been 'inexcusable ingratitude to God and to their present Majesties' to have refused such a deliverance.[105]

All in all *The State of The Protestants* was an odd combination of theology, invective, pragmatism and propaganda. It was undoubtedly King's most important published work, however, providing a credible vindication of the actions of Irish Anglican's during the war. It certainly marked his emergence

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keeping much of the establishment intact, (no.9.), as well as frustrating Catholic attempts to enforce complete dominion (no.13). King also took some pleasure from pointing out that many of those who had fled had technically forfeited their property and offices by 'substituting popish deputies' in their places, thereby aiding the 'popish' cause (no.15.): King to Southwell, 11/11/90, Lyons 100; Same to Same, 28/11/90, Lyons 102. See also King to Tollet, 8/11/90, Lyons 99, where the likelihood of James Bonnell, who had continued to act as Accountant-General, being one of those to suffer if Osborne's action succeeded is discussed. For similar concerns on Dopping's part see autograph copy of letter by Dopping to Bishop of London, 12/11/90, TCD Ms. 2467(a).

[105] *The State of the Protestants of Ireland*, p.207.

as a leading spokesman for not only the established church, but the entire Anglo-Irish interest. Such was it's popularity, in fact, that by the end of 1692 it had already run to four editions.[106] That the book helped to salve sensitive scruples in England also was confirmed by Southwell who wrote to inform him that he had 'already an entire reputation among the best of men and are likely to be relied upon as a fundamental pillar in the concerns of that church'.[107] So 'pleased' was Bishop Burnet that he presented a copy to William and Mary remarking that it was

> 'not only the best book that hath been written for the service of the Government, [but] without any figure, it is worth all the rest put together and will do more than all our scribblings for settling the minds of the nation.'

The book was also important in helping to persuade English bishops and politicians that Anglicans in Ireland had been badly treated by the Jacobites and yet had proven themselves wholly loyal to the new regime. Nottingham, Sidney, and the bishops of Worcester and Sarum were among those who indicated their approval of its contents. The Archbishop of Canterbury had also let it be known that he was suitably impressed. According to Southwell he had remarked upon it 'with great approbation' and 'said your book had done the government great service.'[108]

Notwithstanding these accolades, King was well aware that the book

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[106] King to Bonnell, 21/3/94, Lyons 341. In all there would be twelve full or partial editions: 1691, 1692 (3), 1713 (3), 1724, 1730, 1745, 1746, 1768.

[107] Southwell to King, 26/9/91, Lyons 174. See Goldie, *op cit.*, pp 102-36, for an account of the similar difficulties which many in the Church of England experienced in both coming to terms with the Glorious Revolution and in explaining their position in print.

[108] *The Whole Works of Sir J. Ware Concerning Ireland, i*, ed., W. Harris, p.365; *Paraphrase*, p.90; Southwell to King, 29/3/92, Lyons 218. Southwell and Tollet had gone to great lengths to ensure that the book was in circulation before parliament convened in London: Southwell to King, 26/9/91, Lyons 174. See Southwell to King, 9/9/91, Lyons 169, and Same to Same, 26/9/91, Lyons 174, for reports from Southwell of the considerable impact which the book was having amongst the leaders of church and state in London.

had its deficiencies. In particular, he was conscious of the fact that his treatment of the repudiation of the various oaths and doctrines left a lot to be desired. He was not surprised, therefore, that it was on this point that the most trenchant rejoinder to *The State of the Protestants of Ireland* was based. It came from Rev. Charles Leslie, deprived Chancellor of Connor, and one of the few Irish non-jurors, in a book entitled *Answer to a book Intitled 'The State of the Protestants in Ireland'*. Leslie, an accomplished orator and writer, accused King, and those like him, of being ashamed to admit that they had disgracefully renounced the doctrine of Passive Obedience at that very point where it acquired its significance. King's rationale was, he argued, dangerously akin to that which had been used to justify the regicide of Charles I. A more specific criticism was that King had deliberately overstated the extent of Protestant sufferings.[109] Others weighed in with similar indictments: 'a Protestant churchman or bishop of this rebellious nest [King],' one critic began,

> '..... has set forth a book vindicating the rebellion of Irish Protestants, which I do not repute to deserve a particular answer, because it is confused in itself, as being writ by a Protestant of the general revolt; as being composed upon false suppositions; as being aspersed with untruths, which several Irish gentlemen now living can prove ..... The writer of the above-mentioned book is guide to a flock in the way of virtue. What marvel, then, if the people be rebellious, when the doctrine is instilled into them by their pastor. When the blind leads the blind, both will fall into the ditch.[110]

Such criticisms struck at the integrity of the established church and its ministers, providing ready ammunition for anyone seeking to have the

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[109] [C. Leslie], *An Answer*. George Browne to King, 25/3/93, Lyons 265a; Richard Tennison, Bishop of Clogher, to King, 23/6/93, Lyons 283; McGuire, *Politics*, pp.191-5; idem., 'The Church of Ireland and the "Glorious Revolution" of 1688', pp.144-5; Lawlor, *Additional Note*, in Stokes, *op. cit.*, pp.170-3.

[110] *A Jacobite Narrative of War in Ireland, 1688-1691*, ed., J.T. Gilbert, Dublin, 1892, pp.41-2. Foy mentions that both Bishop Sheridan and John Fitzgerald, deprived Archdeacon of Dublin, had written rebuttals: Foy to King, 28/4/93, Lyons 272.

constitutional settlement in Ireland expanded to include Dissenters. Nor did it help that, as Leslie had anticipated, King did not reply, although a memorandum amongst his papers suggests that he had considered the various criticisms levelled against him and had gone some way to formulating a response. In fact, more than satisfied with the response to his book, particularly at a political level, it appears that King felt little compulsion to engage any of his critics. That his contribution had helped to influence Queen Mary, Nottingham, Sidney and Tenison in their evaluation of the situation in Ireland was sufficient in itself. His hope now was that it would assist in the process of obtaining a settlement for Ireland which respected the Anglican character of its ecclesiastical, monarchical and parliamentary heritage.[111]

[111] King to [Foley], 12/9/93, Lyons 295; Autographed memorandum by King on Leslie's *An Answer*, c. 1692, Lyons 2315.

III

The political upheavals which accompanied James' reign and the accession of William and Mary had induced a political and moral dilemma, which, like most of his contemporaries, King resolved with less than complete assurance. The essence of his argument was that Irish Anglicans had simply acted out of a mixture of necessity, self-preservation and obedience to divine leading. In effect, he simply accepted what had occurred and proceeded to argue, *post-facto*, in favour of an accommodation with the new political regime. His principal reason for entering the fray had been his fear that a political and ecclesiastical settlement dictated by English priorities, and prejudicial to the Anglo-Irish interest, would be imposed on the kingdom by an English parliament determined to extend its authority. Like many in Ireland, he dreaded the implications of a 'Glorious Revolution' which had already seen the powers of the Westminster parliament increase. In particular, he feared that the English parliament would attempt to enforce its claims to legislative supremacy, a prospect strengthened by the fact that for several years the English parliament had been exercising this very function. That one likely immediate consequence of such a development would be a Toleration Act imposed from London made this scenario doubly unpalatable.[112]

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[112] For example, over the previous two years the English parliament had passed a number of pieces of legislation with direct relevance to Ireland. These included 'An Act for the better securing and relief of their Majesty's Protestant Subjects of Ireland' and 'An Act for abrogating the oath of Supremacy in Ireland and for appointing other oaths'.

The State of the Protestants of Ireland and *Europe's Deliverance* had, therefore, one overriding purpose: to explain and vindicate the actions of Irish Anglicans and their church to the English body politic, thereby establishing the case for the continuation of the existing settlement with minimum alteration. But, together with his other writings over the previous three years, such as *The Principles of Government,* and *The State of the Church,* they also enable an analysis of the changes, however subtle, which took place in King's political outlook during this formative period. In particular, they make it possible to identify and trace the emergence of his preferred political settlement and to determine its essential characteristics.

In spite of all that had happened, King remained convinced that a national, independent, established, episcopal church remained the key to ensuring a peaceful and stable society. He certainly did not allow that the Anglican Church's patent deficiencies, as evidenced by the manner in which it had discarded its teachings on Passive Obedience, in any way compromised its historic claims or justified an attempt by English Whigs to extend the church settlement to include non-conformists. But this is not to say that his experiences during the war had not affected his view of the church's role. He certainly emerged from this period with his anti-Erastian sentiments reinforced. Indeed, the most important consequence of the war years in terms of King's vision for the church was that they confirmed him in a mistrust of excessive dependence on the state, but also, although to a lesser extent, the monarch. Henceforth, although gladly availing of state assistance when possible, King would consistently emphasise the fact that the church was an autonomous corporation, 'an independent society' in which resided the ultimate responsibility for, and authority over, its own affairs.[113]

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[113] In Goldie's opinion King's book provided for a 'more forthright dissolution of the

But, while putting forward a strong case to be continued in an exclusive establishment, King was painfully aware that the church was not in a particularly healthy condition, spiritually or temporally. Its structures, traditionally weakened by the endemic problems of non-residence and pluralities, had been further loosened by the war and the flight of both bishops and clergy to England. Furthermore, a non-conformist population of roughly equivalent numbers, which had supported William wholeheartedly, posed a considerable threat. Sufficiently of one mind to convene a national Synod shortly after the war to press their demands, and buoyed by the establishment of the Presbyterian church in Scotland, and by the presence on the throne of a Calvinist king who had continued payment of the *Regium Donum*, they were putting forward impressive claims for both a toleration and a greater role in the political and administrative life of the country.[114]

For King, however, the exclusion of non-conformists from public office had become a fundamental part of his calculations. They embodied all that he detested in matters of church government, thereby excluding themselves from the true Christian church. They also displayed a suspicious indifference to central government. They were, he believed, crypto-republicans intent upon championing the power of parliament, displacing the monarchy and subverting the Anglican Church. Gone now were the notions of union or toleration, which he had explored less than three years previously, and which were exposed for the desperate measures they were. He was even refusing to acknowledge the role they had played in the war, making only two oblique references to Dissenters in the whole of *The State of the Protestants of Ireland*. The fact was that henceforth he would devote an inordinate amount

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Reformation state-church' than any other work of the period: Goldie, *op. cit.*, pp.128.

[114] Brooke, *op. cit.*, pp.60-2; Cowan, *op. cit.*, pp.163-183.

of his energies to ensuring that they were permanently excluded from enjoying the more tangible spoils of victory.

Whatever about the exclusion or otherwise of non-conformists, there was no question for King of the establishment being anything other than Protestant in character. He had concurred with Restoration legislation which had 'secluded Papists as enemies to the English interest in Ireland from freedom and votes', and saw no reason to change this view.[115] Indeed, his experiences during the war had merely confirmed him in the belief that 'a Papist, whatever he profess', was but an 'ill guardian of liberty of conscience'. The 'same religion that obliged the King of Spain to set up an inquisition' would always require its adherents in Ireland to attempt the same.[116] For this reason they should never be trusted with any public office or trust. 'Men may live very comfortably in a nation,' he concluded,

> 'and yet be excluded from the power or government of it; therefore it is no injustice to exclude a certain rank of men that want such qualifications as may give the commonwealth confidence in them, from intermeddling in the Government.....'[117]

But King's remedy for the problem posed by a recalcitrant Catholic population did not include their subjection to the full range of what would become known as the 'Popery Laws'. In his opinion Catholics represented, above all else, potential converts. His experiences during his imprisonment, when he had ministered to many Catholics and found them amenable to the gospel, had confirmed him in his view that what was required was their radical and extensive evangelization. Not only would they convert readily if the Anglican message was explained clearly to them in their own language but,

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[115] *The State of the Protestants of Ireland*, p.73.

[116] ibid. p.176.

[117] ibid. p.37.

with their Catholic appreciation of authority and order, they would, he believed, make far more amenable communicants than disaffected Presbyterians.[118]

His somewhat lenient attitude towards ordinary Catholics was, however, in marked contrast to the contempt in which he held their clergy - those 'skulking Popish priests'. He had observed their demeanour once placed in power during the war, and reckoned them to be little better than 'vermin'. They had been 'no less oppressive than the soldiers', he recalled,

> 'they multiplied in Dublin to three or four hundred at the least; they were well fed and well clothed; there were not more lusty, plump fellows in the town than they, insomuch that they were remarkable for it, and reckoning that they consumed but twenty pound a piece one with another, which was the least, they cost the town eight thousand pounds per annum, which is near four times more than all the Protestant clergy in town received..... and a great part of it came out of the Protestant's pockets, for they were such experienced beggars that none escaped them, and so importunate that none did refuse them; if they did they must expect to be the next who were robbed.[119]

They had also insolently informed Anglican ministers 'that they would have our churches and our tithes.....', something which had struck at the basic economic infrastructure of the established church.[120] But even this had not been enough to satisfy their insatiable determination to see the Protestant community obliterated:

> 'All these methods of ruining the Protestant religion seemed tedious to the priests; and therefore they could not be prevailed with to abstain from violence; whenever they had a fair

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[118] *Vitae*, p.26; *Diary*, September 22, 1689.

[119] *The State of the Protestants of Ireland*, p.114; King to Edmund Gibson, Bishop of London, 17/9/20, TCD Ms. 750/6/123.

[120] *The State of the Protestants of Ireland*, p.183.

opportunity to use it they applied it with all diligence.'[121]

It was because of such experiences, allied to a hatred of Roman Catholicism and its structures, that, while opposing measures which imposed hardship on the Catholic population as a whole over the course of the next four decades, King would have no qualms about supporting legislation aimed at penalising or ridding the country of their priests and bishops.[122]

While the first pillar in King's constitutional scheme was, therefore, an exclusively Protestant, episcopal, national, preferably Anglican Church, the second remained the monarchy. This was because, in spite of his experiences under James, he remained a committed monarchist as he had demonstrated by his wholehearted support for William and Mary. He had, however, been awakened to the potential for abuse inherent in a system which facilitated absolutism. The previous few years had provided quite a sobering political education in highlighting 'plainly what a weak barrier laws are against a person who designs absolute power'.[123] This abuse of power by the monarch had resulted in an intense contest 'between our laws, religion and liberties on the one side and the king's power on the other.....'[124] And it was out of this that one of King's more substantial breaks with the Restoration scheme came. He now accepted that constraints had to be placed on the crown's prerogative. It was for this reason that he was not unduly upset to find that, under the terms of the Revolution Settlement in England, the powers of the monarch had been somewhat circumscribed.

Although fully convinced of the individual merits of both church and

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[121] ibid. p.200.

[122] See, for example, Chapter 3, Section III.

[123] *The State of the Protestants of Ireland*, p.68.

[124] ibid. p.38.

crown, it was still, however, in their symbiotic relationship that he believed the best guarantee of a stable and godly society resided. It was 'impossible,' he insisted, in terms reminiscent of his pre-Revolutionary stance, that

> 'any society should subsist without a power of rewarding and punishing its members; now Christ left no other power to his church but what is purely spiritual; nor can the Governors of the church any other way punish their refractory subjects but by refusing them the benefits of their society, the administration of the work and sacraments and the other spiritual offices annexed by Christ to the ministerial function. But kings and estates have become nursing fathers to the church and lent their temporal power to second her spiritual censures. The jurisdiction, therefore, of the clergy, so far as it has any temporal effect on the bodies or estates of men, is entirely derived from the favour of estates and Princes acknowledged to be so in the Oath of Supremacy.'[125]

But while he might pine for a constitutional settlement which placed the principal responsibility for the regulation of society in the hands of both church and crown, King could not ignore the fact that, increasingly, the real power lay with 'the nation in parliament assembled'. Indeed, the circumstances of William's and Mary's accession had seen the authority of the English parliament increase. This accretion of power disturbed King. He could see advantages in the stricter control which the Revolution settlement placed on the prerogative of the monarch. But the English parliament embodied much of what King regarded as threatening to the 'natural order'. With its large Whig faction sympathetic to non-conformists, antagonistic to the claims of the established church and now championing the legislative supremacy of the Westminster parliament, it posed a potent threat to many elements of his own scheme.[126]

In fact, it would become apparent over the course of the next decade

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[125] ibid. p.187.

[126] King to Foley, 27/11/91, Lyons 188; Same to Same, 12/1/92, Lyons 200; King to Bonnell, 4/12/91, Lyons 190.

that it was this fear of the English parliament's designs in relation, primarily, to the church, but also to the crown itself, which was the crucial consideration compelling King to seek a more independent parliament for Ireland. Interpretations which have presented King's championing of the Irish parliament as motivated mainly by 'patriotic' considerations have failed to appreciate that it owed much more, at least in its beginnings, to a dread of the republican, pro-Dissenter sympathies which he believed endemic to the English parliament, rather than an ideological commitment to an Irish parliament *per se*. To a large extent, and particularly during the early years of his political life, he sought a sovereign Irish parliament because it was less likely than its English counterpart to threaten the religious and social order which he favoured. It was only after the disillusionment which followed his earliest defeat at the hands of the English Lords that an ideological commitment to an Irish parliament for its own sake began to play any appreciable part in his scheme of things.

This then was the scheme, his 'constitution of church and state', to the achievement of which King would devote the greater part of his energies over the course of the next four decades. But it was also a scheme which, even in the face of overwhelming odds and changing circumstances, he would refuse to modify. It was this which was to prove its undoing.

CHAPTER 3

1691-1697: *'..... I would not consent to anything that I thought ..... would betray either liberty or religion .....'* [1]

One of the consequences of his elevation to the episcopal bench was that King was summoned to take his place in the Irish parliament which was due to assemble in Dublin in October 1692. It would be his first experience of a forum in which he would play a major role over the course of subsequent decades. The years from 1691 to 1697 may be termed his formative political years during which he emerged as a man of considerable political acumen who, although initially sceptical, gradually came to appreciate the advantages which would accrue to both church and kingdom from a vibrant Irish parliament. It helped that he was a consummate politician. He was eager, dedicated and willing to spend long hours in dreary committee work. He also possessed a keenly developed litigious mind which he employed to great effect in his various parliamentary battles. Indeed, by 1697 he felt confident enough to contend with the government on a wide range of issues, displaying that independence of thought and refusal to succumb to official pressure which would so characterise his later life.

But, while his political involvements during this period were considerable, King's main concern related to his pastoral duties in his new see. Combining visitations, church rebuilding and efforts to reduce the incidence of pluralism and non-residence with the evangelism of both Catholics and

[1] King to Southwell, 21/12/97, TCD Ms. 750/1/147.

Presbyterians, he devoted the bulk of his time and energies to the task of revitalising a diocese devastated by the war. Indeed, such was his success that in little more than a decade he was being considered for translation to one of the most prestigious sees in the country.

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The pastoral priorities which King had set for himself in his new office were soon apparent. Within two weeks of his consecration he had departed for Derry, accompanied by James Bonnell, who, apart from being Accountant-General, was an enthusiastic member of some of the religious and reforming societies then beginning to emerge throughout Ireland. The support of Bonnell, who considered King 'a person entirely of the same studies and thoughts with me' and an 'intimate friend', testified to the hopes of many within the church that King would prove a champion of genuine reform.[2]

What the two men witnessed on their arrival shocked them: 'I found the land almost desolate, country houses and dwellings burnt,' King recalled,

> 'On an inquiry being made I ascertained that there were in the diocese of Derry before the troubles about 250,000 head of cattle; there were left after the siege was raised about 300, out of 460,000 horses, 2 horses remained, lame and wounded with 7 sheep and 2 pigs but no fowl, whence the miserable state of that

[2] Bonnell to Strype, 21/2/91, Strype Corr., TCD Ms. 2929, p.128; Same to Same, 19/3/92, Strype Corr., TCD Ms. 2929, p.152; T.C. Barnard, 'Reforming Irish Manners: The Religious Societies in Dublin during the 1690s', *The Historical Journal*, 35, 1992, pp.818-9, [hereafter: 'The Religious Societies']; William Hamilton, *The Life and Character of James Bonnell, esq., late Accountant-General of Ireland*, Dublin, 1703. In spite of his friendship with individuals such as Bonnell, neither in Derry, nor subsequently in Dublin, did King ever show any great enthusiasm for involving lay organisations such as the Society for the Promotion of Christian Knowledge in his attempts at reform and improvement on the grounds that he felt they were never sufficiently under the control of the church authorities to be totally trustworthy: King to Bishop Smyth of Down and Connor, 12/4/98, TCD Ms. 750/1/209; King to Wake, 21/9/17, TCD Ms. 750/11/2/303-5; D.W. Hayton, 'Did Protestantism fail in early eighteenth century Ireland? Charity Schools and the enterprise of religious and social reformation, *c.*1690-1730', in Ford, McGuire and Milne, eds., *As by Law Established*, pp.166-186.

miserable province was sufficiently manifest.'

This situation was exacerbated by a fire shortly afterwards in which 'great tracts of land .....[were] burnt up ..... so that the same fire spread 18 miles and ran over almost all the neighbouring regions.' They found church property and clerical morale to be in an equally wretched state:

> 'The clergy were badly off ..... little or nothing was returned by benefices to their possessors ..... The churches in the diocese I found damaged by neglect and the fury of war, some also had been consumed by fire.'

With the money he had obtained from Sidney, King was able to bring some churches back into use.[3] But a more compelling problem was the prevalence of non-residence and pluralism, those 'very pests of the church', which became all too apparent during his first diocesan visitation: 'I am in ill circumstances here,' he wrote to a friend,

> 'my absentees and pluralists care not whom they employ and therefore take Scotch curates, as gentlemen used to take Irish servants merely because cheaper than others. Five pounds in the salary would prefer a Turk to the best man.'[4]

In the 47 parishes of the diocese he found 'not above 25 residents, the rest were in the hands of pluralists.' While he hoped that several of the more recalcitrant incumbents could 'be persuaded to that strictness that might persuade the people of their being in earnest', he was under no illusions as to the enormity of his task.

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[3] *Vitae*, p.32-3; Tollet to King, 21/5/92, Lyons 227; Nottingham to Lords Justices of Ireland, 1/3/92, CSP Dom. 1692, p.161; Nottingham to Commissioners of the Treasury, 1/3/92, CSP Dom. 1692, p.159; *Paraphrase*, pp.86-8.

[4] King to Samuel Foley, 24/4/91, Lyons 122; Same to Same, 2/5/91, Lyons 124; Same to Same, 19/5/91, Lyons 127; Foy to King, 26/3/92, Lyons 217 Rebecca Berkeley to King, 7/4/91, Lyons 118. Those who sought to address the problems posed by non-residence, pluralities and the abuse of faculties were aware that it was as much small livings and impropriate tithes, as any inclination towards avarice on the part of incumbents, which were at the root of the problem. They were realistic enough, therefore, not to seek their complete eradication: see, for example, *The State of the Church of Ireland*, manuscript (not in King's hand), circa. 1690, Lyons 115a. (Impropriate tithes were tithes which had become alienated from the church into lay hands as a result of the various land settlements over the previous fifty years.)

He moved quickly to signal both his determination and his authority, insisting that all non-resident clergy provide curates for any cures which they themselves could not service. Not wishing to seem indifferent to genuine cases of hardship, he offered financial assistance to those who were too impoverished to comply. But this was not to be interpreted as a lack of resolve. To those who refused to comply he promised a variety of 'ecclesiastical censures' ranging from suspension to excommunication.[5]

As anticipated, he encountered considerable hostility and found himself 'railed at, ridiculed, nay cursed by many'. One particular clergyman, rejected by King on examination as 'grossly ignorant and scandalous', in spite of the fact that he had been recommended by Sidney, vowed that he would 'break his bones' if he ever met King again. 'I believe no bishop was ever more railed at for the first two years than I was at Londonderry by both clergy and laity,' he recalled several years later. There was also opposition from within the hierarchy. Archbishop Marsh let it be known that he considered King's zealousness both excessive and imprudent. Primate Boyle was equally antagonistic: '[t]he primate scorns', Bonnell noted, but, he told another supporter of reform, King would 'stick at no costs to maintain a just point'. Even Tollet wrote from London to advise him to be less confrontational. But, in a display of that obdurate self-importance which infuriated both friends and foes alike, King chose to interpret opposition as the persecution that should attach to any genuine attempt to stamp out abuses: hearing of 'six clergymen in a tavern that stayed very late railing at me [and] endeavoured to set the government against me', he took it 'as a certain sign' that he was 'in the right.' In the face of such single-mindedness many of his detractors were eventually

[5] B[onnell] to Strype, 13/2/92, Strype Corr., TCD Ms. 2929, p.148; King to Foley, 11/8/91, Lyons 163; *Vitae*, pp.33-4.

dissuaded. Afraid of 'the cause pursuing its course to excommunication,' King noted contentedly, many had 'submitted'. '..... by good offices, steadiness in my duty and just management', he gradually 'got the better of them.' Bonnell was impressed: 'The Bishop of Derry has laboured indefatigably to settle his diocese since this time 12 mo[nths], which he found in great disorder,' he noted, '[h]e has put in curates..... and prosecuted some of the absent incumbents to excommunication.'[6]

The difficulties which King encountered in Derry were no different to those which the Church of Ireland was facing throughout the country.[7] But while not all bishops were as zealous as he in attempting their elimination, a 'select number of bishops', comprising King, Foy, Dopping and, to a lesser extent, Francis Marsh and Narcissus Marsh, was sufficiently motivated to agree to a concerted approach to their common problems. They were encouraged in this by news that Primate Boyle had received instructions from the government that the bishops should meet to 'prepare bills for the next parliament which may be of use to the church'. However, their endeavours to enlist the support of a majority within the hierarchy met with an indifference bordering on hostility. At one point they attempted to involve several of their colleagues in a scheme to redress the problems induced by pluralities, for which they had already obtained the support of the Archbishop of Canterbury. This would have involved all

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[6] King to Foley, 7/9/91, Lyons 168; Same to Same, 12/6/91, Lyons 136; Same to Same, 16/6/91, Lyons 137; Boyle to King, 30/6/91, Lyons 145; B[onnell] to Strype, 13/2/92, Strype Corr., TCD Ms. 2929, p.148; Same to Same, 19/3/92, Strype Corr., TCD Ms. 2929, p.152; Boyle to King, 30/6/91, Lyons 145; Tollet to King, 14/2/92, Lyons 207; John Hunter to King, 1692, Lyons 2314; King to Robert King, 26/7/92, Lyons 234; Gilmore, *Dopping*, pp.155-7.

[7] Foy, for example, had only six resident clergy in 1693: Foy to King, 10/10/93, Lyons 301. For a description of a similar situation in the diocese of Meath see Dopping, 'Remedies Proposed for the Church of Ireland, 1697', ed., J Brady, in *Archivum Hibernia*, 22, 1959, pp.163-173. See also idem., *The State of the Diocese of Meath*, October 1693, Marsh's Library, Ms Z.3.1.4. Foy calculated that the value of the livings held by the 10 principal pluralists in the country was in excess of £1500: Foy to King, 14/9/91, Lyons 170.

bishops contributing a portion of their income to a fund to be used to purchase impropriate lands and rectories. They also lobbied for a bill which would have prevented clergymen holding livings in different dioceses. For the majority of prelates, however, such proposals held little attraction and were politely ignored. Only the attempt to secure a bill which would address the problem caused by impropriate tithes received general support.[8] But the reformers were not so easily deflected. Seeing little chance of securing sufficient support within the church, they decided to avail of the upcoming parliament to 'roar against these abuses' in the hope of soliciting official backing for their programme.[9]

Whether there would be a parliament in Ireland at all was itself uncertain, however. The circumstances of William's and Mary's enthronement had confirmed the more dominant role secured by the English parliament. This found expression not only in its relationship with the monarchy, but in its attitude to the Irish parliament. The insistence of English parliamentarians that the Irish political and ecclesiastical settlement should be determined at Westminster had gained credibility by virtue of the fact that for some years the English parliament had effectively legislated for the country.[10] Indeed, there was a strong possibility that the English parliament would undertake to settle

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[8] Foy to King, 30/7/91, Lyons 156; Same to Same, 14/9/91, Lyons 170; Same to Same, 10/11/91, Lyons 184; Same to Same, 26/3/92, Lyons 217; Boyle to King, 30/6/91, Lyons 145; Same to Same, 12/1/92, Lyons 198; Gilmore, *Dopping*, pp.140-8; Barnard, 'The Religious Societies', p.809; idem., 'Improving Clergymen, 1660-1760', pp.136-151.

[9] Foy to King, 30/7/91, Lyons 156; Same to Same, 29/9/91, Lyons 175; Same to Same, 21/1/92, Lyons 204; B[onnell] to Strype, 13/2/92, Strype Corr., TCD Ms. 2929, p.148; E. Wetenhall, *A sermon preached October 23, 1692*, Dublin, 1692.

[10] Southwell to King, 23/12/91, Lyons 107; Connolly, 'Reformers and Highfliers: the post-Revolution church', in Ford, McGuire and Milne, eds., *As by Law Established*, pp.153-5. For example, in 1689 the English parliament had passed an act 'Declaring the Jacobite Parliament null and void'. In 1691 an act 'for abrogating the oaths of supremacy in Ireland and appointing other oaths', had also been passed. In addition several attainder bills relevant to Ireland were being debated at Westminster: J.G. Simms, *Williamite Confiscation*, p.82; Smyth, *op. cit.*, pp.791-2.

the forfeited estates in Ireland without reference to an Irish parliament. It was in these circumstances that the *Modus Tenendi Parliamenta in Hibernia*, intended to remind Irish politicians of the rich parliamentary tradition they had inherited, as well as King's *The State of the Protestants of Ireland*, were published.[11]

King's reaction to the English parliament's designs in this area was revealing. He had been alerted some months previously to Whig proposals 'to vest the forfeiture there for the payment of debts'. The intention, he believed, was to see Irish Anglicans 'garbled' because of their alleged duplicity in relation to James and their refusal to concede a toleration for Dissenters. His nascent Anglophobia was roused. While he knew 'little of the humour and designs of the Court and parliament in England,' he was convinced that any 'proposal for the good of Ireland might prove a bone of contention which at this time would ruin us all.' 'They consider it [Ireland] as a drain', he opined, and would now take the opportunity to impose taxes from London in order to pay for the war. The veiled threats hinted at in a letter of his to Bonnell indicated the level of indignation which these attempts on the part of the English parliament were exciting throughout the Anglo-Irish population as a whole:

> 'I would have some able hand to write an earnest exhortation to all the Protestants of Ireland and especially the English..... to add an advice to those that are in it and cannot get away to make the best hand of everything for their present advantage and to settle at least their children in England that they might not in the next

[11] [King] to Southwell, 3/2/91, Lyons 113; Southwell to King, 6/2/92, Lyons 206; Same to Same, 29/3/92, Lyons 218; Pulteney to Coningsby, 13/2/92, De Ros Ms., 638/13/113; I.L. Victory, *Colonial Nationalism in Ireland*, pp.2-3; Anthony Dopping, *Modus Tenendi Parliamenta in Hibernia Published out of the ancient record by the right reverend father in God Anthony, Lord Bishop of Meath. To which is added the rules and customs of the house, gathered out of the journal books from the time of Edward the Sixth*, Dublin, 1692.

generation be Irish rebels.'[12]

In the face of this acquisitiveness on the part of the English parliament, however, King took solace from the fact that William had promised to summon a parliament for Ireland. Although his acknowledgement that it might no longer be 'in the king's power to help us' showed that he was aware of the English parliament's increased authority, he remained hopeful that his Majesty would deliver on his commitment to his 'loyal' subjects. Indeed, he was already making arrangements to travel to Dublin to attend. He was not completely surprised, therefore, when in late 1691 Southwell wrote to inform him that at a recent Privy Council meeting in London it had been agreed to summon a parliament to meet in Dublin during the latter part of 1692, and inviting his advice as to appropriate legislation.[13]

His attention turned immediately to how parliament might be exploited to the benefit of the church. Those prelates who favoured an assault on pluralities and non-residence had been meeting for over a year to plan a strategy for any forthcoming parliament. Their ambitions were twofold. First of all they still hoped to persuade their fellow bishops of the need for a thorough reformation of the various abuses which, they believed, undermined much of the church's witness. To this end, together with Narcissus Marsh, Dopping and Foy, King had lobbied the Archbishop of Canterbury 'concerning the reformation of abuses in this church' in an effort to influence the proposed legislative programme. But support in both England and Ireland was muted. In fact, notwithstanding some official backing for a bill intended to address non-

[12] King to Bonnell, 4/12/91, Lyons 190; Southwell to King, 6/2/92, Lyons 206; Thomas Bell to King, 20/2/92, Lyons 208; King to Foley, 27/11/91, Lyons 188; Same to Same, 12/1/92, Lyons 200.

[13] *Declaration by his Majesty*, 22/2/89, HMC report no.12, appendix vi, pp.164-5; King to Foley, 5/10/91, Lyons 176; Southwell to King, 17/12/91, Lyons 195; King to Bonnell, 4/12/91, Lyons 190.

residence, those seeking reform were forced to attempt change against the background of a hostile government, an indifferent laity and a generally contemptuous episcopal bench.[14]

In relation to their second ambition, however, there was a more obvious unanimity. This was their determination to ensure that any attempt on the part of the government to seek the passage of a Toleration bill for Dissenters as had passed in England in 1689, would be vigorously obstructed. The entire episcopal bench was united in its resolve that the established position of the Anglican Church should not only be secured, but exclusive. And amongst their number King was recognised as the most resolute on the point. Any notions he had once had of union, or even comprehension, had long since evaporated. He had now reverted to the position he had held in 1687. Presbyterianism, he believed, represented both a political and a religious threat and needed to be treated as such. His experiences in Derry over the previous eighteen months and the fact that Ulster Presbyterians had felt sufficiently confident to call a Synod in 1691, had merely confirmed him in this opinion. It was, therefore, the exclusion of Dissenters, rather than the punishment of the defeated Catholics, which occupied his attentions as he prepared for his first session in parliament.[15]

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[14] Foy to King, 30/7/91, Lyons 156; Same to Same, 14/9/91, Lyons 170; *Marsh's Diary*, 20/9/91 and 8/10/91, pp.40-1; Bonnell to Strype, 7/4/92, Strype Corr., TCD Ms. 2929, p.161; Same to Same, 13/2/92, Strype Corr., TCD Ms. 2929, p.148; King to Bonnell, 4/12/91, Lyons 190; Tollet to King, 13/10/92, Lyons 238; Nottingham to Reynell, Levinge and Temple, 9/3/92, CSP Dom, 1691-2, p.174. Dopping's effectiveness had been somewhat diminished by his removal from the Privy Council after he had preached what the government considered a particularly vituperative anti-Catholic sermon. King's reaction was to criticise not his friend's sentiments, but his political naïveté: 'I am afraid the kingdom will not be a gainer by his sermon', he told Bonnell, adding, in a particularly revealing aside, that he himself was 'always cautious of giving a blow that would put me out of a capacity for giving another': King to Bonnell, 4/12/91, Lyons 190.

[15] *Marsh's Diary*, 20/9/91, pp.40-1; King to Bonnell, 26/6/91, Lyons 144; Nottingham to Lords Justices of Ireland, -/7/92, De Ros Ms. 11/56(a); Sidney to Nottingham, 17/10/92, CSP Dom. 1694-95 and Addenda, p.214.

Few of his contributions to the parliament of 1692, which convened on October 5, presaged the influence which he would later exercise in this forum. Indeed, he began his parliamentary career rather ignominiously, missing the first seven sittings, having travelled to England earlier in the year to oversee the publication of another edition of *The State of the Protestants of Ireland* and been delayed in Chester on his return.[16] From the beginning the members had proved more volatile and 'independent minded' than either the government or Lord Deputy Sidney had anticipated, and officials had been taken aback by the belligerent attitude of both Lords and Commons. By the time of King's return to Dublin Sidney had already concluded that he was required to manage a 'company of madmen'.[17]

The issue of most immediate concern to the members was that of the land settlement.[18] In spite of William's request that the Articles of Limerick be presented to the Irish parliament for approval, the government had decided against allowing this for a number of reasons: firstly, the ministry was aware of the designs of the English parliament in this area; and secondly, it was well

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[16] LJI, i, 5/10/92; *Marsh's Diary*, 5/10/92, p.49; *Vitae*, p.35; Doyle, *Parliament and Politics*, pp.43-72. In mid-September he wrote to Samuel Foley from London informing him that he had been detained in England where he had been unsuccessfully attempting to settle with the Irish Society over the disputed fisheries. The only tangible consequence of the trip, he complained, was that he was over £400 out of pocket: King to Foley, 13/9/92, Lyons 237; King to Annesley, 28/10/97, TCD Ms. 750/1/115-6.

[17] Sidney to Nottingham 28/9/92, CSP Dom. 1694-95 and Addenda, p.205; Same to Same, 6/11/92, CSP Dom. and Addenda, p.217; Same to Same, 17/10/92, CSP Dom. and Addenda, p.213.

[18] J.I McGuire, 'The Irish Parliament of 1692', in Bartlett and Hayton, eds., *Penal Era and Golden Age*, pp.1-31; *An Account of the Sessions of Parliament in Ireland 1692*, London, 1692; [R. Yard] to Sir Joseph Williamson, 11/10/92, CSP Dom. 1692, p.478; Nottingham to Sidney, 2/11/92, CSP Dom. 1692, p.492; Alan Brodrick to St. John Brodrick, 11/11/91, Midleton Family Manuscripts, Guildford Muniment Room, Surrey, [hereafter: Midleton Mss.], 1/255-6; Alan Brodrick to Thomas Brodrick, 25/9/93, Midleton Mss. 1/264-5.

known that the general feeling amongst the Anglo-Irish was that the terms offered to the defeated Catholics were far too generous, with Lord Justices Porter and Coningsby, the signatories of the Articles, the focus of particular anger.[19]

Although the government managed to stymie attempts to have either the Articles debated or Porter and Coningsby censured, this did not prevent members from expressing their resentment in other ways. It was apparent initially in the rejection of a 'Militia Bill' and a 'Bill against mutinies and desertions'.[20] But it became particularly evident when the Commons came to deal with the Money bill.[21] Contention on this issue, which came to centre on the question of 'sole right', not only allowed the members to champion the right of an Irish parliament to frame legislation for Ireland, but also to indicate the depth of feeling on the parallel matter of the land settlement.[22] These sentiments, consistent with those expressed in Dopping's *Modus Tenendi Parliamenta in Hibernia*, were also articulated in an *Address* prepared for transmission to their Majesties by the Commons shortly after the rejection of two more bills. 'Whether they will come into a better temper or no, I cannot tell,' an embattled

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[19] Sidney to Nottingham, 28/9/92, CSP Dom. 1694-95 and Addenda, p.205; Same to Same, 22/10/92, PRO. S.P. 63/354/184; Sidney to Lords Justices of Ireland, 12/12/91, CSP Dom. 1691-92, pp.30-1; Same to Same, 6/11/92, CSP Dom. 1694-95 and Addenda, p.217; Nottingham to Lords Justices of Ireland, 26/12/91, De Ros Ms. 638/11/72; Southwell to King, 29/3/92, Lyons 218; Alan Brodrick to St. John Brodrick, 11/11/91, Midleton Mss. 1/255-6; J.G. Simms, *The Treaty of Limerick*, Dundalk, 1961, p.13.

[20] CJI, ii, 24/10/92 and 31/10/92; Nottingham to Blathwayt, 1/4/92, HMC Finch, iv, p.55; McGuire, *Politics*, pp.42, 50.

[21] Sidney to Nottingham, 6/11/92, CSP Dom. 1694-95 and Addenda, p.217; Same to Same, 17/10/92, CSP Dom. 1694-95 and Addenda, p.213; Alan Brodrick to St. John Brodrick, 6/5/93, Midleton Mss. 1/259-60; Nottingham to Sir John Temple, 7/11/92, CSP Dom. 1692, p.494; *An Account of the sessions of Parliament in Ireland, 1692*, London, 1693; McGuire, *Politics*, pp.45-95.

[22] Victory, *Colonial Nationalism in Ireland*, pp.10-14. 'Sole Right' was the term used to describe the right to originate bills, or as it developed, the liberty to introduce Heads of Bills to parliament.

Sidney admitted to Nottingham,

> 'but at present they talk of freeing themselves from the yoke of England, of taking away Poynings' law, of making an address to have a Habeas Corpus bill and twenty other extravagant discourses have been amongst them.'[23]

It was into this volatile atmosphere that King ventured on his return to Dublin in mid-October. Hampered by his parliamentary inexperience, however, he was little more than a spectator as the constitutional fracas unfolded. His junior rank resulted in his being appointed to only one rather minor committee position, removing him further from involvement in the more delicate political manoeuvrings.[24] In fact, the only matters on which he did make a contribution related to the church - the one topic on which his natural inclination to involve himself could never be willingly suppressed. And in these debates he was conspicuous by his association with the minority reform group. His first opportunity came on November 3 when the Lords were asked to consider the case of one Dean Samuel Synge, a family friend of Primate Boyle, who was aggrieved that canvassing by several bishops, disturbed by his personal conduct, was hindering his chances of promotion. He particularly resented King's role, accusing him of being responsible for 'information given to the queen in my prejudice.'[25] Prompted by Boyle, he had appealed to the Lords for an *Address* to her Majesty in his favour. That his character was an issue at all was due to the fact that Sidney had solicited the opinion of various bishops as to his suitability

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[23] Sidney to Nottingham, 17/10/92, CSP Dom. 1694-95 and Addenda, p.213.

[24] LJI, i, 17/10/92. i.e. 'a Committee to consider of the petition of all the poor debtors in prison in this Kingdom of Ireland and how they may be most effectually and speedily relieved.....' As a bishop he was also entitled to make contributions to the Committee for Religion.

[25] LJI i, 3/11/92; Foy to King, 26/3/92, Lyons 217; Sighing to King, 17/12/92, Lyons 249; Same to Same, 9/1/93, Lyons 253.

for advancement.[26] Several of the reformist bishop's, without specifying any charge, had replied that, 'being a man of ill fame', he was totally unacceptable. Such was the intensity of their objections that Sidney was taken aback: 'I am sorry I ever recommended him,' he admitted to Nottingham,

> 'for they say that he is a person of such ill fame and repute that he is not qualified for the dignity of a bishop .....I have not heard of any particulars which are alleged against him and he thinks himself very hardly used to be accused of great crimes..... He seems to be very confident of his own innocency and would be very glad to be examined by both houses of parliament. I wish you would send us both lawyers and divines, for there are none to be had in this country who are worth anything.'

Synge's confidence in his 'innocency' was eventually vindicated by the Lords, but only after strenuous opposition: 'The petition was admitted,' Archbishop Marsh recorded,

> 'but the Archbishop of Cashel, Bishops of Meath, Derry, and Waterford dissented. Then the House, in a confused, tumultuous manner, desired the Speaker to acquaint his Excellency the Lord Lieutenant that they made it their request the queen would not take notice of any private whispers concerning Dean Synge'[27]

This was a considerable disappointment for the reformers. The fact that a majority of the bishops had supported Synge made it all the more distressing. Undaunted, King and his colleagues began to canvass the authorities in England directly in an attempt to ensure that Synge was not elevated to the episcopal bench. In fact, Synge was later to accuse King of having been the architect of this course and, indeed, of having been his most damning critic. While Foy and

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[26] Sidney to Nottingham, 9/9/92, PRO. S.P. 63/354/134-5; Same to Same, 28/10/92, CSP Dom. 1694-95 and Addenda, p.215; Same to Same, 6/11/92, CSP Dom. 1694-95 and Addenda, p.216; Same to Same, 6/10/92, CSP Dom. 1694-95 and Addenda, p.208; Nottingham to Sidney, 11/10/92, CSP Dom. 1692, p.477; *Marsh's Diary*, 24/10/92, p.57.

[27] *Marsh's Diary*, 25/10/92, and 3/11/92, pp.57-58; Foy to King, 26/3/92, Lyons 217; Synge to King, 17/12/92, Lyons 249; Sidney to Nottingham, 28/10/92, CSP Dom. 1694-95 and Addenda, p.215; Same to Same, 6/11/92, CSP Dom. 1694-95 and Addenda,, p.216; LJI, i, 3/11/92.

Dopping wrote to various political acquaintances, King communicated with several bishops, insisting that Synge was totally unsuitable to serve in such a capacity. This lobbying had the desired effect. The queen and the English bishops 'did highly approve of our integrity', Foy wrote to King soon after, and her Majesty had specifically indicated her 'displeasure' at the Lords Justices and the Lords for recommending Synge. Tollet wrote confirming this, informing King that as a result of this episode, he, Dopping, Foy and Narcissus Marsh would be the only ones to whom her Majesty would pay heed when considering future episcopal appointments in Ireland.[28]

In spite of such internal tensions the bishops remained of one mind in their opposition to any proposals for a toleration for Dissenters. There had been several indications prior to parliament convening that an attempt would be made by the government to have a Bill of Toleration introduced to ensure that non-conformists in Ireland were afforded protection similar to that granted to Dissenters in England.[29] The bishops fears were quickly realised. On October 15 the Committee for Religion in the Lords had been presented with a government bill to this effect. Amongst the secular peers the proposal had found some support, but the bishops were determined to obstruct its passage. They managed to introduce so many provisos into the draft that even the passing of such a bill would have resulted in a *de-facto* exclusion of Dissenters from most positions of power. Specifically they insisted that,

'the sacramental test be imposed as it is in England; and also that

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[28] Synge to King, 17/12/92, Lyons 249; Same to Same, 9/1/93, Lyons 253; *Marsh's Diary*, 9/11/92, p.60; Foy to King, 8/2/93, Lyons 255; Same to Same, 26/11/97, Lyons 559; Compton to Dopping, 27/12/92, (quoted in Gilmore, *Dopping*, p.159); Tollet to King, 13/10/92, Lyons, 238; Same to Same, 17/11/92, Lyons 245; Southwell to King, 15/5/94, Lyons 355.

[29] *Marsh's Diary*, 20/9/91, pp.40-1; King to Bonnell, 26/6/91, Lyons 144; Nottingham to Lords Justices of Ireland, -/7/92, De Ros Ms. 11/56(a); Spurr, *op. cit.*, pp.927-946.

> persons obliged to take it do likewise receive the communion thrice in the year, at least, according to the rubric of the communion service and also that they presume not to preach against our church in their meetings, under the penalty of £100 the first time, £200 the second and losing the benefit of toleration for the third offence, with some other clauses.'

'They seem to be thus apprehensive lest this bill should be a weakening to the church,' Sidney surmised, 'since the Dissenting party of this Kingdom..... is so very considerable.' Under pressure to placate the bishops, who were 'at present the major part' in the Lords, and with the Money bill about to be introduced, he recommended that the bill be returned incorporating a Test clause. Unaware of this, the Committee of Religion had proceeded to draft several Heads of a bill themselves.[30] These contained a Test clause as well as severe penalties for failure to comply with Anglican rubrics. In fact, the bishops need not have concerned themselves. With the securing of the Money Bill a priority, Sidney had relented and approved a draft bill containing the bishop's wishes which was now 'sent over to England'. As anticipated, with parliament prorogued soon afterwards amid uproar in the Commons over their right to initiate bills, no more was heard of a toleration.[31]

The manner in which the threat of a Toleration bill was overcome testified to the enduring influence of the church, however weakened its enemies might like to portray it, at least in its ability to frustrate legislation which ran counter to its interests. The bishops, with King, Foy and Dopping to the fore, had served notice of their determination to ensure that its privileges were not diluted. Indeed, there is the possibility that King played a more important part

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[30] *Marsh's Diary*, 15/10/92, 19/10/92 and 27/10/92, pp.51-56; LJI, i, 27/10/92; Sidney to Nottingham, 18/10/92, PRO. S.P. 63/354/150.

[31] Nottingham to Sidney, 2/11/92, CSP Dom. 1692, p.492; Undated memorandum by King, Lyons 264a; LJI, i, 3/11/92; Alan Brodrick to St. John Brodrick, 6/5/93, Midleton Mss. 1/259-60; Same to Same, 26/6/93, Midleton Mss. 1/261-2; Dean Richards to Wyche, 8/1/93, Wyche Papers, PROI Ms. 1A/41/70a, [hereafter: Wyche Ms.], 1/1/65.

than he cared to admit publicly. Present in London prior to parliament convening, he was widely suspected of having used the opportunity to lobby extensively against the government's proposal, thereby 'wrecking it'. Although he strenuously denied these allegations, he was never able to completely refute them, and as late as 1702 and again in 1705, his role in frustrating the measure was still being widely canvassed.[32]

While King was emphatic that no relief should be proffered to dissenting Protestants, he was less impassioned in his response to the problems posed by the defeated Catholics. On the question of forfeitures he was determined to ensure that Anglican landholders benefited from any settlement. Consequently, he was incensed at clauses in the Bill of Attainder which allowed several Catholic families to retain lands settled in trust. In his opinion all forfeited land should be granted immediately to 'resident conformists.' But he was not willing to countenance any attempt to approve the Articles of Limerick if they did not include the so-called 'missing' clauses by which numerous Catholics would retain their property. In a similar vein he showed little enthusiasm for the anti-popery legislation then being mooted.[33]

On this point, however, as with so much of his activities during the 1692 parliament, the paucity of extant correspondence from the period prevents a

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[32] King to Southwell, 3/2/91, Lyons 113; Southwell to King, 6/2/92, Lyons 206; Same to Same, 23/12/90, Lyons 107. 'I chanced to be there in London', he wrote to Lindsay, almost a decade later, referring to this episode, 'and some were so unjust as to say I stopped it [Toleration Bill] so that it never returned. But better interests were engaged against it': King to Lindsay, 21/7/02, 1489/2/59. For a fuller account of King's response when this was raised again in 1705 by Daniel Defoe, see Chapter 5, Section II.

[33] King to Southwell, 3/2/91, Lyons 113; Southwell to King, 6/2/92, Lyons 206; McGuire, *Politics*, p.77; LJI, i, 22/10/92, 24/10/92. The words "and all those under their protection in the said counties" had, Irish Catholics maintained, been omitted from the text of the Treaty. The draft Bill also excluded these words and the king was advised not to insist on their inclusion - in which he acquiesced. See also J.G. Simms, *The Treaty of Limerick*, Dundalk, 1961. King's treatment of and attitude towards Catholics is discussed in more detail in Section III of this chapter.

detailed critique of his actions. In fact, it is only through the analysis of some hand-written notes dating from shortly after the session had been prorogued, and which appear to have been intended as the basis of a letter to one of his political confidants, that it is possible to gain any insight at all into his impressions of, and reaction to, this, his first parliament.[34]

Given 'the noise the prorogation made', and the conduct of the parliament, King's primary concern appears to have been the possibility of 'disadvantageous representations of the affair both to the government and parliament' in England and the 'ill influence it may have on Protestant affairs'. Having just returned from London, he was acutely conscious of the capital which rivals of the re-emerging Anglican ascendancy might make of this seemingly 'ungovernable' parliament. He was especially concerned to counter any 'ill impressions it may make on their Majesties as to their Irish Protestant subjects'. As a consequence, he intended to embark on what would become a regular exercise - the explanation to the English body politic of the seemingly incomprehensible machinations of the Irish parliament.[35]

King was well aware that the parliament had failed to 'amount to..... the expectations' of all, particularly of the government. However, while granting that 'the mistakes of the parliament' were considerable, this had, he protested, resulted principally from the gullibility of the loyal Irish 'in trusting too much to the opinion of them that came lately out of England' and in minding too much 'the harangue of lawyers.' He had no hesitation in laying the blame for any 'misunderstanding between the Lord Lieutenant and parliament,' at the feet of

[34] Undated memorandum by King, Lyons 264a. This manuscript, under the title 'Plan for a letter about the Parliament' comprises 6 pages of notes giving the outline of a reply to a request for an account of events in parliament. No record of such a letter exists and in all probability it was never actually sent. Given the nature of the topics covered the most likely intended recipient was George Tollet: see Tollet to King, 27/11/92, Lyons 245.

[35] Undated memorandum, Lyons 264a.

both Sidney and those of his officials who had given 'false information to the members.' While conceding that Sidney, 'being absolutely a stranger and not able in so short a time to find out persons on whose advice he might rely in so weighty a matter,' was working at a disadvantage, King was adamant that the 'impressions made in the people' by the Lord Deputy's actions had alienated him almost from the time of his arrival.[36]

King's main criticism was of the 'counsel to which he [Sidney] hearkened,' those being 'our common enemies,' by which he meant Whigs, Dissenters and Catholics. In view of the insecurity felt by the bulk of the Anglo-Irish establishment on the eve of the parliament, the public perception that Sidney 'favoured the Papists, who boasted they would buy their place from him' and 'his recommending ill men for places in church and state,' inevitably set parliament and government at loggerheads. This situation was made worse by sheer ineptitude, King inferred. Whereas the Lord Deputy should have been 'finding the sense of the leading men of the house ..... by which he might have avoided the mortification to see them rejected,' he had exacerbated matters by 'not entertaining the parliament immediately with necessary bills but letting them waste some considerable time .....' This mistrust had been heightened 'by giving them hope of sitting longer and then abruptly proroguing them which gave occasion to suspect him as siding with corrupt officers.' Such cunning on the part of the government was, in King's scheme of things, to be contrasted with 'the great diligence of the parliament ..... in their Majesties service, voting them £70,000', 'their zeal for the Protestant religion' and their great 'care of the Kingdom.' While the parliament might be faulted 'in not being aware of the designs of the enemies' and in 'resenting and insisting too much on the Lord

[36] ibid.; Barnard, 'Lawyers and the Law in later seventeenth-century Ireland', pp.281-2; Porter to Coningsby, 23/11/92, De Ros Ms., 638/18/3; Sidney to Nottingham, 9/11/92, CSP Dom. 1694-95 and Addenda, p.218.

Deputy's parting speech,' the blame for allowing such a situation to develop lay squarely with the government.[37]

In the light of his subsequent battles with successive administrations, there was, however, one noteworthy omission from this memo - reference to the constitutional issues which had just been aired. There is, for example, no mention of the dispute over the relative authority and power of the English and Irish parliaments which had manifested itself in the quarrel over 'sole right'. Indeed, it is quite possible that King did not appreciate the full significance of the political and legal wrangling he had just witnessed. His extant contemporary correspondence, which is silent on the issue, merely serves to confirm this. Certainly, if this were King writing only a few years later, the main thrust of his comments would have been to affirm the right of the Irish parliament to formulate its own legislation in the face of a hostile English parliament.[38]

Although his contributions to parliament had been minimal, King's performance over the previous few years had not gone unnoticed. The success of his book, which had by now run to four editions, had been especially important in securing for him a reputation amongst senior English churchmen as a dependable defender of the rights and privileges of the established church. This had been bolstered by the queen's commendation of his part in the opposition to Dean

[37] Undated memorandum, Lyons 264a; Sidney to Nottingham, 12/10/92, CSP Dom. 1694-95 and Addenda, p.212; Same to Same, 17/10/92, CSP Dom. 1694-95 and Addenda, p.213.

[38] The inclusion in this draft, under the heading 'expedients to make this a happy kingdom', of a suggestion that union with England be considered, would seem to imply that he was at least aware of some of the constitutional undertones of many of the proceedings. On this matter, however, he was merely speculating on a course that would not be given serious consideration for another decade.

Synge. His proficiency as an administrator was also evident from his success in slowly rebuilding his diocese. These attributes had been reinforced in the minds of various influential individuals whose acquaintance he had made while in London during the autumn of 1692. Indeed, the Archbishop of Canterbury had been sufficiently impressed to predict that King would 'in time be the man at the helm' in Ireland.[39]

Now, in the aftermath of the parliament, Tollet wrote to inform him that he was being mentioned as a candidate for greater things:

> 'Sir Robert Southwell and I in discourse on Sunday last, supposing that in the next remove of government in Ireland the L[ord] Chancellor [Porter] would sit loose, he asked me what I thought of yourself for that place. I gave him the encouragement of some study that you had passed that way and..... riddled all the English lawyers who are perfectly in your lordship's interest. He was glad he had so good a foundation from me to build upon and will, I question, have this matter in his mind.....'

Even the Archbishop of Canterbury had indicated a willingness to canvass on King's behalf 'for that purpose'. Although this appointment did not materialise, the fact that he was even considered for it and could count on the support of such distinguished patrons, was indicative of the impact he had made in the few short years since his emergence into the public domain.[40]

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[39] Tollet to King, 14/2/92, Lyons 207; Southwell to King, 29/3/92, Lyons 218; B[onnell] to Strype, 13/2/92, Strype Corr., TCD Ms. 2929, p.150-1.

[40] Tollet to King, 4/4/93, Lyons 267.

II

Buoyed by such endorsements, King departed for his diocese as soon as parliament was prorogued. It marked the beginning of a protracted period devoted almost exclusively to pastoral duties. Indeed, with the exception of a few short trips to Dublin, King would remain in his diocese for the greater part of the next two years.

Having succeeded in repairing and renovating several existing churches, he now embarked on a building programme which would ultimately result in five new churches being constructed and a number of others repaired.[41] He also continued to harass those of his clergy who still held pluralities or refused to provide curates for their cures, using his rights of visitation to ensure that his authority was gradually imposed.[42] His success was soon being officially acknowledged: Primate Boyle and the new Lord Deputy, Henry Capel, both wrote to commend his achievements. It was a measure of his disillusionment with officialdom, however, that King was distinctly unimpressed, dismissing their congratulations as 'but words'. He would wait to see how both men translated their 'good intention' into tangible support at the next parliament. But, he was delighted to hear from Southwell that Queen Mary had remarked

[41] At one stage King even mooted the possibility of a University being sited in Derry, principally to act as a Church of Ireland seminary: Tollet to King, 18/9/94, Lyons 379.

[42] Foley to King, 10/10/93, Lyons 302. Foy to King, 20/9/94, Lyons 381; Tennison to King, 5/10/94, Lyons 382; King to Sir John Coghill, 14/4/96, TCD Ms. 750/1/2; Same to Same, 12/5/96, TCD Ms. 750/1/10-11.

favourably on his 'rigorous performance' and had let it be known that he stood high in her esteem.[43]

Isolated instances of improvement were, however, more than offset by the continued malaise of the church in many parts of the country. This was particularly the case where bishops were themselves guilty of some of the worst offences. Thomas Hackett, Bishop of Down and Connor, was one such offender. Appointed to the see in 1672, he had attracted the sobriquet 'the Bishop of Hammersmith' by virtue of his refusal to leave his London residence. Even government ministers were sufficiently disturbed to be amenable to calls for his removal. In 1693, under pressure from the queen, they appointed a commission to investigate complaints against Hackett, his archdeacon, Lemuel Matthews and a number of minor clerics. King, Dopping and Bishop Wiseman of Dromore were named as the Royal Commissioners of Visitation. They immediately 'proceeded with all care and diligence..... against the bishop and obnoxious clergy.'[44] Their speedy and unanimous recommendation was that Hackett be deprived of his diocese, Matthews of his livings and several others suspended. Despite an appeal to England by Hackett, the government stood firm and endorsed this decision.[45] Even more agreeable was the appointment of

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[43] King to Dopping, 12/9/93, Dopping Correspondence, [hereafter: Dopping Corr.], TCD Ms. 2254a/17; Southwell to King, 15/5/94, Lyons 355. In addition to tending to problems in his own diocese, King also found time during this period to write to the authorities in Salem, Massachusetts advising them that the outbreak of witchcraft was due, in his opinion, to their having abandoned the practice of renouncing the devil at baptism: King to _____, n.d., Lyons 300; Connolly, ***Religion***, p.196, fn. 207.

[44] *Patent of Appointment*, 1693, PRO. S.P. 63/355/126a; Sir Robert King to King, 11/9/94, Lyons 378; Beckett, 'The Government and the Church of Ireland under William III and Anne', pp.94-5; Bishops of Meath and Derry to Lords Justices of Ireland, 28/3/94, CSP Dom. 1694-95 and Addenda, p.74.

[45] Lords Justices of Ireland to Archbishop of Canterbury, 3/4/94, CSP Dom., 1694-5, p.86; Southwell to King, 15/5/94, Lyons 355; Tollet to King, 11/8/94, Lyons 371; King to Foley, 22/2/95, Lyons 408. A decade later Matthews was still disputing the authority of the Royal Commission, publishing a book of over 200 pages entitled *The Argument of Archdeacon Matthews for a Commission of Delegates upon his Appeals and Querel of Nullities*, London, 1704. Despite a series of appeals to Lord Chancellors Cox, Freeman and Phipps, however, he

Samuel Foley, whom King had recommended to the queen, to succeed Hackett.[46]

For the reformers this episode represented a signal victory in providing a warning to other offenders of the fate that awaited them if they did not mend their ways. It also confirmed the benefits to the church of active official support. Interestingly, however, King was loath to celebrate the fact that the church only appeared capable of securing reform when it enjoyed the support of the state. Although pleased at seeing Matthews removed, he was also moved to bemoan the 'great misfortune of our church to be so dependent on the state that it is in the power of the king almost at any time to ruin her'. In a tone reminiscent of that displayed in his *Principles of Church Government* manuscript some years previously, he even speculated on the advantages that would accrue to the church if it were ever possible 'to settle our constitution so that the church may stand on her own legs and be able to support herself'.[47]

King's misgivings about official involvement arose, in part, from his appreciation of the inherent tensions in a system which caused the church to seek government assistance to achieve reform intended to make it less dependent upon the state. He remained convinced that only a 'free, national church' could foster genuine reform. But this bout of anti-Erastianism could also be traced to other factors, in particular, the belief, shared by most bishops, that the government still intended some form of toleration for Dissenters. With the programme for the next session of parliament being framed, these fears were all

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was unsuccessful.

[46] Southwell to King, 15/5/94, Lyons 355. In this letter Southwell acknowledged receipt of three letters from King recommending Foley which he had subsequently read to the Queen and the Archbishop of Canterbury.

[47] King to Foley, 18/4/94, Lyons 349; King to Dopping, 29/9/94, Dopping Corr. TCD Ms. 2254a p.197; King to Bishop Lloyd, 15/12/96, TCD Ms. 750/1/48.

the more easily excited with the result that each regarded the other with barely concealed hostility.

King's opposition to any form of toleration had been reinforced by his experiences in Derry since the previous session of parliament. There he had been confronted by an increasingly vibrant and economically powerful Presbyterian faction which he found to be 'mighty insolent', an insolence which, he believed, could be traced to the fact that they presumed they enjoyed the support of the ministry in London. One consequence of this was that many of their number, including, embarrassingly for King, his own father, were steadfastly refusing to pay their tithes to the Church of Ireland. Furthermore, the local sheriffs and magistrates appeared to be making no effort to prosecute them. Striking at its already weakened economic base, this situation threatened the security of the church at a very fundamental level.[48]

But there were other, more personal reasons for King's antipathy. During the previous two years Presbyterian leaders in Derry had, he believed, 'studied by all means to impede me in doing my business'. Specifically, they had levelled two very serious, (if rather incredible), accusations at him: the first was that he was somehow implicated in the murder of one of their number in the city; the second was that he had misappropriated some charitable funds. Although both of these allegations had been dismissed by the government, King, as was his wont, had chosen to neither forgive nor forget.[49]

The single most important factor in confirming King in his opposition to any form of toleration, however, had been the conduct of those Presbyterians

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[48] King to Lloyd, 15/12/96, TCD Ms. 750/1/48. The curate at Portadown, Rev. William Brooke, had written to King pleading with him to encourage his father to pay his tithe of 28 shillings: Brooke to King, 2/12/91, Lyons 189.

[49] *Vitae*, p.36; Tollet to King, 14/2/91, Lyons 207; King to Foley, 7/11/91, Lyons 183; Rev. George Storey to King, 6/1/93, Lyons 322; Dr. John Leslie to King, 30/1/93, Lyons 326; Murray to Trenchard, CSP Dom. 1693, pp.374-5.

who were members of the Londonderry Corporation. Ever since he had arrived in Derry he had 'found the whole city under their authority and power', and his experience of their use of this jurisdiction had done little to persuade him that they could be trusted. Indeed, he viewed Presbyterian attempts to dominate the Corporation as not only menacing, but a direct challenge to the establishment: 'Whilst the Dissenters were only hypocrites they deceived many good people,' he declared,

> '..... but now their mask is off and they appear the greatest cheats and wickedest men in the kingdom, I cannot imagine any real good man should favour them and therefore whoever he is that does so (to be sure) he is either very weak in his head or wicked in his heart. There are 3 places in the North ought by all means to be kept out of their hands: Derry and Carrickfergus as being the keys and strongholds of this part of the kingdom and Belfast the treasury of it..... But, if they be suffered to go on assure yourself that some time or other 'twill cost a war. But England has always been short sighted.'[50]

This sensitivity to non-conformist attempts to dominate Corporations had been excited by the role which Presbyterians on the Londonderry Corporation had played in a dispute he had had over lands and fishery rights with the Honourable Irish Society of London. Not only, he believed, had the Corporation entered into an alliance with the Society, but, several Presbyterian aldermen had 'made many complaints against me to the Society' and had 'perfidiously betrayed' certain confidential information to its agent as a result of which 'lawsuits and access and refuge to the courts were needful for me.'[51]

King's response to this 'impertinence' on the part of Dissenters was twofold. On a political level he lobbied persistently to have the full rigours of the law and the ecclesiastical courts applied against them, so that by 1693 he had

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[50] *Vitae*, p.36; King to _____, 10/5/95, Lyons 426.

[51] *Vitae*, p.36.

obtained an unenviable reputation in government circles in both London and Dublin as the most virulently anti-dissenter of all Irish churchmen. Yet on a pastoral level his response was more considered. A convert himself, he was convinced that many Dissenters could be brought within the fold of the Anglican Church. Consequently he went to considerable lengths to evangelise them and took advantage of his regular visitations throughout the diocese to preach to them on the error of their ways. During 1693 alone he distributed over 1000 small catechisms in an attempt to convince them of the biblical foundations of Anglicanism. He also provided a Gaelic speaking cleric to minister to the large numbers migrating from the Scottish highlands. His pragmatic attitude to the payment of the *Regium Donum* was consistent with this approach: 'it is good to have their tongues under the King's girdle,' he told Bonnell colourfully, since this would, 'lose them in time some of their interest with their people.'[52]

Indeed, his success in attracting Dissenters to Anglican services convinced him that a more systematic exposition of the veracity of Anglicanism would be helpful in his evangelistic outreaches. Soon after returning from parliament, therefore, and motivated by an understanding of his role as a man 'appointed by the providence of god and the care of a Christian magistracy to watch over [the] souls' of all, whether conformist or non-conformist, he began to formulate a text which would compare the biblical foundations of the two denominations. The result was *A Discourse Concerning the Inventions of Men in the Worship of God*, an anti-Presbyterian tract in which King discredited their forms of worship, organisation and authority. It was originally intended only for circulation amongst his own clergy to help them in dealing with Dissenters. But

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[52] King to Bonnell, 4/12/91, Lyons 190; Same to Same, 26/6/91, Lyons 144; Southwell to King, 8/6/91, Lyons 131; Bonnell to King, 13/5/93, Lyons 275; Same to Same, 8/1/95, Lyons 397; King to Lord Massarene, 6/2/94, Lyons 330; King to _____, 8/6/94, Lyons 358a; *Vitae*, p.37; King to [Foley], 9/5/93, Lyons 274.

when a copy which he sent to James Bonnell fell into the wrong hands printed copies were soon circulating.[53] Within a few months several rejoinders had appeared. Presbyterian ministers were amongst the first into print. Of these the most accomplished was Joseph Boyse, whose *Remarks* replied in detail to King's criticisms.[54] In England and Scotland, where King's tract had been reprinted and widely circulated, the non-conformist reaction was equally hostile: 'I have not only met with two answers more to your Lordship's book,' one correspondent informed him,

> 'viz. one in manuscript writ by one Campbell and another in print by Mr. Craghead, but was credibly informed of about 200 copies of another answer writ by a minister of Scotland, which were sent over to Donoghade to be dispersed here..... I doubt not but others are at the same work on purpose to keep your Lordship in hot water.'

Conscious of the fury with which some of his opponents had replied, and mindful of the conclusion to his controversy with Manby, the same writer hoped that King would now be persuaded to 'stand to your first resolution of not answering Boys[e]'s most scurrilous, nonsensical book'. The refutation of such men should, he advised, be left 'to some whose pens are more steeped in vinegar than your Lordship's and who may lash the buffoon into better manners.....'[55]

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[53] W. King, *A Discourse Concerning the Inventions of Men in the Worship of God*, Dublin, 1694; Brooke, *op. cit.*, p.64; King to Foley, 10/1/94, Lyons 323a. During 1694 there were five editions of the book, including two published in London. By 1749 it had been published thirteen times, including one Welsh translation. There is another manuscript in King's hand dating from this period covering very much the same topics which is a little more conciliatory in tone: *A Treatise in defence of the Church against Protestant Dissenters*, TCD Ms. 1042.

[54] J. Boyse, *Remarks on a late Discourse of William, Lord Bishop of Derry, concerning the Inventions of Men in the Worship of God*, Dublin, 1694; Rev. Gideon Scott to King, 11/6/94, Lyons 359; Bonnell to King, 12/6/94, Lyons 361.

[55] King to Bonnell, 21/3/94, Lyons 341; Tollet to King, 10/2/92, Lyons 332; William Montgomery to King, 1694, Lyons 2366; John Winder to King, 28/7/94, Lyons 369; R. Craghead, *An Answer to a late book, Intitled, 'A Discourse, etc.', wherein the Author's arguments against the Manner of Public Worship performed by Protestant Dissenters are examined etc.*, 1694.

But King had no intention of allowing himself to be excluded from a controversy which he had initiated. In fact he had already prepared replies. In May 1694 he published *An Admonition* which countered many of the points which Boyse had made.[56] When Boyse responded with a *A Vindication,* King replied again with *A Second Admonition.*[57] This in turn led to further contributions from Presbyterian apologists.[58] As the controversy intensified King was relieved to find that there would be no repetition of the episcopal censure which had greeted his previous foray into pamphleteering. No longer constrained by the need to placate their former allies, both prelates and clergy were quick to show their solidarity. Foy, to whom King had sent an early draft, wrote to commend him for exposing the fallacy of non-conformist teaching. Henry Compton, Bishop of London, while uneasy about some points, also let it be known that he and others in England considered his tracts a valuable contribution.[59]

Those more alert to government sensibilities were, however, less appreciative. Tollet wrote to warn King that, though he stood 'fairest of the Irish clergy' with the queen, this episode had enabled his opponents in London to ensure that he would not succeed to the vacant Archbishopric of Dublin.

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[56] W. King, *An Admonition to the Dissenting Inhabitants of the Diocese of Derry Concerning a Book lately published by Mr. Joseph Boyse, Intitled Remarks, etc.*, Dublin, 1694.

[57] J. Boyse, *A Vindication of the Remarks on the Bishop of Derry's Discourse about Human Inventions, from what is objected against them in the Admonition annexed to the Second Edition of that Discourse,* Dublin, 1695; W. King, *A Second Admonition to the Dissenting Inhabitants of the Diocese of Derry,* Dublin, 1695. See also King to Lloyd, 15/12/95, TCD Ms. 750/1/48, in which he mentions some of those such as Thorndyke, whose work had influenced him in the writing of this book.

[58] William Montgomery to King, 1694, Lyons 2366; R. Craghead, *A Modest Apology occasioned by the importunity of the Bishop of Derry,* 1696. Responses also came from a Rev. Robert Campbell of Ray in Donegal and a Rev. John McBride of Belfast.

[59] Foy to King, 10/10/93, Lyons 301; Compton to King, 12/6/94, Lyons 360; Rev. Edward Walkington to Ashe, 18/5/94, Lyons 356; Tollet to King, 10/2/92, Lyons 332.

Furthermore, his activities might, ironically, result in a more strenuous push from England to have a toleration introduced since a Presbyterian delegation recently arrived in London was arguing that Whig principles demanded relief for Irish Dissenters in the face of such hostility.[60] The reaction of the Dublin administration mirrored that of their superiors in London. With parliament due to reconvene, they were horrified at the divisive consequences of this unseemly tussle.[61]

But King was unrepentant. Any traces of moderation towards Dissenters had been erased by his experiences in Derry at the hands of the Corporation and the London Society. These confrontations had, he believed, exposed the true nature of non-conformism. He was now more convinced than ever that it posed a fundamental threat to the stability of both church and state. This, he believed, was confirmed by the fact that the doctrinal differences between Anglicanism and Presbyterianism were insufficient to justify a schism. From this he deduced that Dissenters maintained their position for largely political reasons, making their subordination all the more imperative.[62]

As such, it was the debilitation of Dissenters, rather than the already

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[60] Bonnell to King, 12/6/94, Lyons 361; Tollet to King, 10/2/92, Lyons 332; Same to Same, 6/11/94, Lyons 388; Same to Same, 3/10/96, Lyons 510; Secretary Johnstoun to Shrewsbury, 19/7/95, HMC Report on the Manuscripts of the Duke of Buccleuch and Queensbury, [hereafter: HMC Buccleuch], London, 1903, ii, part 1, p.193.

[61] Tollet to King, 6/11/94, Lyons 388; Bonnel to King, 2/12/93, Lyons 317; Same to Same, 8/1/95, Lyons 397; King to Foley, 12/12/93, Lyons 320; Wyche and Duncome to [Trenchard], 18/11/93, CSP Dom. 1693, p.400; Capel to [Trenchard], 21/11/93, CSP Dom. 1693, p.405. This vacancy had arisen on the death of Francis Marsh on November 16, 1693. It was filled by the translation of Narcissus Marsh from Cashel. King was not a serious candidate for so senior a post, although the fact that his Scottish ancestry, still betrayed by his pronounced and 'drawling' accent, was being used to discredit him suggests that his name was being canvassed by some.

[62] *Memorandum of meeting with Mr. Boyd*, 17/4/95, Lyons 421a; King to Lloyd, 15/12/96, TCD Ms. 750/1/48; King to Matthews, 12/12/96, TCD Ms. 750/1/46-7; King to Marsden, 8/11/97, TCD Ms. 750/1/123; King to Bonnell, 4/1/95, Lyons 396; Same to Same, 5/4/95, Lyons 416a.

defeated Catholics which once again preoccupied him in the months prior to the reconvening of parliament. Determined to ensure that a Toleration was not offered, he even ignored Tollet's plea that he refrain from further overt criticism of Dissenters pending the appointment of a successor to the ailing primate. Warming to his theme, he warned of the republican sympathies of both the Whigs and their non-conformist allies. As evidence of the ministry's 'interest for Dissenters' he cited the government's policy of appointing Presbyterians as sheriffs in various parts of the country, as well as its refusal to censure the members of the Corporation of Londonderry. This, he protested, was at odds with an official promise not to attempt a toleration on their behalf, a pledge of which he was becoming increasingly sceptical. It was, however, consistent with what he believed to be the real goal of Whigs and their non-conformist allies: they intended, he told one correspondent, to 'push for' a commonwealth, although, he added sarcastically,

> 'there must be a quantity of honest men to support such a government and we cannot pretend to any such as would be sufficient; the generality are Hobbists, debauched Dissenters or corrupted enthusiasts who are most vicious of any'.

Nor did King consider this to be scare-mongering: he remained convinced that English Whigs were intent upon overthrowing the monarchy, a prospect made all the more possible, he believed, by the recent demise of Queen Mary, who had so championed the cause of the established church: 'The great danger is that of tyranny', he contended,

> 'for if it should please God anything should befall the King the factions might pretend for a commonwealth, but in good earnest it would be to make themselves tyrants as the long parliament did..... the great vice amongst us is want of a public spirit..... We in Ireland ought always to be zealous against a commonwealth for 'tis intolerable to be [a] province under such a government as you will find by all histories. But it is our great misery that our

governors seldom seek, and rarely understand, what is good for us.'[63]

Ironically, however, not only were Kings fears of impending toleration misplaced, but, chastened by the events of the 1692 parliament, the London and Dublin administrations had actually become noticeably more responsive to the wishes of the Anglican population. The chief influence in persuading the government to adopt this course was Lord Henry Capel who had been appointed, along with Sir Cyril Wyche and William Duncombe, as Lord Justice in 1693, and subsequently as Lord Deputy in 1695. He was, Shrewsbury observed, 'liked [and] beloved by all parties'.[64] His tactful approach was in almost direct contrast to that which had been Sidney's downfall. He set out to appease those who had the potential to orchestrate a repeat of the controversy over 'sole right': by the nomination of Alan Brodrick as Solicitor-General and of Robert Rochfort as Attorney-General he brought two leaders of the cause of Irish parliamentary privilege into the government party. Specifically to mollify the church interest he then indicated that a Toleration bill would not be pressed by the government.[65] He had also intimated a willingness to secure funds to improve church buildings and to restrict further the property rights of Catholics.[66]

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[63] Tollet to King, 6/11/94, Lyons 388; King to Lloyd, 15/12/96, TCD Ms. 750/1/48; King to Bonnell, 14/6/95, Lyons 442; King to _____, 10/5/95, Lyons 426.

[64] Shrewsbury to Portland, 27/7/94, *Private and Original Correspondence of Charles Talbot, Duke of Shrewsbury*, [hereafter: Shrewsbury Correspondence], ed. William Coxe, 1821, p.62; Alan Brodrick to St. John Brodrick, 21/9/95, Midleton Mss. 1/274-5; William Ball to Wyche, 18/3/95, Wyche Ms. 1/1/120A; Doyle, *Parliament and Politics*, pp.93-5. The Government had been in the process of preparing bills for this parliament since 1693: Nottingham to Lords Justices of Ireland, 25/7/93, Wyche Ms. 1/1/88.

[65] King to Capel, 19/7/95, Lyons 451b; King to Bonnell, 14/6/95, Lyons 442; Shrewsbury to Johnstoun, 1/8/95, HMC Buccleuch, ii, 1, pp.209-20.

[66] LJI, i, p.483; Alan Brodrick to St. John Brodrick, 13/11/95, Midleton Mss. 1/276-7; Bishops of Ossory and Cloyne to Wyche, 13/4/95, Wyche Ms. 1/1/124; King to Bonnell, 5/4/95, Lyons 416a; King to Mr. Clenahan, 30/7/95, Lyons 455; King to Sir Robert King, 5/7/95, Lyons 446; C.I. McGrath, 'Securing the Protestant Interest: the origins and purpose

Apart from the ongoing tensions over the land settlement, the most pressing problem confronting Capel remained the question of 'sole right'. In spite of his preparations it was quite possible that some in the Commons might try to revive their campaign on this point once they reconvened. But, having cultivated the main political interests, he was hopeful that he could arrange a compromise on this issue.[67] King was not so sanguine: 'If my Lord Capel depends on the parliament's giving up sole right, I am afraid there will be no good conclusion of the meeting', he predicted. However, he was equally afraid that, by pressing the case for 'sole right' in the wrong manner, the kingdom might 'lose both' the right to initiate bills and his Majesty's goodwill. If this happened then, at best, the Irish parliament might henceforth be allowed 'to give money..... but little else.' 'England does not intend we should do ourselves good,' he warned, 'and will look to it lest we should.' As far as he was concerned, it would prove more profitable if the energies of the members were spent cultivating 'the king's favour' since this 'would have done us more good' in the long term. His preference would have been to secure legislation, with his Majesty's assistance, which would further 'establish the English interest' in the country. This would have the effect of consolidating crown, church and Irish parliament as the chief instruments of civility in Ireland. However, since this 'would make us considerable' in the eyes of English Whigs, he doubted that it would ever be allowed to happen.[68]

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of the penal laws of 1695', *IHS*, 30, 1996, pp.25-46.

[67] [Capel] to [Secretary Trenchard], 14/7/94, HMC Buccleuch, ii, 1, pp.99-101; Wyche and Duncombe to Trenchard, 14/7/94, B.L. Add. Ms. 21,136, fo.25; Capel to Shrewsbury, 15/11/94, HMC Buccleuch, ii, 1, p.161; Alan Brodrick to St. John Brodrick, 21/9/95, Midleton Mss. 1/274-5; Bishop of Kildare to Wyche, 20/7/95, Wyche Ms. 1/1/134; Shrewsbury to Capel, 14/6/94, HMC Buccleuch, ii, 1, pp.81-2.

[68] King to Bonnell, 2/3/95, Lyons 416; Same to Same, 5/4/95, Lyons 416a; Same to Same, 28/6/95, Lyons 445.

King's disillusionment at what he was coming to characterise as the subordination of the Anglo-Irish to the English political agenda would eventually find expression in a more considered espousal of the historic rights of the Irish parliament. For the time being it amounted to little more than an instinctive mistrust of English politicians. His priorities remained opposition to any Toleration bill as well as securing legislation of benefit to the church. He would, he promised Bonnell, use the opportunity afforded by the forthcoming parliament 'to preach and press religion as far as it will go'.[69]

The second Irish parliament of William's reign commenced on August 27, 1695 and lasted through three major sessions until January 1699. In total the House of Lords sat on 199 occasions and King was present for 168 of these. This first session, which lasted from August 27 to December 14, 1695, was the shortest of the three. Of the 59 sittings King attended 54.[70] With the potential for conflict to a large extent emasculated by Capel's skilful preparations, both Houses co-operated in satisfying the government's legislative programme. A compromise over the Money Bill, whereby the government was seen to retain the right to initiate the bill, while the Commons was given the right to determine the 'ways and means' by which an additional Supply was to be collected, ensured that the 'sole right' issue was defused.[71] King was a member of the Lords' committee

[69] King to Bonnell, 5/4/95, Lyons 416a; King to Foley, 8/2/95, Lyons 403.

[70] LJI, i, 27/8/95 to 14/1/99, *passim*; *Marsh's Diary*, 27/8/95, p.69; McGuire, *Politics*, pp.103-113; Tollet to King, 17/9/95, Lyons 463; Porter to Coningsby, 15/9/95, De Ros Ms. 18/49.

[71] Alan Brodrick to St. John Brodrick, 21/9/95, Midleton Mss. 1/274-5; Same to Same, 17/12/95, Midleton Mss. 1/278-9; Bishop of Kildare to Wyche, 20/7/95, Wyche Ms. 1/1/134.

which examined the government's Money bill and ensured its swift passage through the House. That this bill authorised the collection of only a nominal amount was irrelevant. Its significance lay in the fact that the government was seen to have initiated the process. The compromise then allowed the Commons to raise Heads of a bill for the collection of a more substantial amount. King was again on the committee which steered this 'additional Excise bill' through the Lords. An indication of his growing stature was that it was he who introduced the measure to the House for final approval.[72]

Although Capel's diligence ensured that many of the issues likely to give rise to constitutional conflict were circumvented, some matters did arise in the Lords which impinged upon the status and privileges of the Irish parliament. The first of these involved an attempt by the members to obtain a Bill of Rights similar to that enjoyed by their English counterparts. Heads of such a bill were introduced into the House on October 1 after discussion by a committee of which King was a member. One clause, which merely asserted that 'parliaments ought to be held frequently,' gave rise to considerable debate. King was one of those most vociferous in opposing the inclusion of such a phrase, arguing that it was 'the undoubted right of the people of Ireland that parliaments should be held frequently', while the inclusion of such a clause implied that it depended upon statute. Sensing a repetition of the constitutional controversies which had plagued the Commons in the previous session, the government moved quickly to

[72] LJI, i, 6/9/95, 12/12/95; King to Coghill, 12/5/96, TCD Ms. 750/1/10; Bishop of Kildare to Wyche, 28/9/95, Wyche Ms. 1/1/136; Tollet to King, 17/9/95, Lyons 463; Alan Brodrick to St. John Brodrick, 17/12/95, Midleton Mss. 1/278-9; Alan Brodrick to Thomas Brodrick, 5/5/94, Midleton Mss. 1/268-9.

end the debate.[73]

This was King's first foray into the niceties of constitutional politics, and, despite the fact that the bill itself was ignored by the government, his stance was noteworthy, particularly since it presaged the position he would adopt in subsequent constitutional debates. In opting to defend the integrity of the Irish parliament as 'an undoubted right of the people of Ireland', it certainly demonstrated that he had come to the view that Irish liberties, parliamentary or otherwise, derived not from legislative concessions on the part of the English parliament or even initiatives of the Irish members themselves, but from both Common Law and the original contract between Henry II and his loyal Irish subjects. It was this axiom which would henceforth pervade his thinking on this point.[74]

While Capel had attempted to orchestrate the business of parliament as far as possible, he remained uncertain as to whether or not the Articles of Limerick should be brought before the members for their approval.[75] Quite apart from the fact that the content of the Articles was likely to excite contention, and that the Forfeitures Commission set up by the government had already made some controversial judgements, the situation had been worsened by factional politics. Ever since 1692 members of the Irish Commons, indignant at terms which they considered too lenient to the defeated Catholics, had been attempting

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[73] LJI, i, 21/9/95, 27/9/95, 1/10/95, 3/10/95, 7/11/95; CJI, iii, 22/10/95, 18/11/95; Doyle, *Parliament and Politics*, pp.161-2; Porter to Coningsby, 22/9/95, De Ros Ms. 638/18/50; Same to Same, 9/11/95, De Ros Ms., 638/18/57. The decision of the Commons to become involved in this matter led to a heated confrontation between Lords and Commons over the relative privileges of both houses: LJI, i, 24/10/95.

[74] This point is more fully developed in Chapter 4.

[75] Porter to Vernon, 6/8/95, CSP Dom. 1695, p.36; Same to Coningsby, 15/9/95, De Ros Ms. 18/49; Hely to Coningsby, 2/8/95, De Ros Ms. 1/10; Thomas Brodrick to Shrewsbury, 21/11/95, HMC Buccleuch, ii, 1, pp.259-61; Nottingham to Wyche, 6/5/93, Wyche Ms. 1/1/73.

to have the two signatories of the Articles, Lord Chancellor Porter and Lord Coningsby, impeached. They had been encouraged in this course by both Sidney and Capel, but an impeachment attempt against the two men had failed in the English parliament in 1693. Immediately plans had been made to resurrect the matter once the Irish parliament reconvened.[76]

However, in the interim a sizeable group sympathetic to Porter and Coningsby had emerged in both the Commons and the Lords. Made up primarily of those who owed their positions to the patronage of the Lord Chancellor, it also included several bishops who acknowledged Porter to be a loyal churchman and to have been consistently supportive of their schemes for reform.[77] King, who considered Porter 'a very good friend to our church', was one of their number. This suggested at least a tacit acceptance of the Articles which Porter had signed and a corresponding unwillingness to see Catholics deprived beyond the terms of the original clauses. That this was indeed the case would only become apparent in 1697, however, since, once again, the government succeeded in frustrating the members' attempts to have the Articles brought before parliament for ratification.[78]

With the government unwilling to risk seeking a Toleration Act for the Dissenters, King found himself free to pursue measures which he hoped would promote church reform. He had particularly high hopes for a 'Bill for the Real

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[76] Capel to Shrewsbury, 6/10/95, HMC Buccleuch, ii, 1, p.235; Same to Same, 1/11/94, HMC Buccleuch, ii, 1, p.154; Porter to Coningsby, 20/6/93, De Ros Ms., 638/18/10; Nottingham to Coningsby, 24/6/93, De Ros Ms., 638/18/11; Doyle, *Parliament and Politics*, pp.105-110, 121-130; Connolly, *Religion*, pp.77, 264-8.

[77] Thomas Brodrick to Shrewsbury, 28/10/95, HMC Buccleuch, ii, 1, p.250; Doyle, *Parliament and Politics*, pp.138-155; McGuire, *Politics*, p.115-119; Victory, *Colonial Nationalism in Ireland*, p.18-20.

[78] King to Lloyd, 15/12/96, TCD Ms. 750/1/48; Capel to Shrewsbury, 4/12/95, HMC Buccleuch, ii, 1, 272; Thomas Brodrick to Shrewsbury, 4/12/95, HMC Buccleuch, ii, 1, p.273; Lord Clifford to King, 23/11/97, Lyons 557.

Union and Division of Parishes' which the reformers believed to be of 'great moment and absolutely necessary for the reformation of the church'. By redrawing parish boundaries to create more viable livings, its effect would have been to limit the number of non-residents and to dissuade clerics from holding pluralities. When the bill came before the Lords for its second reading, however, it was thrown out.[79] This was a major setback for the reformers and, suspecting government involvement, King launched a furious attack on those who had voted it down. He was joined in this by Foy. But in making their point they denounced several of the members for their apparent indifference to the spiritual welfare of the church. This was highly resented by the House, and in particular by those bishops who had voted against it. It was immediately moved that both men be severely reprimanded, the fervour of their protest being deemed 'so distasteful' as to 'reflect upon the Honour of the House of Peers' and to be 'an infringement of their privileges'. The two bishops were ordered to leave the House while their punishment was decided. 'Yielding to importunity rather than consenting to argument', King withdrew his protest when recalled, explaining that he 'never intended to give any offence and was sorry the House was displeased at it.' Foy refused to apologise, however, and was promptly taken into custody by the Gentleman Usher and despatched to prison in the Castle.[80]

King's outburst was the result of his frustration at the loss of several other bills which would have assisted him in his reforms in Derry. The Commons, where those who benefited most from impropriate tithes opposed anything which threatened their rights, had proven particularly hostile, rejecting

[79] LJI, i, 5/12/95; Foy to King, December 1695, Lyons 2327; Gilmore, *Dopping*, pp.149-52; 'A Bill for reviving a statute for the real Union and Division of parishes'.

[80] LJI, i, 5/12/95, 7/12/95; *Marsh's Diary*, 12/12/95, p.70; Porter to Coningsby, 7/12/95, De Ros Ms. 18/63; Foy to King, December 1695, Lyons 2327; Capel to Shrewsbury, 10/12/95, HMC Buccleuch, ii, 1, p.276; Barnard, 'The Religious Societies', pp.812-3.

several church bills, including one to provide funds for the building and repair of church property. Likewise Heads to enable bishops to enter into leases for life had been forwarded to England for approval but not returned. Nor was the loss of such measures compensated for in King's opinion by the further disabling of Catholics. Although he did not dissent from any of the penal measures passed, he remained unconvinced of the merits of this approach. Indeed, the only satisfaction he could take from the whole session was that the government had been dissuaded from attempting to force a Toleration Act on the country, while the Earl of Drogheda's bid to initiate a private bill to that effect had been easily obstructed by the bishops in the Lords. Yet this seemed only to emphasise the fact that thwarting such measures owed more to the obduracy of the episcopal bench than to the goodwill of the government. Despondent, King was already making plans to return to Derry long before the session had ended. Within a few days of the prorogation he was back in his diocese determined to immerse himself once again in the affairs of his see.[81]

[81] LJI, i, 24/9/95, 27/9/95, 19/10/95 and 14/12/95; *Marsh's Diary*, 12/12/95, p.70; King to Bishop Burnet, 5/10/96, TCD Ms. 750/1/26. King's attitude to the Penal Laws is discussed in Section III of this chapter. The 'Popery Bills' passed in this session were: 'An Act for restraining foreign education, by prohibiting, under a severe penalty, the sending of any child or other person into any parts beyond the seas out of his majesty's obedience'; 'An Act for the better securing the government, by disarming Papists'; and 'An Act declaring all attainders and all other acts of the late pretended parliament, void'.

III

King had found during the course of his diocesan visitation some months previously that, despite some progress, 'much more' remained to be done 'both as to reformation of the clergy and laity and the uniting Dissenters to the church'. But his plans to devote himself fully to these tasks were soon frustrated. A violent recurrence of his gout in early 1696 was the prelude to almost a year of relative inactivity.[82] Proceeding with his diocesan visitation did not help. Nor did his insistence on dealing personally with much of the pastoral and administrative work, at times from his sick bed.[83] While a short spell in Wexford during the summer to take the waters did bring some relief, it was short lived. Within a month his health had taken a dramatic turn for the worse. By winter he had deteriorated to the point that rumours of his death circulated widely in Dublin. Although probably the most acute attack of his life, by the spring of 1697 he had recovered sufficiently to begin to make arrangements for a return to Dublin for the next session of parliament which was due to convene in July 1697.[84]

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[82] King to Dopping, 27/5/95, Dopping Corr. TCD Ms. 2254a, pp.44-5; Rev. A. Lucas to King, 30/4/96, Lyons 495; King to Bonnell, 4/8/96, Lyons 507; Rev. Francis Le Jau to King, 12/1/97, Lyons 517.

[83] King to Coghill, 14/4/96, TCD Ms. 750/1/2; King to Rev. J. Humble, 1/5/96, TCD Ms. 750/1/4; King to Rev. A. Cairncross, 3/10/96, TCD Ms. 750/1/25; King to Rev. R. Rowan, 3/12/96, TCD Ms. 750/1/43; King to Rev. A. Henderson, 3/12/96, TCD Ms. 750/1/44.

[84] King to Bonnell, 4/8/96, Lyons 507; Palmer to Vernon, 1/1/97, PRO. S.P. 63/359/20. The period between the adjournment of parliament in December 1695 and the commencement of a prolonged session in July 1697 was interspersed with 11 one-day sittings of both Houses

King's political agenda had altered little since the previous session. But there was one interesting change in his approach. Disabused of the notion that the government might champion reform, he had begun to focus his attentions instead on obtaining the support of English church leaders, politicians and, by means of these contacts, the king. He took the opportunity while writing to Bishop Burnet of Salisbury to solicit his assistance to this end: the church had been 'promised fair all along' on the matter of impropriate tithes, he informed him,

> 'but instead of giving them to the church there are several parcels already granted to laymen. We have made several attempts to prevent this and the late Lord Capel undertook our petition, but his death prevented our knowing the success..... 'Tis hoped, if these things were laid before his Majesty, he would not refuse so small a request which is not one farthing out of his pocket or any courtier. If, therefore, your Lordship could put your helping hand to further our petition it would be a very great obligation on the clergy here and a real service to his Majesty.'

In a similar vein, he wrote a series of letters to Bishop Lloyd of Lichfield and Coventry, who was, Southwell had advised, very supportive of the reforms he and his associates were attempting. Nothing but 'my zeal for the church and his Majesty's service could prevail with me to give your Lordship such trouble', he duly informed Lloyd, proceeding to request his assistance in alerting the king to the unsuitability for promotion of the many clerics who regularly made their way from Ireland to court at London. He also sought his help in ensuring that the vacancies caused by the recent deaths of Capel and Porter were not filled by politicians sympathetic to Dissenters: it had been 'the business of most of our governors since the Revolution to make an interest for Dissenters,' he told him,

> 'My Lord Capel did it above board and professed that he had the king's commands so to do it; which intimation did them more

called merely to prolong the adjournment. King attended on only three of these days, viz., September 22, 1696, October 1, 1696 and June 15, 1697.

> service than all the other ways he could have invented..... if we have such governors still put on us 'twill be impossible, whatever reason or scripture be against schismatics, to hinder their multiplying; for most people value their interest above their religion.....'[85]

He had also begun a correspondence with the Thomas Tenison, Archbishop of Canterbury, whose support he knew would be critical in any dealings with the government. Meanwhile, Tollet was ensuring that his letters were being passed on to both Nottingham and Weymouth.[86]

Aware of this lobbying by King and others, and fearful lest those who supported the church proved disruptive in the forthcoming parliament, the Dublin administration decided to act. Singling out King along with Bishops Lloyd of Killala and Lindsay of Killaloe as 'the great sticklers' and 'the leading men that govern the rest', Lord Winchester, one of the new Lord Deputies, advised that some bills favourable to the church be sent over from England. He was supported in this conciliatory approach by Methuen, the new Lord Chancellor. The initial reaction from England, however, was less than favourable. Incensed that King and Lindsay, in particular, had 'set themselves to thwart the easy progress of affairs there', Secretary Vernon was tempted to recommend that they be reprimanded. But, constrained by the need to ensure a quiet session, he limited himself to promising Winchester and Methuen that their advice would be given due consideration.[87]

The decision to lobby English politicians and churchmen was not the

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[85] King to Burnet, 5/10/96, TCD Ms. 750/1/26; King to Bishop Lloyd, 8/10/96, TCD Ms. 750/1/27; Same to Same, 15/12/96, TCD Ms. 750/1/48; Southwell to King, 30/1/96, Lyons 484; King to Tollet, 4/5/97, TCD Ms. 750/1/70.

[86] King to Tenison, 29/4/97, TCD Ms. 750/1/68; Foy to King, 24/4/97, Lyons 524; Southwell to King, 30/1/96, Lyons 484; King to Tollet, 22/9/96, TCD Ms. 750/1/22; Same to Same, 1/12/96, TCD Ms. 750/1/41; Same to Same, 4/5/97, TCD Ms. 750/1/70.

[87] Winchester to Vernon, 31/8/97, CSP Dom. 1697, p.341; Methuen to [Vernon], 3/8/97, PRO. S.P. 63/359/94; Vernon to Lord Williamson, 14/9/97, CSP Dom. 1697, p.365.

only change in King's preparations. Prior to previous sessions he had been concerned merely with matters of direct relevance to the church and its reform. But on this occasion he found himself preoccupied by a matter of quite different magnitude. Over the previous two years his litigation with the London Society had acquired an importance far greater than he had ever anticipated. A hearing early in 1697 in the Court of Chancery had not gone as well as he had hoped. Determined not to let the matter drop, he had lodged an appeal against this court's decision with the Irish House of Lords. Such a course was fraught with ominous constitutional possibilities, however. In particular, it raised the prospect of the Society refusing to recognise the jurisdiction of the Irish Lords and appealing to the English House of Lords. This threatened a resurrection of the dispute over the relative authorities of the English and Irish parliaments, a controversy which successive governments had successfully suppressed. Alarmed lest a definitive assertion of the judicial supremacy of the English Lords resulted in that body taking a keener interest in the government of Ireland, Dublin officials attempted to dissuade King. In the face of considerable pressure, however, he refused to be deflected. He arrived for the parliament, therefore, already at odds with the administration.[88]

The government had high hopes for the parliament which reconvened on July 27, 1697. The death of Capel in May 1696 had removed the principal conciliatory influence in Irish politics, but the ministry in London, headed by Sunderland, Montagu and Somers, had decided to continue the policy of

[88] Sir Robert Hamilton to King, 24/7/97, Lyons 534; King to Lloyd, 15/12/96, TCD Ms. 750/1/48.

appeasement. The appointment of the moderate Earls of Galway and Jersey as well as Lord Winchester as Lords Justices together with the transfer of John Methuen from Portugal as Lord Chancellor was viewed as evidence of this. Following the procedure established by Capel, therefore, when the members reassembled provision had been made to allow the Commons to bring in the Heads of a supply bill to supplement the government's own bill. In their opening speech Galway and Winchester, confident that sufficient accommodation had been made, simply suggested to parliament that it 'consider how far it is fit to provide for the debt..... [as] we cannot doubt your compliance in giving unto his Majesty such Supplies as are wanting.....' The members eager response augured well. With no dissensions they passed both the government's Money Bill and an Excise Bill for such 'additional duties as should be allowed' which they themselves had framed.[89]

King's reaction to these early exchanges suggested that he no longer saw parliament as merely a distraction from his pastoral duties: 'The true way', he had insisted some months previously,

> 'had been to let the parliament sit and pass such Bills as were ready with such Money Bills as I am confident they would have readily given..... but I perceive we and our affairs are so despised by those in the helm in England that they cannot afford us a reflection.'

While redolent of his Anglophobia, such sentiments did confirm his growing appreciation of the opportunities offered by parliament. Indeed, this session would serve to show the extent of that awareness. His parliamentary performance over the succeeding eighteen months would be remarkable: he would dissent on several votes of major consequence to the government, cause

[89] Rev. Anthony Lucas to King, 9/2/97, Lyons 519; Alan Brodrick to St. John Brodrick, 20/5/95, Midleton Mss. 1/284; Lucas to Wyche, 22/4/97, Wyche Ms. 1/1/143; Methuen to [Vernon], 15/6/97, PRO. S.P. 63/359/58; LJI, i, 27/7/97; Victory, *Colonial Nationalism in Ireland*, pp.129-130.

considerable annoyance to many of his more staid colleagues on the bishops' bench and emerge as a catalyst of Anglo-Irish anger at the encroachment of the English parliament on the rights and privileges of the Irish Lords and Commons.[90]

His first meaningful altercation with the government came on the question of the ratification of the Articles of Limerick. Since 1692 the authorities had attempted to keep the Irish parliament from debating these Articles. This was partly because the English parliament claimed to have the power to ratify any settlement for Ireland. Yet it also reflected the belief that their ratification by an Irish parliament would be unlikely if, when presented, they included the "missing" clause.[91] Partly because of pressure from William, however, but principally because it was impractical to deny Irish Protestants the right to address them any longer, it was now decided that the Irish parliament should be asked to ratify them. In deference to Anglo-Irish opinion, however, and in a move calculated to secure their endorsement, those clauses granting what many Anglicans saw as unwarranted concessions to Catholics were omitted.[92]

In this form the Articles duly passed the House of Commons with little difficulty and on September 14 they were presented to the House of Lords. On the following Saturday the bill was assigned to a committee for review. Here, quite unexpectedly, it encountered stiff opposition, with several members, especially lords spiritual, speaking against it.[93] As usual, King was forthright in

[90] King to Tollet, 1/12/96, TCD Ms. 750/1/41; King to Foy, 28/9/97, TCD Ms. 750/1/91.

[91] Simms, *Williamite Confiscation*, pp.55, 62-5.

[92] Lords Justices of Ireland to Shrewsbury, 31/8/97, PRO. S.P. 63/359/206; Vernon to Lord Williamson, 14/9/97, CSP Dom. 1697, p.365; Winchester to Vernon, 31/8/97, PRO. S.P. 63/359/208; *Minutes of the Proceedings of the Lords Justices*, 8/10/97, CSP Dom. 1697, p.420.

[93] LJI, i, 14/9/97, 18/9/97. Methuen to [Vernon], 16/9/97, PRO. S.P. 63/359/264; Lords

his comments: such a bill would, he argued, not only 'establish iniquity [but]..... break the public faith of the kingdom' simply in order to 'make a few more forfeitures to gratify courtiers'. Taken aback by the intensity of the protest, particularly from the bishops, the government arranged for the committee to be adjourned and for the matter to be referred back to the full House. On the following Tuesday morning, therefore, the Lords assembled to deal with the matter. After some discussion it was decided to request that the Lords Justices lay before the House details of the correspondence between Dublin and London on the bill. In particular, the members wanted information 'assigning their reasons which the words in the second article of the Articles of Limerick were left out'. This was a highly unusual request and the first indication for the government that the House as a whole might prove difficult in the matter. A deputation of four, which included King, conveyed the request to the Castle and was ordered to wait on the Lords Justices for their reply.[94] Reluctant to comply, Winchester, Jersey and Galway attempted to stall until they received directions from London. For the moment, they retorted nervously, though they had 'great trust and confidence' in the members, 'the matter of their Message being new and of great importance' they could only undertake to comply 'with what convenient speed they could.' Once the deputation had departed, however, the Lords Justices regained their composure. Rather than await instructions they decided to bring matters to a head. It was 'his Majesty's pleasure' that the bill pass, they announced after making their way to the House of Lords, demanding that the

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Justices of Ireland to Shrewsbury, 18/9/97, PRO. S.P. 63/359/270; Same to Same, 22/9/97, PRO. S.P. 63/359/281; Humphrey May to Vernon, 22/9/97, PRO. S.P. 63/359/283; Simms, *Williamite Confiscation*, pp.62-3.

[94] LJI, i, 21/9/97; King to Foy, 28/9/97, TCD Ms. 750/1/91; Same to Same, 5/10/97, TCD Ms. 750/1/96-8; Vernon to Lord Williamson, 26/9/97, CSP Dom. 1697, p.398; Lords Justices of Ireland to Shrewsbury, 22/9/97, PRO. S.P. 63/359/281. The other three members were the Earl of Longford, Lord Viscount Lanesborough and the Lord Baron of Kerry.

members proceed with its passage immediately.[95] Some of the members reacted by attempting to have the Lords committee recalled. But the administration was determined not to allow this. Undaunted, those who opposed the Articles in the form presented persisted, with King to the fore in the debates which followed. Indeed, according to Foy, such was the bitterness of his contributions that he was fortunate not to have had his remarks 'judged a violation of the honour of that House'. Realising that to allow further debate would be detrimental, and exerting considerable pressure on the members, Methuen forced the issue to a vote. With the intentions of the executive now clear, many of the members were persuaded to drop their objections. When the vote was eventually taken the Articles were ratified, although with a substantial dissenting minority of 14 who, after further debate, were allowed to register their dissent in the journals of the House.[96]

Having been taken aback by the extent of the opposition, the government was pleased at this victory, however narrow. The Articles had been passed 'against the strongest formed party in the House of Lords', a relieved Lord Chancellor reported to London. The entire episode had, nevertheless, perplexed the administration. Following so quickly on opposition to an Outlawries Bill by the Lords, it suggested an unexpected 'interest in favour of the papists' on the part of many. In London, ministers could only marvel at this 'sudden tenderness' towards Roman Catholics on the part of the Irish peers. Having decided to omit the disputed clause, the last thing they had expected was an objection from the

[95] LJI, i, 21/9/97; Humphrey May to Vernon, 22/9/97, CSP Dom. 1697, p.390; Lords Justices of Ireland to Shrewsbury, 22/9/97, PRO. S.P. 63/359/281.

[96] Foy to King, 27/9/97, Lyons 540; Methuen to [Vernon], 23/9/97, PRO. S.P. 63/359/301; LJI, i, 23/9/97; King to Foy, 28/9/97, TCD Ms. 750/1/97; Thomas Southwell to Coningsby, 26/9/97, De Ros Ms. 30/5; May to Yard, 23/9/97, PRO. S.P. 63/359/303; *List of protesting Lords*, memorandum dated 25/9/97, CSP Dom. 1697, p.398. King was named first in the list of those who dissented.

Lords. In particular, the sight of several bishops opposing such a measure required some explanation: 'Nothing is more surprising,' a bemused Secretary of State remarked,

> 'than to see a House of parliament in Ireland making difficulties on a bill because it is not favourable enough to papists and that bishops should appear in the head of the opposition is wonderful to the last degree.'

Indeed, according to Winchester, the 'reverend prelates' were the sole authors of this dispute. In his opinion their insolence warranted a severe reprimand.[97]

King was acutely conscious of the fact that such disapproval could undermine efforts to secure legislation beneficial to the church, especially a bill against Blasphemy which many reformers had long sought. In an attempt to defuse the situation he moved to justify the bishops' stance. The impetus for this seeming disloyalty was, he protested, a conviction that 'his Majesty's honour' was at stake over the question of whether or not specific clauses had been deliberately omitted. The bishops simply 'could not reconcile it to the king's honour or the public faith, if, under pretence of confirming articles granted on valuable consideration, we should have consented to an act that broke them.'[98] Protestations of moral obligation such as these made little impression. But, the Lords Justices' scope for retribution was limited since they were constrained by the need to ensure a peaceful session. Ominously for King, however, they were at pains to point out that they were fully aware that his appeal against the

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[97] Methuen to [Vernon], 23/9/97, PRO. S.P. 63/359/301; Same to Same, 27/9/97, CSP Dom 1697, p.400; Vernon to Lord Williamson, 7/9/97, CSP Dom. 1697, p.353; Lords Justices of Ireland to Shrewsbury, 23/9/97, PRO. S.P. 63/359/293; Same to Same, CSP Dom. 1697, p.331; King to Clifford, 9/10/97, TCD Ms. 750/1/106-7; Doyle, *Parliament and Politics*, pp.230-1; Shrewsbury to Methuen, 20/10/97, HMC Buccleuch, ii, 1, p.566-7; Winchester to Vernon, 23/9/97, PRO. S.P. 63/359/299.

[98] King to Lord Clifford, 9/10/97, TCD Ms. 750/1/106-8; King to Bishop Moreton of Kildare, 9/10/97, TCD Ms. 750/1/103; Clifford to King, 30/10/97, Lyons 547; John Hely to Coningsby, 10/6/98, De Ros Ms., 638/1/23; Winchester to Shrewsbury, 15/8/97, HMC Buccleuch, ii, 1, p.534; Foy to King, 27/9/97, Lyons, 540.

Society was about to begin and promised that he could expect no favours from them.[99]

Undaunted, King was, in fact, about to launch straight into another altercation with the authorities. This time the object of his displeasure was a bill for Securing the King's Person. Such a bill of Association, (or Recognition), which corresponded to a bill passed recently in England, had been mooted for some time, but had acquired a certain urgency in the wake of an attempt to assassinate William. Indeed, King had long been anxious to see such a bill come before the Irish parliament since it would provide an opportunity for the members to give a public declaration of their loyalty to William. Ostensibly the bill offered parliament the opportunity to do just this, and if this had been the sole intent of the bill King would have wholeheartedly supported it. However, on closer examination he found that, appended to the bill, was a clause designed to penalise Catholics who refused to subscribe to an oath 'renouncing the superiority of any Foreign Power in spiritual or temporal matters'.[100] Such a provision, which 'requires all to take the oaths under a penalty of a *praemunire*', left him, he protested, with no option but to demur: 'in as much as the Pope's supremacy is an article of the R[oman] Catholics' faith,' it seemed to him 'a direct persecution to impose on them an oath to renounce an article of their faith.' 'Had the bill answered the title,' he explained to Bishop Burnet, then there was 'not one of us but would have been zealous for it'. But, as it was, he considered it intolerable 'to subject about 800,000 persons, without distinction of age, sex or quality to the discretionary power of two justices of the peace in a matter that

[99] Lords Justices of Ireland to Shrewsbury, 23/9/97, PRO. S.P. 63/359/293; Foy to King, 27/9/97, Lyons 540.

[100] King to Bonnell, 14/4/96, Lyons 493. Under the terms of the bill two justices of the peace could imprison any person who refused to take an oath which both swore loyalty to the king and denied the doctrine of transubstantiation: McGuire, *Politics*, pp.136-7; Connolly, *Religion*, pp.271-3.

reached, not only to their liberty and property but to their very lives'. Furthermore, he had once more persuaded himself that he was acting in accordance with the true wishes of the king, since the injustice of what was being proposed 'was against the honour as well as the life of his Majesty'. It was his 'misfortune' to have to take such a stand, but he felt he could not do otherwise.[101]

When, on November 20, the bill arrived from the Commons, it became obvious that there were many others of a similar mind, the recently arrived Duke of Ormonde canvassing particularly strenuously against it. In private deliberations with individual peers King was encouraged to find that 'the greater part of the temporal Lords, reckoning their proxies, were against the bill, and about eight bishops'. It was not until the bill came for its third reading five days later, however, that the full extent of the opposition became apparent.[102]

Archbishop Marsh of Dublin, who had been charged with steering the bill through the House, opened the debate unaware of the true extent of the disquiet amongst members. Proclaiming that a bill with such a title could not but be approved by the members, he proposed that it be passed immediately. He was taken aback by the reaction, particularly that of many of his fellow prelates, several of whom echoed King's sentiments. At the end of a long day of

[101] King to Lord Clifford, 20/11/97, TCD Ms. 750/1/132-4; King to Burnet, 29/1/98, TCD Ms. 750/1/165-8; King to Archbishop Tenison of Canterbury, 30/11/97, TCD Ms. 750/1/136. For King one other 'unanswerable argument' against the bill was 'its reposing a great trust in the Chief Governor of this kingdom..... which no man that wished well to its liberty can ever allow.' This objection to a further concentration of power in the hands of a nominee of the English ministry was the only hint of his being influenced by constitutional considerations in this matter. It was also consistent with fears on the part of many of the Anglo-Irish that the executive in Dublin would exploit any additional powers it might be granted under the Act to ensure personal gain in the distribution of forfeited land: King to Burnet, 29/1/98, TCD Ms. 750/1/165-8. A *Praemunire* was a writ summoning a person accused of asserting papal jurisdiction. Conviction under this charge could lead to imprisonment and confiscation of property.

[102] LJI, i, 25/11/97; King to Tenison, 30/11/97, TCD Ms. 750/1/136; Methuen to Vernon, 17/11/97, CSP Dom. 1697, p.475.

argument and counter-argument he could only report that, while they had 'made some progress therein', a considerable impasse remained. Indeed, opposition appeared to have intensified.[103]

A bemused administration decided that it was necessary to intervene. The members were quietly informed that if they would allow the bill to pass then the ministry would ensure that the clause requiring Catholics to take the oath would not be enforced. However, such duplicity merely had the effect of confirming an increasing number of peers in their opposition. King was now even more convinced that the 'abominable thing' had little to recommend it, having 'never heard one argument' in its favour 'but the title'. He was supported in this view by most of those who spoke. When the House reconvened, therefore, Marsh was forced to defer to the majority view and to advise the authorities that the measure would not pass if the offending clause was retained. Refusing to relent, the Lords Justices insisted that the matter be brought to a vote. To their surprise, in spite of intensive lobbying by officials, it was rejected by a small margin.[104]

This defeat was highly resented by the Lords Justices. They were especially critical of the bishops whom they once again portrayed as the chief architects of their embarrassment. As a result reports of anger and bewilderment at this display of episcopal disaffection soon began to arrive from England: 'it turned all men's heads', one correspondent noted, 'to see eight bishops made by

[103] LJI, i, 25/11/97; King to Tenison, 31/11/97, TCD Ms. 750/1/136; King to Burnet, 29/1/98, TCD Ms. 750/1/165-8.

[104] LJI, i, 27/11/97; King to Burnet, 29/1/98, TCD Ms. 750/1/165-8; Vernon to Williamson, 30/11/97, CSP Dom. 1697, pp.492-3. 14 members, including 3 bishops, voted with the government on the grounds that '..... there is nothing in the said Bill inconsistent with Justice or equity..... and the penalties in this bill contained can never be inflicted..... [and] because we think it our duty by entering our dissent to the rejecting of this Bill to acquit ourselves before God and Man from being changed by our posterity as authors of the miseries which we fear may be the consequence of the loss of this Bill.'

King William to be against the bill ..... and three Archbishops made by King Charles to be for it.' Furthermore, the general consensus appeared to be that this was just one further example of Anglo-Irish rebelliousness and evidence of a design for independence on the part of the Anglo-Irish.[105]

Conscious of such views, King was concerned to ensure that the 'odium' for what had happened was not 'laid on our bench by such as may not wish well to our order.' He decided, therefore, to attempt to address some of this criticism. It was a measure of his growing sense of confidence in his own political abilities, however, that he would do so in anything but an apologetic tone. It was 'easy', he objected, 'for people that know nothing of our circumstances or constitution to frame designs for us'. Aggrieved 'that we should be censured for rejecting it in the first place', he was quick to point out that even 'if there had been no bishops at all in the house, it would have miscarried [since] the greater part of [the] temporal Lords were against it'. Given the closeness of the vote, King's arithmetic may have been somewhat suspect, but he wanted to show that it was those temporal Lords who feared that their estates would be 'left waste' if Catholic tenants were forced to give up leases who had spearheaded the opposition. Furthermore, he resented English politicians protesting at churchmen 'voting according to their conscience,' because

> '[i]t did concern the bishops more particularly to be tender in the case: all severe laws in matters of conscience and arbitrary proceedings being laid at their door, though they have had the

[105] King to Lord Clifford, 4/12/97, TCD Ms. 750/1/138-140; Vernon to Williamson, 23/11/97, CSP Dom. 1697, p.483; Yard to Williamson, 7/12/97, CSP Dom. 1697, p.502; King to Southwell, 21/12/97, TCD Ms. 750/1/147-150. See F.G. James, 'The Church of Ireland in the early eighteenth century' pp.446-8 for an analysis of the political, national and family background of those prelates who opposed this bill. See F.R. Bolton, *The Caroline Tradition of the Church of Ireland*, pp.54-61, for a discussion of the manner in which their Caroline theological formation may have influenced their stance.

least hand in them.'[106]

The Lords as a whole were less concerned with vindicating themselves than with reassuring the authorities of their loyalty. Conscious that their stance had humiliated the administration in Dublin, they decided that it would be wise to indicate to both king and ministry that no disloyalty had been intended. It was agreed that an *Address* to this effect would be sent immediately to his Majesty. King was one of those appointed to the committee charged with this task. By December 2 a draft had been prepared and presented to the House. Tactfully, it made no mention of what had just transpired, concentrating instead on a declaration of the continued fealty of the members: 'We, of all your subjects', it proclaimed,

> 'have most reason to rejoice for your Majesty's great Deliverances..... We shall never cease to offer up..... our thanks to your Majesty for the many good laws passed by your Majesty's grace and favour.....'

This *Address*, which was passed to the Lords Justices, was accompanied by a *Declaration of Association* - a further demonstration of allegiance - which was signed by all of the members present, including King.[107]

But such unctuous protestations of loyalty did little to quell suspicions that the root of these endeavours was to be found in a desire for greater autonomy on the part of many of the Anglo-Irish. King would previously have denounced such insinuations. But on this occasion he was less inclined to do so. In a series of letters to friends and supporters in England he was forthright in his defence of Irish parliamentary rights: if the government in London 'resented our rejecting some bills', he informed one, then this was in turn resented by an Irish

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[106] King to Burnet, 29/1/98, TCD Ms. 750/1/165-8; King to Tenison, 30/11/97, TCD Ms. 750/1/136; King to Southwell, 21/12/97, TCD Ms. 750/1/147-9; Lord Drogheda to Coningsby, 2/12/97, De Ros Ms., 638/167/13.

[107] LJI, i, 29/11/97, 2/12/97; On November 29 a proposal to pass an additional Supply was also accepted.

parliament which considered such intrusions 'most contrary to the freedom of voting, which is a fundamental of our constitution.' The right to reject bills was one of the few remaining safeguards available to the Irish parliament and something he was determined to protect; 'I think that Magna Charta establishes the liberty of the subject', he insisted,

> 'and that it fundamentally consists in the choosing our own representatives and to be governed by laws of our own choosing..... all that we desire is a negative to such laws as the Council here and in England offers [sic] us and if our making use of that negative sometimes be looked on as design of independence it is the same that has always been used and I hope ever will be.'

In any case, it was the constraints placed on the parliament by Poyning's Law which induced such situations in the first place, since Irish parliamentarians had to be 'cautious how we suffer ill things to pass us for the sake of what is good in any bill'. 'If we could mend a bill, we had been to blame for rejecting this', he explained, but since the Irish parliament could not, 'we must let them know that would ensnare us, that the best title will not pass ill things'. It was one of the clearest indications yet that he had moved from a position of relative indifference on the question of Irish parliamentary privilege to one of determined advocacy.[108]

King had decided to oppose these two pieces of legislation in spite of the fact that it was 'not in the way of my temporal interest'. This represented a fundamental break from his practice of quietly nurturing official support for his

[108] King to Lord Clifford, 4/12/97, TCD Ms. 750/1/138-40; King to Southwell, 21/12/97, TCD Ms. 750/1/147-9; King to Burnet, 29/1/98, TCD Ms. 750/1/165-8.

various causes. What was most interesting about his stance, however, was that he had chosen to oppose the government on two measures which had as their common purpose the penalisation of Catholics - a fact which has consistently misled some historians into attributing to King a tolerance towards Catholics which is somewhat undeserved.[109]

King's attitude to the various 'Popery Laws' being framed around this time was far more complex than is normally allowed. He was certainly not the 'relative liberal in a vehemently vindictive church' suggested by one recent commentator.[110] He had argued in *The State of the Protestants of Ireland,* for example, that in the aftermath of the war Catholics would have to be debilitated if the Protestant interest was to be made secure. In 1691 he had been to the forefront in damning as 'odious' and 'mischievous' a proposal to institute a court of claims in which Catholics might challenge land forfeitures. His backing, however tacit, for the anti-Catholic legislation of 1695 had confirmed this. Furthermore, at the same time as the two measures he had just opposed had been going through the House, he had supported a bill banishing from the kingdom all Catholics exercising any ecclesiastical authority. He had also made it clear that his opposition to the bill approving the Articles of Limerick was based more on the notion that Protestants should be true to their word than that Catholic rebels should retain their lands. This was evident from his support for a bill of Attainder which passed some weeks later: 'We have gained one thing by the bill of Attainder in relation to the Papists,' he observed,

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[109] King to Southwell, 4/12/197, TCD Ms. 750/1/141-2; Same to Same, 21/12/97, TCD Ms. 750/1/147-150. King had also opposed an Outlawries bill intended to confirm existing sentences on outlaws, giving as his reason that it bore 'too hard on several', meaning Catholics in the main: King to Clifford, 9/10/97, TCD Ms. 750/1/106-8; Same to Same, 20/11/97, TCD Ms. 750/1/132. Luebben is the most conspicuous example of those who have attempted to portray King as a tolerant individual. Others include Stokes, Lawlor and, to a lesser extent, Mant.

[110] Luebben, *op. cit.*, p.62.

> 'they give out that there were secret articles in favour of them and that by virtue of those they must be restored to their estates..... But the passing of this act is a Demonstration that they were mistaken and 'twill be a great mortification to them.'[111]

King also had reasons for opposing the code which owed less to a concern for Catholics and more to a fear that such a code might portend a more sinister design on the part of English Whigs. He hinted at these in a letter written in the immediate aftermath of the rejection of the 'bill for the king's security'. He explained that he believed that one of the provisions of the bill, by which any group could be penalised on the grounds of their refusal to take an oath, represented a fundamental breach of the constitution, being reminiscent of much that had accompanied James' 'arbitrary rule': 'I hope you will be so charitable to a man in my circumstances', he began,

> 'as to think that what I did was designed for the service of my king and country and that I would not consent to anything that I thought would betray either liberty or religion..... I cannot help this character, nor my being of sour and morose principles or being tied up to them. But I must profess to you that my principles for government are no other than Magna Charta, nor for religion other than the Bible as interpreted by the Catholic consent of Christians. To these I am likely to be bound up whilst I live; and shall, with all the skill I can, oppose such as endeavour to alter them and introduce slavery and irreligion [and] setting up arbitrary power over four-fifths of a nation and altering Magna Charta'.

To a man such as King, who prided himself on having opposed the 'arbitrary rule' of James, and whose sensitivity to encroachment by the English parliament

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[111] LJI i, 3/9/97; King to Southwell, 3/2/91, Lyons 113; J.G. Simms, 'The Bishops' Banishment Act of 1697 (9 Will. III, c.1), *IHS*, 17, 1970-1, pp.185-99; P. Kelly, 'Lord Galway and the Penal Laws', in Caldicott *et al.*, eds, *The Huguenots and Ireland*, pp.239-254; King to Foy, 28/9/97, TCD Ms. 750/1/91; Same to Same, 5/10/97, TCD Ms. 750/1/96-8; Clifford to King, 23/11/97, Lyons 557. King had several objections to this bill, but chose not to press them. By failing to provide for sufficient Protestant settlers, he was of the opinion that it 'laid the foundation of another rebellion'. His intention had been to force a delay in passing this bill in order to secure more English planters. He confided in Lord Clifford that he had been 'for keeping the bill of Attainder on the table as a pawn for the other, for they ought to have gone together': King to Clifford, 20/11/97, TCD Ms. 750/2/132-4.

was acute, the method by which Catholics were being enslaved might well portent, indeed facilitate, the eventual 'setting up [of] arbitrary power' over the Anglo-Irish by the English parliament.[112]

Notwithstanding these concerns, however, King did have profound difficulties with what came to be known as the 'Popery Laws' both as to their content and the motivation behind them, particularly where the provisions were aimed at penalising the laity rather than the clergy towards whom he retained an abiding antipathy. One of the things to which he objected most strenuously was what he believed to be the disingenuousness of those who framed this legislation. It appeared to him that it was mainly 'men of no religion, nay that scoffed at all religion' who appeared 'most eager' for it, and he 'thought it was hard that such should impose on men that [have] some, though an ill one'. He was genuinely affronted by such blatant opportunism. Nor did the fact that the code's proponents promised that these statutes would never be implemented cause him to desist. Indeed, it seemed yet another reason for opposing this legislation since it would then serve merely as a further 'objection against us and an argument of our cruelty.'

Furthermore, he was genuinely troubled by legislation which exploited the religious beliefs of Catholics in order to deprive them. He was by 'nature, principles and education against persecuting any upon mere conscience', he insisted, and much of the penal code seemed to him an unwarranted and cynical abuse of power. Thus, while he accepted that it was 'reasonable that papists should be debarred all public trust, profit or power and kept from all such advantages as would put them in a capacity of disturbing the public peace', he thought it 'hard to take away a man's estates, liberties or lives merely because they differ in sentiments of religion.'

[112] King to Southwell, 21/12/97, TCD Ms. 750/1/147.

King's preferred approach would have been more considered. He recognised that restrictions and penalties were appropriate, but he believed that these should be based upon considerations of military threat rather than creed. Thus, while he could support strictly enforced legislation which restricted the right of Catholics to bear arms, he could not accept measures which deprived them of the ability to retain land simply because they could not take an oath which conflicted with their faith: what 'wisdom and interest would recommend', he advised, were 'soft laws and strict execution'. As it was, if one were to 'measure our temper by our laws', then things seemed 'little short of the inquisition', he pointed out.[113]

In fact, to properly understand King's attitude to ordinary Catholics it is necessary to appreciate that he approached the problem posed by the huge Catholic population on the island from a set of presuppositions fundamentally at odds with those who championed the penal approach. To him, as to many others within the Church of Ireland, defeated Catholics represented, first and foremost, potential converts. Indeed, the military and economic superiority of the Anglican population made it incumbent upon Anglicans, he believed, not only to refrain from the imposition of arbitrary punishment, but to actively engage in their thorough evangelisation.[114] This, he insisted, was especially the case given that a large part of the anti-popery legislation was aimed at depriving Catholics of their priests and bishops. 'I firmly believe', he would write some years later, that if only they had been treated with 'moderation, with due care

[113] King to Tenison, 30/11/97, TCD Ms. 750/1/136; King to Clifford, 20/11/97. TCD Ms. 750/1/132-4; King to Burnet, 29/1/98, TCD Ms. 750/2/165-8; Lord Chief Justice John Hely to Coningsby, 10/6/98, De Ros Ms. 638/1/23.

[114] In spite of the fact that by the end of his life his commitment to evangelism had dissipated, and calls for official assistance had by then become little more than opportunities to berate successive ministries for lack of support, King's commitment to the evangelisation of Catholics during this period was quite genuine. On this point see also Chapter 7, Section II, especially footnote 71.

and proper means, a great part of the Roman Catholics would have now joined the Reformed Church'.[115]

It was a measure of the contempt with which he viewed the 'Popery Laws' that, despite the passage of several such bills, King was adamant that no measures of value to the church had been secured before this sitting of parliament was adjourned. 'One would think that the world was somewhat concerned about religion', he wrote to Foy,

> 'for of three bills that passed last, one was to prohibit marrying with papists and another to banish regulars and the third for damning the Articles of Limerick was on pretence of weakening the Popish interest. But after all there is not the least consideration of religion at the bottom and we must learn from this not to judge according to appearance.'

A bill for Reform of Clergy for which he had lobbied had never materialised. In addition, the few church bills attempted had 'miscarried'. One, intended to assist in the construction of churches had been withdrawn because funds were not forthcoming: 'more care seems to be employed towards settling a Jewish synagogue than a Christian Church,' he protested. He laid the blame for the paucity of legislation squarely at the feet of the administration: 'I am ill with this government as with Lord Capel's and for the same reasons', he declared, alluding to the ministry's presumed prejudice against the Anglican church. Nor was he slow in ascribing more sinister motives to the government's antagonism:

> 'I am most sensible of the ill aspect that the generality of men cast upon the church and churchmen: the faith of religion is very weak

[115] King to Southwell, 21/12/97, TCD Ms. 750/1/149; King to Tenison, 30/11/97, TCD Ms. 750/1/136; *Vitae*, (quoted in Luebben, *op. cit.*, p.63); Barnard, 'Reforming Irish Manners', pp.824-6.

> amongst all and the sense of it almost lost; and the matter is laid deeper than most men are aware of. 'Tis come to a formed conspiracy and agents and emissaries are employed to cry down the credit of religion in general and instil profane maxims and principles into youth..... 'Tis hard for us to know what we are to do in these circumstances; if we appear openly and resolutely for the faith we are twitted with the story of the Ephesian craftsmen; if we are silent and retire then good men; if they get their bishoprics and benefices and their ease, they are as indifferent to their religion as to their neighbours; if we vote with the court in parliament we are flatterers; if against it, ungrateful.....[116]

This outburst could only be attributed in part to events in parliament. In fact, it owed just as much to a genuine conviction on the part of King and many churchmen that both government and society were becoming increasingly and openly irreligious. This pessimistic outlook had been excited by the reception accorded the publication of a deistic tract, *Christianity not Mysterious*, by an Irishman, John Toland. The enthusiasm with which Toland was received when he arrived in Dublin, together with the fact that he was suspected of having supporters in the government and the English and Irish parliaments, had alarmed King and many others who feared the inroads which Deism and other heresies might make. In fact, the whole episode was one which encapsulated King's worst fears: here was an Irish 'heretic' who, with the backing of English Whigs, was succeeding in disseminating views which he was convinced had as their purpose the undermining of godly society. Despite the fact that Toland was effectively countered by Archbishop Marsh and Dr. Peter Browne, Provost of Trinity, and his book publicly burnt on the order of the House of Lords, King was sure that 'a formed conspiracy', fomented by English politicians, with the intention of undermining orthodox Christian practice, remained.[117]

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[116] King to Foy, 28/9/91, TCD Ms. 750/1/91; Same to Same, 5/10/97, TCD Ms. 750/1/96; Foy to King, 10/11/97, Lyons 553; Same to Same, 27/9/97, Lyons 540; King to Tenison, 13/9/97, TCD Ms. 750/1/85; King to Lindsay, 7/4/98, TCD Ms. 750/1/208; King to Bishop Walkington, 31/5/98, TCD Ms. 750/1/238-9; Vernon to Williamson, 19/11/97, CSP Dom. 1697, p.478; Winchester to Shrewsbury, 23/9/97, HMC Buccleuch, ii, 1, p.557.

[117] King to Foy, 5/10/97, TCD Ms. 750/1/96-8; Barnard, 'Reforming Irish Manners',

In the midst of this melancholy he found a sympathetic confidant in Nathaniel Foy, whose early departure for Waterford due to illness while parliament was in progress had compounded his sense of isolation: 'O, my Lord!', he wrote to him not long after Foy had left,

> 'we have fallen on evil times in which it is a step to preferment to the person that will give assurance that as soon as he is in it he will disgrace or betray it..... it is not possible our Church should subsist long in this languishing and crazed condition'.

It was the first in a series of letters between the two men which betrayed the depth of their frustration at the failure to secure meaningful reform. It also revealed an aspect of King's personality to which he rarely confessed: 'I need the encouragement and assistance of others to give me assurance,' he admitted in a moment of uncharacteristic candour,

> 'and I speak it with sorrow, I have not one friend near me that I can with reliance and necessary freedom consult in these matters. I discourse severally, but 'tis with reserve..... As to my brethren..... they are jealous of me and by no means approve my maxims. They have generally other thoughts and views than I have. This is a thing I cannot help and dare not blame. Not that I fear to offend them, but because I shall lose the little interest I have amongst them by unseasonably pressing them.'

'Nothing but a persecution can preserve [our] sinking church', an equally disheartened Foy replied in a moment of despondency with which King would readily have concurred.[118]

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pp.826-9; K. Craven, *op. cit.*, pp.97-110.

[118] King to Foy, 28/9/97, TCD Ms. 750/1/91; Same to Same, 5/10/97, TCD Ms. 750/1/96-8; Foy to King, 1/9/97, Lyons 538; Same to Same, 10/11/97, Lyons 553.

CHAPTER 4

1698-1699: *'..... no less than our liberty depends on it.'*[1]

That aspect of King's career which has attracted most attention is his persistent advocacy of the rights and privileges of the Irish parliament and, in particular, the appellate supremacy of the House of Lords in cases arising in Ireland. It is for this reason that he is best remembered, not as a reforming churchman, but as one of the most 'impeccably patriotic' men of his generation.[2] Contrary to this general perception, however, King was not originally committed to the cause of the Irish parliament *per se*. Indeed, had it not been for a circumstance which impinged directly upon the church, it is quite likely that he would have played a far less conspicuous role in constitutional politics than was the case. It was only indirectly, through his involvement in his dispute with the Honourable, the Irish Society of London[3] concerning title to some lands and fishery rights within his diocese that he came to wholeheartedly espouse the Irish parliamentary cause. He initiated proceedings in this matter merely to establish the church's right to possession of the lands in question. It was only the decision of the Society to appeal to the English House of Lords against a verdict in King's favour handed down by the Irish House of Lords that led to

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[1] King to Bishop Walkington of Down and Connor, 22/9/98, TCD Ms. 750/1/27.

[2] Smyth, *op. cit.*, p.789. See also, for example, Carpenter, *Archbishop King and Dean Swift, passim*; Victory, *Colonial Nationalism in Ireland, passim*; idem., 'The Making of the 1720 Declaratory Act, pp.9-29; P. Kelly, 'Archbishop William King, (1650-1729), and colonial nationalism', pp.85-94.

[3] Hereafter: The Irish Society or The Society.

his involvement in what was a long running constitutional dispute - the question of the relative jurisdictional powers of the English and Irish Houses of Lords.

That this was an issue in the first place derived from the fact that the relationship between the two islands had never been conclusively delineated, confusion reigning in both London and Dublin as to the true status of Ireland *vis-à-vis* England, some viewing Ireland as a colony, others seeing it as a separate kingdom with its own independent institutions. For each point of view a historical justification, explanation or theory could be provided. Those who argued the colonial model for Ireland pointed to the *de facto* dependence of the island upon English assistance in times of trouble, to England's historical claims as the 'mother country' as well as to the more tangible expression of Irish legislative subordination evidenced by Poyning's Law. This view had been strengthened by the events of the Glorious Revolution which had seen the powers of the English parliament increase at a time when, by virtue of the war, it was legislating directly for Ireland. Those who argued for the integrity and independence of the Irish kingdom, on the other hand, based their case on the 'original compact' between King Henry II and Ireland's rulers in 1172 which implied that the English monarch's right to rule Ireland derived from consent not conquest. The king had then granted Ireland its own parliament, extended to it the rule of common law and subsequently confirmed its status as a separate kingdom by transmitting it as a distinct lordship to his son, Prince John, during his own lifetime. In this scheme of things Ireland was a kingdom answerable, not to the English parliament but to the king who, by virtue of being king of England was also king of Ireland.

During the course of the seventeenth-century the notion of Ireland as a separate kingdom had been articulated by a number of individuals on behalf of a body politic which was at once conscious of its dependence upon English

military power, yet determined to influence the distribution of land, power and the fruits of economic growth in Ireland. In 1660, the Attorney-General, Sir William Domville, had argued forcefully for the quick re-assertion of the authority of Ireland's parliament in the wake of the anarchy of the *interregnum*. Drawing heavily upon the writings of Patrick Darcy, a Catholic lawyer who had championed Ireland's parliamentary heritage some twenty years previously, he set forth a vindication of the judicial and legislative independence of the Irish parliament based largely upon notions of precedence and common law. In his *Modus Tenendi Parliamenta in Hibernia,* published in 1692, Bishop Dopping had succeeded in disseminating these views more widely, articulating a coherent case for the judicial supremacy of the Irish Lords in the process. The book's aggressive championing of a court of last resort in Dublin seemed to many to offer some form of protection from adverse land settlements imposed by a London establishment likely to be prejudiced by considerations of political expediency.[4]

While the arguments in favour of Irish parliamentary privilege may have been framed in terms of historical precedents and legal rights, the reason that this matter inspired such intense debate was well appreciated: implicit in the struggle between the English and Irish parliaments was the question of who would control the spoils of war as well as an emerging Irish economy. This is not to imply that 'patriotism' was not a real and vibrant force of itself, but it is to identify the source of much of the support it enjoyed - there were more landowners and merchants in Ireland than there were constitutional theorists

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[4] William Domville, *Disquisition touching that great Question Whether an Act of Parliament made in England shall bind the Kingdom and People of Ireland without their Allowance and Acceptance of such Act in the Kingdom of Ireland,* 1660; Patrick Darcy, *A Declaration setting forth how and by what means the Laws and Statutes of England from time to time came to be of force in Ireland,* 1641; Dopping, *Modus Tenendi Parliamenta in Hibernia,* Dublin, 1692; Victory, *Colonial Nationalism in Ireland,* pp.43-49, 64.

and lawyers. The arguments by which the latter expressed themselves should not be allowed to obscure the fact that it was the former who supplied much of the momentum for Anglo-Irish political aspirations.

I

The catalyst for King's involvement in constitutional politics was a long-running legal dispute between the bishopric of Derry and the Honourable, the Irish Society of London relating to some lands in Termonderry, just outside Londonderry, as well as fishery rights at Clonleigh on the River Foyle. Such disputes were not uncommon, but the general uncertainties over the distinction between temporal and church property in Ireland had been complicated in this case by a complex history of grants and charters.[5] In 1610 both the lands in Termonderry and 'all tidal fisheries on the Bann and Foyle' had been granted to the newly formed Society. However, around the same time the fisheries at Clonleigh had been granted to the bishop of Derry, George Montgomery. This conflicted with the claims of the Society which believed that the fisheries at Clonleigh came within the ambit of 'tidal', something vigorously contested by successive bishops. By the time John Bramhall had been appointed bishop in 1634 it was obvious that the Society was not in a position to exploit the lands granted to them, having fallen foul of King Charles in his battle with parliament. In 1635 the Court of Star Chamber had declared its patent forfeit. In 1637 the lands at Termonderry had then been granted by the crown to the bishop, subject to the latter agreeing to lease the property to the Corporation of Londonderry. As a result a lease of these lands for 60 years had been

[5] The account of the legal and historical background to the case given here draws heavily on the Introduction to T.W. Moody and J. G. Simms, *The Case of the Bishop of Derry*, Irish Manuscript Commission, 2 vols., Dublin, 1968, 1983, (pp.1-10). See also T. W. Moody, *The Londonderry Plantation, 1609-41: the City of London and the Plantation in Ulster*, 1939.

entered into by the two parties. By 1641, however, the political situation had been transformed. In the contest between king and parliament the City of London had emerged as one of parliament's most committed supporters. Anxious to see such loyalty rewarded, the House of Commons had overturned the earlier forfeiture, thereby returning the disputed lands to the Society. Still unable to afford to plant the lands, however, the Society had allowed the Corporation to remain on the lands on the same terms as those of its lease from the bishopric. The Cromwellian conquest led to yet another settlement and in 1657 a new charter was issued to the Society. This, in turn, became ineffective with the restoration of Charles II in 1660, although a largely unaltered Charter was granted to the Society by the English parliament in 1662.

Up to this point confusion related only to the question of title. But the decision of the members of the Irish House of Lords to involve themselves introduced an element of constitutional politics to the whole affair. In 1661 the peers made an order on Termonderry in favour of the new Bishop of Derry, George Wilde. This was eagerly exploited by Wilde who arranged for the disputed fisheries to be included in the order. Unwilling to allow the Irish Lords any role in this matter, the Society, abetted by the Corporation, continued to insist on the supremacy of its own title, representing the grant of the English parliament as definitive. The matter appeared to be settled amicably in 1677 when, in the wake of Wilde's death and succession by Robert Masson, it was agreed that the bishop would lease the fishing rights to the Society for £200 per annum. But this arrangement broke down under Masson's successor Ezekiel Hopkins, whose protracted litigation with the Society was only interrupted by the outbreak of the war in 1689. The result was that after more than seventy years of claim and counter-claim, title to both Termonderry, (by now commonly called 'The Quarterlands'), and the fisheries was still disputed by the bishop and the Society.

King, arriving in Derry in the aftermath of the war, was quickly embroiled in the ongoing litigation. His primary concern was simply to ensure that 'the inheritances that belong to the church' were upheld. He regarded this as an early test of the security of the church's title and authority in the aftermath of the war, the fact that the disputed lease was due for renewal in 1696 giving the matter a particular urgency. Within a few months he had begun to take a keen interest in the affair and by November 1691 he was corresponding with the Society. His main problem in attempting to prove ownership, however, was that he could not actually locate his Deed of Title. Undaunted, he hoped to substantiate his claim by virtue of the fact that the Corporation was not disputing that it had entered into a lease with the bishop almost 60 years previously: 'If,' he protested,

> '60 years possession without interruption should not be looked upon as a ground to restore to and quiet the church in the possession, (as this case is), 'till evicted by due course of law, then most of the inheritances that belong to the church in this Kingdom may by the same reason..... be stripped from them.'[6]

By early 1692 it seemed that the Corporation was on the point of accepting the church's, rather than the Society's, title when they entered into discussions with King for the renewal of the lease of the Quarterlands. These negotiations continued for several months until King quarrelled with John Magridge, town clerk of Derry, who had also acted as solicitor for the see. Aggrieved, Magridge brought the fact that King and the Corporation were having some difficulty agreeing terms to the attention of the Society. Surprised to hear that the Corporation had entered discussions with King in the first place, the Society immediately engaged Magridge as its local agent. At his instigation, when talks with King collapsed, the Corporation turned to the

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[6] King to Walkington, 9/9/97, TCD Ms. 750/1/84; Irish Society to King, 25/11/91, Lyons 186; King to Tenison, 13/9/97, TCD Ms. 750/1/85-6.

Society. By June 1694 the two had agreed to act together in the matter, the Society advising the Corporation that they could 'keep possession' of the disputed lands by sub-lease if its title was established.

It was the Corporation's refusal to accept the church's title which prompted King to refer the matter to the Court of Chancery in 1694. However, because of what he considered to be 'frivolous demurrers' and 'several affected delays' on the part of a government anxious to deflect a case with the potential to cause constitutional conflict, it did not reach the court until June 1697. When the matter eventually came before Lord Chancellor Methuen and two Chief Justices for judicial review they gave as their opinion that King 'ought to be restored to the possession'. But, they pointed out, they could not issue a judgement to this effect until 'it were tried by a jury whether the bishop or his predecessors were ever in actual possession'.[7]

'Much displeased' at this interlocutory decree, and annoyed at the Lord Chancellor for refusing to admit certain evidence, King was determined not to succumb to what he believed was an attempt at procrastination on the part of the authorities. He was confident that he would succeed if he pursued the matter in Chancery, but he was also conscious of the fact that every delay in establishing the church's title allowed the Society to consolidate a *de facto* possession, since the Corporation was continuing to install more of its own tenants on the disputed lands. '..... conceiving himself greatly aggrieved and the church disinherited', therefore, he lodged an appeal to the Irish House of Lords in time for the session due to begin in August 1697.[8] The Society

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[7] King to Walkington, 9/9/97, TCD Ms. 750/1/84; King to Southwell, [July 1697], TCD Ms. 750/1/80-1; Irish Society Court Minute, 13/8/95, Irish Society Court Minute Book [hereafter: ISCMB], 1690-99, p.144, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.164; Doyle, *Parliament and Politics*, pp.244-50.

[8] King to Southwell, [July 1697], TCD Ms. 750/1/80-1; King to Tollet, 28/9/97, TCD Ms. 750/1/94; Foy to King, 27/9/97, Lyons 540; Vernon to Lord Williamson, 14/9/97, CSP Dom. 1697, p.365; *Bishop of Derry's Appeal to Irish House of Lords*, August

responded by indicating that any decision made by the Irish Lords would not be acceptable, since the proper course was for King to bring his case before a jury in Chancery. King reacted with the opinions of jurists in Ireland and England supporting the course he had adopted.[9] When the Lords decided that they were the appropriate court to hear the appeal and instructed the Society to reply to the bishop's suit by August 27, King expressed confidence that he would be successful.[10] Rather than comply, however, the Society indicated that they would now be seeking advice as to whether the Irish Lords had any jurisdiction in this case at all. Thus, in spite of several extensions and a request for a deferral by their counsel, William Conolly, no response had been forwarded by the Society when the Irish Lords eventually assembled to hear the appeal on September 22.[11]

In spite of the fact that King was at that moment embroiled in his opposition to the bill ratifying the Articles of Limerick, thereby losing him valuable government support, the majority of those in the House were sympathetic to his cause. His argument was exactly the same as he had used in Chancery: the fact that the church had been able to grant a 60 year lease proved that it had beneficial title to the land. This was eagerly accepted by a House determined to assert its authority in such cases. With the Society

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1697, Ellis Ms., 250, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.183.

[9] Sir R. Hamilton to King, 24/7/97, Lyons 534; Clifford to King, 30/10/97, Lyons 547; John Walker to George Tollet, 30/12/97, Lyons 561.

[10] LJI, i, 16/8/97. Three Lords registered their dissent, among them Lord Massarene whose lands bordered those disputed in the case. Since 1694 he had sided with the Society against King and at one point Tollet had had to inform King of the 'bad impressions' of him which Massarene was circulating in London on behalf of the Society: Tollet to King, 11/10/94, Lyons 385.

[11] LJI, i, 13/9/97; Irish Society Court Minute, 22/9/97, ISCMB 1690-99, pp.205-6, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.191.

having refused to respond, Conolly could offer little in the way of a defence. The result was that the Court of Chancery's order of June 1697 was 'reverted, repealed and made null and void,' and it was directed that King be restored to possession of the lands. The only stipulation was that leave be allowed to the Society to test the matter of title at law. The judgement was accompanied by an order to the sheriff of Londonderry to 'forthwith deliver the possession' to the bishop.[12]

King was delighted at the outcome: 'Everybody here looked on my case as their own,' he informed Burnet,

> '..... The hearing was very solemn, lasted eight or nine hours and most of the House of Commons were present and they concerned themselves in it as a common cause of all landlords..... and were resolved if it had gone against me to remedy the inconsistency that must needs have befallen the Kingdom upon it, by providing heads of a bill to that purpose.'

But his friend, Bishop Foy, was a little more sober in his assessment: 'assure yourself', he cautioned him,

> 'had not your case been as plain as the sun at noonday and withall had not the case of every Lord in that House and everyman in the Kingdom been the same with yours, it had not passed so glibly with your Lordship.'[13]

The decision of the Society to appeal to the English House of Lords did not come as a surprise to King. Indeed, prior to the case coming before the Irish

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[12] King to Walkington, 9/9/97, TCD Ms. 750/1/84; LJI, i, 24/9/97; *Order of Irish House of Lords*, 24/9/97, Ellis Ms. 251, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.192.

[13] King to Burnet, 9/10/97, TCD Ms. 750/1/102; King to Moreton, 9/10/97, TCD Ms. 750/1/103. Foy to King, 27/9/97, Lyons 540.

Lords he had been 'threatened' by some members of the Society that, if it went against them, they would 'remove it to the parliament in England where they think to prevent it by the poison and interest of my adversaries.' But the effect was to turn the case into a *cause célèbre*. It was now 'the cause of all the landlords in Ireland', King declared,

> 'and so it is understood here, besides in these circumstances 'tis the common cause of the Kingdom, for if this appeal be received our parliaments can signify little.'

Nor did he seem reluctant to assume the mantle of 'patriot'. The matter was of such importance, he protested, that he was 'very well satisfied to suffer for my country'. In any case he was 'confident of the justice of my cause', his only fear being that the dispute might be exploited by those 'of a republican spirit' in England who hoped for the subordination of the Irish parliament on the grounds that 'there would be less left for them to destroy' when they made their move to seize power.[14]

The dispute's constitutional potential lay in the fact that it brought to a head the long-standing dispute between the English and Irish parliaments over primacy of appellate jurisdiction. Of all the prerogatives of the Irish House of Lords none was more jealously guarded than its status as the kingdom's pre-eminent court. It was accepted that by Poyning's Law the English government, the Privy Council and the king regulated Irish legislation. In contrast, the Irish judiciary enjoyed greater freedom. While appeals had frequently gone to London earlier in the century, once the Irish parliament had begun to meet more regularly since 1692 the precedent for appeals going to the Irish Lords

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[14] King to Burnet, 9/10/97, TCD Ms. 750/1/102; King to James Sloane, 4/11/97, TCD Ms. 750/1/121; King to Moreton, 9/10/97, TCD Ms. 750/1/103; King to Tenison, 13/8/97, TCD Ms. 750/1/85-6; King to Annesley, 28/10/97, TCD Ms. 750/1/115; Same to Same, 16/11/97, TCD Ms. 750/1/128; Same to Same, 10/1/98, TCD Ms. 750/1/154; King to Southwell, 4/12/97, TCD Ms. 750/1/141.

had been strengthened. The matter of appellate supremacy was, therefore, something which the Irish Lords were intent upon asserting.

As far as King was concerned, the 'right' of the Irish parliament to act in this capacity was something which had existed for 'about 500 years' and any attempt to subvert it had to be opposed. 'I take all power that is not with [the] consent of the subject to be arbitrary', he wrote to Southwell, in an endeavour to highlight what he believed was the short-sightedness inherent in any policy which deprived Ireland of its parliament,

> 'and if Ireland should find themselves [sic] in this condition they would certainly do what all subordinate provinces have done, rather choose to be under an absolute prince than an absolute state, and will sooner choose to make the king absolute than a parliament in which they have no representatives..... this will ever be the choice of those to whom the parliament of England denies a share in their liberty, for such will ever endeavour to make them sharers in their slavery.'

Rather than undermining the right of the Anglo-Irish to their own parliament, King was prepared to argue that its retention was one of the few guarantors of the kingdom's continued quiet, which was itself in England's interest: 'The way then to prevent arbitrary power in Ireland and engage it effectually to be subservient to and assist England is to secure it in a due share of the Common Liberty and profit, so it will be a true servant and hearty friend to England', he continued,

> 'but otherwise 'twill be forced to be an Enemy..... And, therefore, methinks the true policy were to encourage a sufficient number of English to come to Ireland and allow them their English Liberty there. By this the English may assure themselves of the kingdom.'[15]

Refusing such logic, and intent upon having the English parliament's prerogative extended, the Society submitted an appeal which focused on the

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[15] King to Southwell, 6/1/98, Egerton Ms. 917, pp.151-4.

constitutional issue, the petition being pursued, not on the question of title to the disputed lands, but on whether the Irish Lords had any jurisdiction in the case. It was deliberately framed in terms which would allow the English Lords to pronounce on the issue, the Society contending that,

> '1. no appeal or writ of error, as is conceived, lies to the [Irish] House of Lords in any case, but the errors in the courts of law and equity there are to be reformed in England and the appeal to the House of Lords there is of dangerous consequence and may tend to the hazard of the English constitution and government if the same should be allowed and approved by your Lordships, it will equal the jurisdiction of the Lords in parliament in Ireland to that of the English peerage, which was never the design of Poynings Act.
>
> 2. In case the House of Lords there have the power and examining such appeals, yet their orders are not final, but subject to re-examination by your Lordships, who are the supreme court of judicature as well for that as this Kingdom.....'

The members of the English House of Lords, determined to establish appellate as well as legislative supremacy over the Irish parliament, accepted the appeal immediately.[16]

King quickly made arrangements to travel to London but, struck by a particularly debilitating fit of gout, it was soon apparent that this would not be possible. Instead, he had to instruct his agent, Francis Annesley, and his

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[16] King to Rochester, 4/12/97, TCD Ms. 750/1/142; *Irish Society's Appeal to the English House of Lords*, 7/1/98, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, pp.197-8; Irish Society to William Conolly, 8/1/98, Irish Society Letter Book, [hereafter: ISLB], 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.198.

lawyer, James Sloane, by letter.[17] The essence of his argument was that Ireland was a separate kingdom answerable only to the crown in judicial matters and not to the English parliament, a view consistent with that developed by others over the course of recent decades.[18] It was for this reason that he was 'glad' to hear reports that the English Lords intended to base their case on precedent, since

> 'if the matter depend on precedents, as I think it will, we have precedents..... as far as we have journals and a constant claim of the like jurisdiction of the parliament here and the parliament in England challenges, and how can it be otherwise since the same King of England that granted the benefit of the Common Law of England to the Subjects of Ireland, granted likewise the benefit of parliaments and a *modus tenendi parliamentum.*'

Annesley and Sloan were instructed to point out that the Irish House of Lords had always been the final arbiter in Irish cases, except during periods such as the prolonged prorogation of parliament that had occurred under Charles II. To assist them he was arranging to forward a list of precedents which would confirm this.[19]

That precedent would be an important consideration was soon

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[17] King to Sloan, 18/1/98, TCD Ms. 750/1/160; King to James Moore, 4/11/97, TCD Ms. 750/1/121. Annesley was King's principal agent in London. Between January and March 1698 King sent him a total of eight letters in each of which he gave detailed instructions as to how his case was to be conducted: King to Annesley, 18/1/98, TCD Ms. 750/1/158; Same to Same, 29/1/98, TCD Ms. 750/1/163; Same to Same, 5/2/98, TCD Ms. 750/1/168; Same to Same, 8/2/98, TCD Ms. 750/1/178; Same to Same, 15/2/98, TCD Ms. 750/1/182; Same to Same, 10/3/98, TCD Ms. 750/1/189; Same to Same, 10/3/98, TCD Ms. 750/1/192; Same to Same, 24/3/98, TCD Ms. 750/1/194-200.

[18] *Memorandum in King's hand urging the authority of the Irish Parliament in seventeen points*, circa January 1698, Lyons 2331; *Memorandum of eight queries in King's hand regarding the litigation*, circa. January 1698, Lyons 2332.

[19] King to Lindsay, 18/1/98, TCD Ms. 750/1/161; King to Annesley, 18/1/98, TCD Ms. 750/1/158; Same to Same, 29/1/98, TCD Ms. 750/1/163; Same to Same, 5/2/98, TCD Ms. 750/1/168; Same to Same, 15/2/98, TCD Ms. 750/1/182; Same to Same, 10/3/98, TCD Ms. 750/1/189; Same to Same, 24/3/98, TCD Ms. 750/1/194-200; King to Sloan, 18/1/98, TCD Ms. 750/1/129; King to James Moore, 4/11/97, TCD Ms. 750/1/121.

confirmed by the English House of Lords. On January 7 a committee of the House was appointed to investigate the case. The following day, the members instructed the Lord Chancellor to write to the Lords Justices of Ireland requesting that they return details 'of the methods which have been practised in appealing from decrees made in the Court of Chancery in Ireland'.[20] The Lords Justices set up a committee of the Privy Council to compile the list immediately. Within six weeks the members had returned a list containing thirty-nine examples of appeals against decrees made in Chancery. These corresponded in the main to those which King had just sent to his own lawyers. To a large degree, therefore, King's case depended upon the admission of these precedents by the committee.[21]

It was for this reason that the decision of the Lords to reject a large number of them as not pertinent weakened his case considerably. In addition, their ruling that reference to Dopping's *Modus Tenendi Parliamenta in Hibernia*, which was an espousal of the Irish parliament's historic lineage and rights, would not be allowed, was especially disconcerting, since King had intended to use this as an important element in his defence. For the first time he began to admit to serious doubts about his prospects, bemoaning the fact that the point at issue was not simply the merits of the case. In the process he hinted that he might be willing to compromise: if he could 'agree on fair and equitable terms' with the Society, he informed Annesley, then he would 'be glad

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[20] Mr. Strickland to the late King James' Queen, 11/1/98, CSP Dom. 1698, p.24; Lord Chancellor of England to Lords Justices of Ireland, 8/1/98, Ellis Ms. 253, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.198.

[21] King to Annesley, 10/1/98, TCD Ms. 750/1/154; *Report of the Committee of the Privy Council*, Marsh's Library Ms. Z3, 2.5, no.75, pp.277-287; *Memorandum in King's hand urging the authority of the Irish Parliament in seventeen points*, circa. January 1698, Lyons 2331; *Memorandum of eight queries in King's hand regarding the litigation*, circa. January 1698, Lyons 2332; *Memorandum for the Duke of Ormonde regarding the appeal of Bishop of Derry against the transfer of his case to the English House of Lords, there being no precedent, circa.* January, 1698, Lyons 2333.

to have them made as firm as they can be.' But by this stage he was not in a position to bargain. Both the English Lords and the Society were, Southwell, informed him, determined to pursue the matter: 'A new storm is broke out', he told him,

> 'for my Lord Weymouth related yesterday to me how ineffectual his endeavours with that of some few others were to oppose the torrent upon the Society's petition against the proceedings of the Peers on that side..... by what I gather, the Peers on this side are resolved to overthrow all jurisdiction in the Peerage of that.'

In addition to this, it appeared that they intended to summon King, in spite of his illness, to attend the hearing. Their intention was plain: they proposed to declare the judicial supremacy of the English Lords once and for all, Southwell surmised, and King was to be 'the martyr'.[22]

King's prospects were further compromised by the appearance in April of *The Case of Ireland Stated.* Written by his friend, William Molyneux, and influenced, in part, by the political treatises of John Locke, this was a forthright declaration of the rights of the Irish parliament on the grounds of both precedent and natural right.[23] King was extremely unhappy at its appearance, Molyneux's method of boldly setting forth the case of the Anglo-Irish appealing to him in neither style nor timing. A far more pragmatic politician than Molyneux, King generally disclaimed confrontational tactics such as his friend was now employing. His experience during previous parliamentary

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[22] King to Annesley, 18/1/98, TCD Ms. 750/1/158-9; Same to Same, 24/3/98, TCD Ms. 750/2/194-200; King to Moreton, 25/10/97, TCD Ms. 750/1/113; King to Lindsay, 3/5/98, TCD Ms. 750/1/221; Southwell to King, 28/3/98, Lyons 567. Throughout this period Southwell and Annesley were themselves in regular contact.

[23] W. Molyneux, *The Case of Ireland's being bound by Acts of Parliament in England Stated*, Dublin, 1698, [hereafter: *The Case of Ireland Stated*]; P. Kelly, 'William Molyneux and the Spirit of Liberty in Eighteenth Century Ireland', *Eighteenth Century Ireland*, 3, 1988, pp.134-5; Simms, 'The Case of Ireland Stated', in *War and Politics in Ireland, 1649-1730*, pp.251-261. See also Victory, *Colonial Nationalism in Ireland*, pp.39-78, and McGuire, *Politics*, pp.205-24.

sessions had taught him the value of lobbying individuals, tirelessly prodding others into action, not affronting volatile political sensibilities so bluntly. In the circumstances it was likely to incite, not only the English Lords, but the entire political nation. Especially disconcerting was the fact that Molyneux had alluded in his introduction to King's case as one of the principal factors which had prompted the writing of the book. This explicitly joined King's dispute to the book and its aspirations. In vain he attempted to distance himself from it, criticising it, albeit on tactical rather than substantive grounds, as an over-zealous espousal of the legislative and judicial sovereignty of the Irish parliament: 'I did not see it till it was printed off,' he informed Annesley,

> 'and was very much concerned at some things in it, particularly his mentioning my case before the Lords, which I am afraid may have an ill influence.'

It should not, in his opinion, have been published 'till we had the opinion of our friends from England.' It's effect would be to 'exasperate rather than prevent the mischief that is coming on us.'[24]

King's worst fears were soon realised, the book inflaming English political opinion within days of its appearance in England and prompting several pamphlets denouncing its thesis.[25] The reaction of the members of

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[24] Molyneux, *The Case of Ireland Stated*, p.3; King to Annesley, 16/4/98, TCD Ms. 750/1/211; Simms, 'The Case of Ireland Stated', p.257; King to Thomas Lindsay, Bishop of Killaloe, 7/6/98, TCD Ms. 750/1/241-2; Sir Richard Cox to _____, 28/10/99, HMC Portland, iii, p.609. An additional complicating factor was the fact that Molyneux had sought King's assistance in having a copy presented to the king. King 'could not refuse to gratify' his friend, but when he wrote to Annesley asking him to comply with Molyneux's request, he advised him to use his own 'discretion' in the matter: King to Annesley, 16/4/98, TCD Ms. 750/1/211.

[25] McGuire, *Politics*, pp.218-221; J. Cary, *Vindication of the Parliament of England in answer to a book written by William Molyneux*, London, 1698; *An Answer to Mr. Molyneux ..... and his dangerous notion of Ireland's being under no subordination to the parliamentary authority of England refuted; by reasoning from his own arguments and authorities*, London, 1698; W. Atwood, *The History and Reasons of the Dependency of Ireland upon the Imperial Crown of the Kingdom of England, Rectifying Mr M[olyneux]'s 'State.....'*, London, 1698, pp.129-31.

parliament was especially hostile. The protestations of King and others that the book, 'being written by a private gentleman without consulting anybody', should not be used to 'justify a public resolution to the detriment of the Kingdom', were to no avail. Even Methuen, who, when laying the book before both Houses, attempted to persuade members that it was 'the private opinion only of the author' and that 'the gentlemen of Ireland..... were scandalised at it and had complained of it to the king', was rebuked by English politicians. In their opinion support for it was more widespread than the Lord Chancellor was allowing. Ominously for King, the resolution of the members of the Commons after debating the book's content was that they could 'not enough assert the rights of the [English] parliament' over that of Ireland.[26] This was followed almost immediately by the Lords' rejection of more of the precedents he had hoped to use. 'The adversaries of this Kingdom are very busy and industrious to carry their point,' King protested, aware now that an outcome 'fatal to Ireland' was intended. The English Lords would 'spare him [Molyneux]', he predicted, 'but revenge themselves on the Kingdom', using his case as the means by which they might proclaim their supremacy.[27]

By the time the House met to deal with the case on May 21, King had resigned himself to defeat. Nevertheless, he instructed his lawyers to proceed. Sergeant Wright, King's first witness, began by affirming the jurisdiction of the Lords in Ireland over the Lords in England in appeals from Chancery on the basis of precedent as enunciated in Dopping's *Modus Tenendi Parliamenta in*

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[26] *Report of proceedings in the House of Commons*, 21/5/98, CSP Dom, 1698, p.261-2; King to Lindsay, 7/6/98, TCD Ms. 750/1/241; Cox to _____, 28/10/99, HMC 14th Report, Appendix ii, p.609.

[27] King to Annesley, 25/6/98, TCD Ms. 750/1/243-4; King to Lindsay, 13/5/98, TCD Ms. 750/1/229-30. For Molyneux's reaction to the outcome of the appeal see Marsh's Library Ms. Z3, 2.5, in which he gives fourteen 'reasons' why, in his opinion, the verdict was defective.

Hibernia. He was immediately interrupted by Lord Peterborough who objected both to his use of the *Modus* and to 'his saying anything against the jurisdiction of their [English] House.' 'This,' Annesley explained,

> 'cut off a great part of the argument of your counsel who proceeded to make the best of what they had..... without one word spoken for the judicature of the Lords of Ireland.'

Some of the Irish peers who sat in the English Lords attempted to speak against this ruling but were immediately silenced. Indeed, 'so violent' were the English Lords, that some Irish peers, including the Duke of Ormonde, were obliged to leave the House 'for it was to no purpose except to hear themselves ill-treated'.[28]

Counsel for King now faced a perplexing challenge. The preliminaries had seen the English Lords declare themselves 'very well satisfied of their own jurisdiction' while simultaneously refusing to countenance any contradiction of this by the defendants. They were required, therefore, to prove the right of the Irish House of Lords to hear appeals, without at the same time denying the authority of the English House of Lords to concern itself in such cases. For his part, counsel for the Society, the English Attorney-General Sir Thomas Trevor, merely pointed out that since the laws of the English parliament bound Ireland, the judicial supremacy of that parliament must follow. Any other interpretation would equate the English Lords with the Irish Lords and make them 'co-ordinate', something which could not be countenanced. This attitude corresponded exactly to the mood of the members and King's lawyers could offer little by way of response. On May 24 the matter was eventually decided. As required by the terms of the order, the Lords addressed the question of the

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[28] King to Lindsay, 3/5/98, TCD Ms. 750/1/221; Annesley to King, 21/5/98, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.201-3. This letter is not signed and the initials are obliterated. The style, however, is that of Annesley.

relative jurisdictional authorities of the Irish and English Houses of Lords. They were unequivocal in their assertion of the appellate superiority of Westminster; it was,

> 'ordered adjudged and declared by the Lords Spiritual and Temporal in parliament assembled, that the said appeal of the Bishop of Derry to the House Lords in Ireland..... was '*coram non judice*' [Null and Void], and that all the proceedings thereupon are null and void and that the Court of Chancery in Ireland ought to proceed in the said cause as if no such appeal had been made to the House of Lords there.'[29]

In denying the Irish Lords any role in appeals from the Court of Chancery, this decision had profound constitutional implications. It was now obvious that the English body politic was intent upon exploiting all opportunities to impinge upon what many of the Anglo-Irish believed was the monarch's prerogative power to determine Ireland's governance.[30] King's initial reaction was one of resignation, characterising the verdict as a declaration 'against the jurisdiction of our House in Ireland'. Despondent, he saw little point in prolonging the affair, (although he did take the precaution of lodging an appeal to the Court of Chancery on foot of that court's order of June 1697).[31] In a long and

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[29] *Order of English House of Lords*, 24/5/98, Ellis Ms. 256, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.203; *Proceedings in Parliament May 18*, CSP Dom. 1698, p.259; N. Luttrell, *A Brief Historical Relation of State Affairs, 1678-1714, 6 vols., Oxford, 1857*, 21/5/98, iv, p.382.

[30] [Annesley] to King, 21/5/98, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, pp.201-3; *Proceedings in Parliament May 18*, CSP Dom. 1698, p.259; M.S. Flaherty, 'The Empire Strikes Back: Annesley v Sherlock and the Triumph of Imperial Parliamentary Supremacy', *Columbia Law Review*, 87, 1987, pp 607-8.

[31] King to Walkington, 31/5/98, TCD Ms. 750/1/238-9; *Bishop of Derry's Application to Court of Chancery*, 7/6/98, Ellis Ms. 233, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.205.

thoughtful reply to an earlier letter from Francis Annesley, he showed a clear grasp of the new political reality. Annesley had just written to him informing him of the Lords' decision and indicating various courses of action. Conscious of what had just transpired, King began by enumerating those circumstances and conditions 'that makes one place or people subject to another.' 'In respect of the sword or military power,' he conceded, Ireland was irrefutably subject to England. Likewise, in the matter of appointments to civil government and the execution of laws, Ireland was subordinate. The effect of recent decisions by the English parliament had simply been to extend this subjection to include the legislative and judicial functions, since England could now 'impose what laws they please' on Ireland. In the light of this he saw little alternative but to accept the *de jure* and to a large extent *de facto* subordination of the kingdom of Ireland to England. But he was determined to see that this did not result in the Anglo-Irish being further disadvantaged: the issue was no longer 'whether Ireland be subject to England, for it is sufficiently subject on the former respects,' he continued,

> 'but the question is truly whether the people of Ireland be slaves or freemen. Whether they be more the subjects of England than the people of England are the King's subjects. I hope the parliament of England will not require such a subjection from us..... we do not desire to be exempted from the power of England in anything that may consist with the being of a free people.'

He repeated these sentiments some weeks later in a letter to Robert Southwell written while at Bath where he was convalescing. Acknowledging that the English House of Lords had now extended its remit, at least in theory, he hoped that his Majesty might be willing to clarify the new circumstances and status of the Irish parliament. He made no plea for a royal reassertion of Irish parliamentary prerogative. Instead, he simply requested that the king be asked to grant 'a bill to settle and declare their [Irish Commons and Lords] power that

they may know the limits of it'. As things stood Irish politicians did not even know 'whether [they] can enquire into grievances'.[32]

But while this may have been King's considered view, he could not, even if he had wished to, ignore the fact that for many of his compatriots his dispute had come to embody many of the aspirations of the Anglo-Irish community. To a large extent he had been overtaken by events - the case had now assumed a significance far beyond any purely local property dispute. Nor did he seem too disturbed by this. Indeed, he was soon betraying every sign of eagerly awaiting the opportunity to re-enter the fray: '[t]his is not the first storm I have weathered', he declared defiantly, and he would 'rather sink with honesty' than betray his country. What his 'adversary' was attempting, he protested, was both 'the disinheriting [of] the see of Derry of near £800 *per annum.* and destroying the constitution of our parliament', but he would never commit 'sacrilege or treachery by bartering the interests of the see of Derry and Ireland.'[33] For this reason he found it necessary to refuse the attempts of the Lord Chancellor to arrange a compromise on the grounds that it was 'a design to separate me from my friends and render us jealous of one another.' His case was now of national importance, and he would not, he promised his supporters, 'take any step in so ticklish a matter without the Lords' direction'. 'If I refused all proposals I should be blamed,' he explained to Lord Abercorn, in an attempt to appear conciliatory, yet 'if I accepted any that should be hurtful to the public I should neither be able to look my friends in the face or

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[32] King to Southwell, 16/7/98, TCD Ms. 750/1/249; King to Lindsay, 7/6/98, TCD Ms. 750/1/241-2; King to Annesley, 19/5/98, TCD Ms. 750/1/232-3; Annesley to King, 21/5/98, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.201-3.

[33] King to Moreton, 13/8/98, TCD Ms. 750/2/1/24; King to Tenison, 25/8/98, TCD Ms. 750/2/21-2; King to Annesley, 25/7/98, TCD Ms. 750/2/1/8; Same to Same, 29/8/98, TCD Ms. 750/2/1/23; Irish Court Society Minute, 6/9/98, ISCMB 1690-99, p.241, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.222.

enjoy myself.'[34]

With a view to raising the matter when the Irish parliament reconvened, therefore, he began to canvass support: '[t]will be necessary we should be all at the next session to do ourselves what justice we can,' he exhorted one prelate. He wrote in the same vein to another: 'I think as many Lords and Bishops as are in the kingdom ought to be present that the hardship or infamy may not fall on a few and the rest stand by.....' They 'must either do themselves and me justice', he insisted, 'or entirely submit their jurisdiction and be a cypher.....' Less than a week before the Lords and Commons assembled, hopeful that 'a rupture between the two kingdoms and our slavery' might yet be avoided, he was still impressing on various peers the urgency of their attendance: 'I suppose your Lordship is no stranger to the unhappy difference [that] is like to fall between the two kingdoms,' he enquired of one,

> 'this session of parliament is like to bring that matter before us and no less than our liberty depends on it. 'Tis our affair that requires both great prudence and temper, and all the skill and management we can apply will be little enough to prevent our miscarriage.'

All to whom he wrote were 'entreated' to attend 'in so critical a time,' especially since 'the want of one vote..... may ruin a kingdom.' For this reason he was encouraged to find that many were of the opinion that they should 'reflect on nothing that England has done, bury it in oblivion and do whatever the king

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[34] King to Annesley, 31/5/98, TCD Ms. 750/1/237-8; King to Lindsay, 23/7/98, TCD Ms. 750/2/1/3; King to Lord Abercorn, 23/7/98, TCD Ms. 750/2/17(a); Ashe to King, 6/8/98, Lyons 579; Irish Society to Conolly, 8/9/98, Irish Society Letter Book 1688-1700, [hereafter: ISLB, 1688-1700], reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.222; Irish Society to Methuen, 1/10/98, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.223.

shall desire of them.'[35]

Aware of this, the government was forced to prepare for a session scheduled to convene in September 1698, in which the matter of the rights and privileges of the parliament was likely to dominate business.[36] His 'greatest apprehension,' Winchester confided in Shrewsbury, remained the probability that King would 'bring into the House of Lords of his not being put into possession according to their order'. To prevent this he had 'done and will continue to do all I can' to persuade him to drop the matter, including arranging a private meeting with him at the Castle. 'But', he conceded, he thought it 'hardly possible' that he would be successful.[37]

This was not the only matter causing the government concern. Another issue - one even closer to the hearts of most Anglo-Irishmen, and one which explained why so many in Ireland were anxious to see King proceed with his case - was occupying the attentions of many in the country. This was the attempt by the English parliament to impose legislation which restricted certain exports from Ireland. Indeed, it was this, rather than King's case, which attracted public comment, since it raised not only the constitutional issue of which parliament

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[35] King to Walkington, 31/5/98, TCD Ms. 750/1/238-9; Same to Same, 22/9/98, TCD Ms. 750/2/1/27; King to Moreton, 13/8/98, TCD Ms. 750/2/1/24; King to Simon Digby, Bishop of Elphin, 22/8/98, TCD Ms. 750/2/29; King to Southwell, 16/7/98, TCD Ms. 750/1/249.

[36] The King to the Lords Justices of Ireland (about the Dependence of Ireland upon England), 7/7/98, CSP Dom. 1698, p.339.

[37] Winchester to Shrewsbury, 27/10//98, HMC Buccleuch, ii, 2, p.617; Galway to Shrewsbury, 28/10/98, HMC Buccleuch, ii, 2, p.617-8; Irish Society to Lord Chancellor of Ireland, 1/10/98, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.223.

could act in this capacity, but also the question of who would control a growing Irish economy.

Although Irish exports to England had periodically aroused anger amongst many of the West country wool merchants, it was only in 1697, in the wake of a revaluation of English coin, that a serious effort was made to legislate against the Woollen industry in Ireland. The prorogation of the English parliament in April 1697 had meant that the proposals were not fully explored, however, although the Board of Trade was asked to review Anglo-Irish trade before both Houses reconvened. The implication was, nevertheless, quite clear: unless the Irish parliament devised some strategy to pre-empt English legislation in this area then the English parliament would do so when it reconvened. Irish politicians were, therefore, well aware of what was required of them as they prepared for parliament.[38]

In their opening speech to the Irish parliament on July 27, 1697 the Lords Justices had addressed the matter. Referring, not to the need to pass an Act imposing a duty of Woollen exports, but to its corollary, one to 'develop the Linen Manufacturing,' they had advised the members that the 'present occasion [was] so favourable to inviting and encouraging Protestant strangers to settle here,' that they could not 'omit',

> 'to put you in mind of it, especially since that may contribute to the increase of the Linen Manufacturing which is the most beneficial trade that can be encouraged in Ireland.'[39]

The urgency was well appreciated by the members. Within a few weeks Heads

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[38] McGuire, *Politics*, pp.127-133; John Cary, *Essay on the State of England in relation to its Trade*, London, 1695; idem., *A Discourse concerning the trade of Ireland and Scotland, as they stand in competition with the trade of England, being taken out of an Essay on Trade*, London, 1696 P. Kelly, 'The Irish Woollen Export Prohibition Act of 1699: Kearney re-visisted', in *Irish Economic and Social History*, 7, 1980, p.25, [hereafter: 'Kearney re-visited'].

[39] LJI, i, 27/7/1697.

of a 'Bill for the encouragement of the Linen Manufacture' had been drawn up and discussed by the Commons. This bill was approved and then forwarded to England for sanction, although it was not discussed in the House of Lords, allowing King to maintain that he 'neither saw the heads of that bill nor the instructions from England for it, so cannot say whether they came up to the ends proposed.' It was dismissed as 'inadequate' when it was studied by the Privy Council in England, however, and in mid-November it was rejected. King, aware of the need to circumvent legislation from England, was not happy with the 'frivolous' reasons given for this: 'it proceeded from the ignorance of our circumstances and the state of the country', he protested, although, he added sarcastically, 'everybody will understand our business better than they will allow us to do.'[40]

Whatever the reasons, the fact was that the Irish parliament had failed to produce legislation which satisfied English requirements. Thus, when the English parliament reconvened in December 1697 they had resumed their discussions on the restriction of Irish exports. But under the legislation now being contemplated raw wool and yarn would be added to the products affected. This reflected not only the determination of sectional interests in England to succeed, but the fact that opponents of the Whigs had seized on it as a means of embarrassing the ministry and the king with whom they were in dispute over the Standing Army. It was also a consequence of the tensions induced by Molyneux's book and King's case. The result was that the bill passed quickly through the English Commons.[41]

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[40] CJI, ii, 26/8/97; Shrewsbury to Galway, 30/8/97, HMC Buccleuch, ii, 2, p.543; King to Lindsay, 7/6/98, TCD Ms. 750/1/241-2; Kelly, 'Kearney re-visited', pp.22-4.

[41] H.F. Kearney, 'The Political Background to English Mercantilism 1655-1700', in *Economic History Review*, 2nd Series, xi, 1959, p.489; Kelly, 'Kearney re-visited', pp.22-4, 34-5; King to Lindsay, 7/6/98, TCD Ms. 750/1/241-2; Victory, *Colonial Nationalism in Ireland*, pp.29-31.

King was indignant at what was being proposed, believing it to be 'destructive to us' in both its economic ramifications and constitutional implications: 'if the parliament of England make laws for us at this rate they may likewise tax us and so beggar us when they please', he protested. To him this was the very essence of 'slavery' and had to be challenged. All the more alarming was the fact that the group which would benefit most from any increase in linen production would be those Ulster Presbyterians who already concentrated on the production of linen and flax. In the end the bill stalled in the English Lords and could not be passed before parliament was prorogued.[42]

In the interval between this and the reconvening of the Irish parliament the debate moved to the streets and coffee-houses. In December 1697, a pamphlet calling for the abolition of the Irish parliament and the imposition of heavy duties on Irish exports appeared. Written, most probably, by John Toland, and intended as revenge for his treatment by the Irish parliament earlier in the session, *A Letter from a Gentleman* drew a number of rejoinders.[43] One of these, possibly encouraged by King, and owing much to his analysis of the situation, came from his friend and confidant, Francis Annesley, with whom he was in weekly communication. Entitled *Some Thoughts,* this tract argued that, quite apart from the fact that 'as Englishmen' the Anglo-Irish were entitled to be 'governed by laws to which they have given their consent', it was actually in England's commercial and security interests to foster a vibrant economy and independent parliament in Ireland. Anything

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[42] King to Lindsay, 7/4/98, TCD Ms. 750/2/208; Kearney, *op. cit.*, pp.492-3; Sir Miles Cooke to Sir Joseph Williamson, 1/4/98, CSP Dom. 1698, p.173; Victory, *Colonial Nationalism in Ireland*, p.139.

[43] King to Southwell, 6/1/98, Egerton Ms. 917, pp.151-4; [John Toland], *A Letter from a Gentleman in the Country to a Member of the House of Commons; in Reference to the Votes of the 14th instant*, London, December, 1697; [Sir Francis Brewster], *An Answer to a Letter from a Gentleman in the Country to a Member of the House of Commons: on the votes of the 14th instant relating to the Trade of Ireland*, London, 1698.

which undermined this symbiosis, it contended, should be rejected as harmful to both of his Majesty's kingdoms and of advantage only to 'a corrupt court' such as that established by the Jacobites in France.[44]

When parliament re-assembled in Dublin in September 1698, therefore, in the wake of the judgement in King's case and these attempts at export restriction, the Irish government was determined to ensure that the legislation necessary to appease English opinion would pass. This would require a Woollen Bill to impose additional duties on Woollen exports as well as a Linen Bill to encourage their replacement. To this end, in their opening speech to parliament the Lords Justices pointedly recommended a bill 'for encouragement of the Linen and Hempen manufacture', since,

> '..... the settlement of this manufacture will contribute much to the people of the country and will be found much more advantageous to this Kingdom than the Woollen manufacture; which being the settled staple Trade of England from whence all foreign markets are supplied can never be encouraged here, for that purpose: Whereas the Linen and Hempen manufactures will not only be encouraged as consistent with the Trade of England but will render the Trade of this Kingdom both useful and necessary to England.'[45]

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[44] King to Annesley, 10/3/98, TCD Ms. 750/1/192-3; King to Southwell, 6/1/98, Egerton Ms. 917, pp.151-4; Victory, *Colonial Nationalism*, pp.31-5; Doyle, *Parliament and Politics*, pp.273-6; [Francis Annesley], *Some Thoughts on the Bill, Depending before the Right Honourable the House of Lords for Prohibiting the exportation of the Woollen Manufactures of Ireland to Foreign Parts*, London, 1698. The question of King's involvement in the writing of *Some Thoughts* is discussed by Kelly in 'Kearney re-visited', pp.34-5, especially footnote 47. See also idem., 'A Pamphlet attributed to John Toland and an Unpublished Reply by Archbishop William King', *Topoi*, 4, 1985, pp.81-90, in which Kelly demonstrates that a letter by King to Southwell in January (see King to Southwell, 6/1/98, Egerton Ms. 917, pp.151-4), which adopts many of the points argued by the author of *Some Thoughts*, may also have been intended for publication.

[45] The King to Lords Justices of Ireland, 7/7/98, CSP. Dom. 1698, p.339; LJI, i, 27/9/98.

King was neither impressed with the logic, nor convinced that the promised long term benefits of such a change would ever actually accrue to the country. Having just returned from a summer in Bath, from whence much of the west-country agitation for control of Irish woollen exports was emanating, he was acutely aware of the potential for similar campaigns on the part of other sectional and regional interests in England: 'the Linen Manufacturing will be complained of by England as the Woollen,' he predicted,

> 'for 3/4 of all the yarn of Ireland is sent into England..... and *quere* will England permit it? Shall we not have as many petitions on that account from the Linen weavers as now from the clothiers or herring fishers. There is a Lancaster in England as well as a Yarmouth or Worcester.'

Coupled with the English Lords recent declaration of judicial supremacy, he was unhappy that the government's policy seemed designed merely to facilitate English designs to subsume Irish interests totally to its own: 'I see no remedy in this case', he wrote gloomily,

> 'but to allow us to transport nothing and so I was told near 6 years ago by a great man in the House of Commons, that we should be allowed to eat our potatoes, but should not look at the sea, though in time perhaps we may be forbid the use of them as hindering our taking off some commodities from England. For my part, I value nothing can be taken from me without my consent.....'[46]

Tension in the Lords over appellate jurisdiction was complemented in the Commons by the sensitivities of the members on the question of 'sole right'. A Woollen Bill would involve raising an additional duty, and the opinion of the House was that this equated to granting supply. Only when the government allowed them to prepare Heads of such a bill did the members agree to proceed. By mid-October the Commons had approved Heads of a Bill for an

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[46] King to Lindsay, 13/5/98, TCD Ms. 750/1/229-30; King to Annesley, 16/7/98, TCD Ms. 750/1/248; Same to Same, 3/9/98, TCD Ms. 750/2/1/26.

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additional duty on Woollen Manufacture which had been sent to England for approval. Although the duties imposed were substantially less than the 43% sought by the Board of Trade, it was quickly endorsed by a London government anxious to see the matter resolved with a minimum of rancour.[47]

The fate of the Linen Bill, which the government had introduced at the commencement of the session, was quite different. Having been passed to committee in the Commons it had suddenly lapsed.[48] King suggested several possible reasons for this, with all of which he was broadly sympathetic: 'It was', he noted,

> 'very voluminous, the transcript containing some 14 skins of parchment. [Secondly] the multitude of offices erected by it and [thirdly] great taxes to be raised on the country were such that the parliament does not venture to pass it into a law..... [fourthly] the bill seemed impractical and [fifthly] it does not yet appear whether Ireland be capable of much greater improvement in the Linen trade than it already has.....'

These, however, were only peripheral considerations. In fact the bill had also been plagued throughout by the 'sole right' issue. It was this, King believed, which was 'at the bottom of the rejection.'[49]

The progress of the Woollen bill was much less contentious since it had originated in the Commons and been approved by the English Privy Council.

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[47] Winchester to Shrewsbury, 27/10/98, HMC Buccleuch ii, 2, p.617; Privy Council to Lords Justices of Ireland, 13/10/98, HMC Buccleuch ii, 2, p.616; Same to Same, 18/10/98, HMC Buccleuch ii, 2, p.617; Galway to Vernon, 12/1/99, CSP Dom. 1699-1700, p.17; Kearney, *op. cit.*, p.493-4.

[48] Lords Justices of Ireland to Shrewsbury, 10/10/98, HMC Buccleuch ii, 2, p.615; Lords Justices of Ireland to Somers, 10/10/98, HMC Buccleuch ii, 2, p.615-6; Winchester to Shrewsbury, 27/10/98, HMC Buccleuch ii, 2, p.617; Lord Chancellor Somers to Shrewsbury, 25/10/98, *Shrewsbury Correspondence*, p.557; Doyle, *Parliament and Politics*, pp.286-296.

[49] King to Southwell, 2/2/99, TCD Ms. 750/2/44-47; W. Palmer to James Vernon, 3/1/99, CSP Dom. 1699-1700, p.3; Galway to Vernon, 3/1/99, CSP Dom., 1699-1700, pp.2-3.

But officials were leaving nothing to chance. King was indignant at government tactics:

> 'the Lords Justices..... intimated the misfortune that our proceedings in the Woollen Manufacture bill was not so forward as to be likely to pass this session..... therefore their lordships thought they could not better express their great concern for us than by sending us a Bill in form which was transmitted for the purpose from England, whereby the parliament of England would see that we were in earnest in that affair.'

This reflected the more punitive measures which Sir Edward Seymour, Tory leader in the English Commons, was proposing to introduce once the English parliament reconvened. With this threat concentrating members minds, therefore, the Woollen bill duly passed the Commons on its return from England, and was handed to the Lords on January 17 where it was assigned to a committee of 9 members, of which King was chairman. Two days later, although deeply unhappy at what was being enacted, yet conscious that 'we..... could not throw out the tax on woollen manufactures', he reported to the House that the bill was in accordance with the draft that had been returned from England and as such could be approved. It was passed that same day and given the royal assent one week later.[50]

The debates on the Woollen and Linen bills had enabled the members of the Commons to give full vent to their anger on the various constitutional issues which concerned them, particularly 'sole right'. In the Lords, where King acted as a catalyst, the members' grievances focused on the question of judicial supremacy, King having decided to seek both a review of the English Lords decision in his case and an investigation into why the Irish Lord's order of September 1697 in his favour had not been enforced by the authorities. He

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[50] LJI, i, 19/1/99, 26/1/99; King to Annesley, 3/2/99, TCD Ms. 750/2/1/68-9; King to Southwell, 2/2/99, TCD Ms. 750/2/44-47; Palmer to Vernon, 3/1/99, CSP Dom. 1699-1700, p.3; Somers to Shrewsbury, 25/10/98, *Shrewsbury Correspondence*, p.557.

was careful not to press matters himself: 'I agreed to everything that was proposed by the Chancellor and Government,' he informed the Archbishop of Canterbury innocently, 'for though I believed nothing was intended but gaining of time to defeat me, yet that blame might not be on me I agreed to the terms.' As a result the government 'did not bring my complaint into the House of Lords till near full five weeks after the beginning of the session.' In fact, King reckoned, it would not have been brought in at all if the government had not made a serious miscalculation in indicating to the House that an early prorogation was intended: 'This made the Lords fierce,' he explained,

> 'and the Chancellor used all possible arts to put them off, which provoked them the more and at last they threatened to pull him off the wool-sack if he did not immediately put the question....."[51]

Those who had promised King that they would attempt to 'bury in oblivion' the judgement of the English Lords were true to their word. In the face of increasingly desperate attempts by the government to see the matter 'accommodated', they demanded adequate time to address the various issues involved. This led first to a review of why the order they had granted to King over a year previously restoring him to the lands in question had not been executed. On November 2 they decided that the sheriffs of Londonderry were in contempt by not enforcing their writ. The offending officials were immediately ordered to be taken into custody.[52] But despite this, King found that he still 'could not get an order for possession'. 'Several debates arose

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[51] King to Tenison, 7/12/98, TCD Ms. 750/2/34; King to Annesley, 7/12/98, TCD Ms. 750/2/35-36; Irish Society to Lord Chancellor of Ireland, 17/11/98, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.228.

[52] LJI, i, 2/11/98; King to Annesley, 6/6/98, TCD Ms. 750/1/240; Cox to Ormonde, 13/5/97, HMC Ormonde Ms. viii, pp.35-6; Yard to Williamson, 7/12/98, CSP Dom, 1698, p.419; Luttrell, *op. cit.*, 1/12/98, iv, p.457; Col. John Livesey to King, 8/11/98, Lyons 582.

about it', he recalled, '[and] all [that] could be done was done against me', the Lords Justices, he suspected, canvassing several peers and 'influencing them the other way'. In an incident which exacerbated the situation, King, as he left the House of Lords, was served with a copy of the English Lords order by David Cairnes, the Society's agent in Ireland, and a member of the Commons. The Lords 'resented' this action 'very much,' King noted when he reported the matter to the House the following day, with the result that they 'ordered me possession immediately, being fully satisfied that both they and I had been abused.' Although they made no outright declaration of their own authority, this was a clear demonstration by the Irish Lords that they would not succumb to English pressure, the implication of their refusal to acquiesce in the English Lords order being that English claims were not recognised.[53]

With both Houses of Lords claiming *de-jure* supremacy, it was becoming increasingly obvious that much would depend on which House managed to have its order enforced. Implementation of the respective orders was complicated, however, by the fact that supporters of both factions were now tenants on various parts of the disputed lands. In King's favour was the fact that Lord Massarene, heretofore a supporter of the Society, had indicated his willingness to enter into a lease of part of the lands at Termonderry with the see.[54] But against this, the predominantly Presbyterian Corporation was ensuring that the bulk of those who remained in possession were loyal to the

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[53] King to Tenison, 7/12/98, TCD Ms. 750/2/34; Yard to Williamson, 22/11/98, CSP Dom. 1698, p.419; Same to Same, 29/11/98, CSP Dom. 1698, p.241-2; LJI, i, 18/11/98, 19/11/98; Secretary, Irish Society to David Cairnes, 13/10/98, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.214.

[54] Irish Society Court Minute, 19/1/99, ISCMB 1690-99, p.250, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p240; Irish Society to Londonderry Corporation, 19/1/99, ISLB, 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.240.

Society.[55] Thus, when officers instructed by the Irish Lords attempted to restore King to possession the majority of the tenants refused to budge: they 'kept possession by order of the House of Lords in England and for the Society,' they declared defiantly. Charles Norman, King's agent, reported that he had been 'met with all imaginable scorn and contempt' and that the tenants had threatened that 'the first man that entered should die'. The Irish Lords reacted with a warrant for the arrest of those involved. They also directed that another attempt be made to gain possession for the bishop. But when Norman and several soldiers returned to enforce this they met again with 'great opposition' and only managed to recover one small area of the disputed property.[56]

These events confirmed that while the Irish Lords might claim authority, their writ did not run since they could not enforce it effectively. But, likewise, the English Lords were dependent more upon the support of the Corporation and a recalcitrant tenantry than upon the sway of their own proclamations.[57] Sensing a stalemate the Irish administration renewed its efforts to arrange a settlement, the fact that the Society had indicated that the insubordination of the Irish Lords would be raised at the forthcoming session of the English parliament making it all the more urgent. Lord Justice Galway

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[55] Henry Ashe, Alderman of Derry Corporation, to King, 2/11/97, Lyons 548; C. R[_____] to King, 5/11/97, Lyons 550; Irish Society to Londonderry Corporation, 19/1/99, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.240; Same to Same, 21/2/99, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.243.

[56] Norman to King, 29/11/98, Lyons 584; Same to Same, 9/12/98, Lyons 586; R. Yard to Williamson, 9/12/98, CSP Dom. 1698, p.425; Irish Society to Lord Chancellor of Ireland, 17/11/98, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.228; Col. John Livisey to King, 6/12/98, Lyons 585; Robert Hamilton to King, 13/12/98, Lyons 587.

[57] Irish Society to William Dowoson, Patrick McKie, and John Allan, 21/2/99, ISLB 1688-90, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.243.

wrote to Secretary Vernon in January 1699, wondering if the Society might be persuaded to compromise: 'If we could induce the Society to be moderate,' he proposed,

> 'I believe we might come to some arrangement and perhaps this unhappy business might be laid to rest if the English Lords received no petition against the proceedings of our Lords.'[58]

But by this stage the prospects of arranging an accommodation were remote indeed. King, in particular, was little inclined to deal with a government which he blamed for his inability to obtain possession of the lands in the first place. The English Lords had only been able to push their claim thus far, he believed, because of the 'timorousness' of both the Irish judges and the executive. He was encouraged in this stance by Annesley: 'the affair here makes a very great noise and the Society threaten mighty matters against your lordship, against your jurisdiction and every one concerned therein,' he informed him from London. But, he added,

> 'I am of opinion that your House should do something to assert their rights against all pretences whatsoever. I cannot see how the Lords here can enforce their power with ye there ..... unless they prevail upon the king to get the government to put their orders in execution, which I believe they can hardly do.'[59]

The English Lords had no intention of appealing to the king to enforce a prerogative which they believed to be theirs as of right. Indeed William, acutely conscious of the need to protect his own prerogative, had, in a step to which King would attach great significance, already shown himself less than supportive when petitioned by the Lords for his assistance in having those who

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[58] Lord Galway to Vernon, 12/1/99, CSP Dom 1699-1700, p.17; *Memorandum headed 'Proposals..... for putting a final end to all difference between the Society and the Bishop of Derry'*, ISCMB 1690-99, pp.272-3, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.221.

[59] King to Bishop of Worcester, 3/2/99, TCD Ms. 750/2/47-8; Annesley to King, 20/12/98, Lyons 588; Somers to Shrewsbury, 25/10/98, *Shrewsbury Correspondence*, p.557.

opposed their order arrested. As a result, when they reconvened, the English Lords and Commons immediately returned to the matter of the restriction of Irish exports. Seymour's bill was re-introduced, this time with the full support of the Board of Trade and many others indignant at William's disposal of several forfeited estates in Ireland. With little opposition, the bill, which King denounced as an attempt 'to beggar us', passed both houses.[60]

The members then turned their attentions to the refusal of the Irish Lords to concede on the question of appellate supremacy. King was singled out as the undoubted fomenter of Anglo-Irish defiance. On March 29 he and some of the officers who had attempted to enforce the Irish Lords' writ were ordered to be arrested and 'brought over in custody to appear at the bar of this House.'[61] Southwell, writing from London to convey this to King, advised him not to be too concerned: the 'rigour of the custody' would not be carried out, he told him, and, indeed, once parliament was adjourned, might well be dropped. He was even hopeful that, if the House ever considered the merits of the actual case, King would be granted possession. However, on the question of judicial supremacy he was not so optimistic: 'Nothing seems more popular here than to run down everything that concerns that poor country', he informed him,

> '..... Now as to the jurisdiction of the Peers there I find few so moderate as to allow them a first appeal, but still that a *Dernier*

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[60] Flaherty, *op. cit.*, p.610; King to Annesley, 3/9/98, TCD Ms. 750/2/1/26-7; Annesley to King, 20/12/98, Lyons 588; King to Bishop of Worcester, 3/2/99, TCD Ms. 750/2/47-8; Doyle, *Parliament and Politics*, pp.404-6; Kelly, 'Kearney re-visited', pp.40-1.

[61] Southwell to King, 29/3/99, Lyons 600; Same to Same, 28/3/99, Lyons 567; *Order of English House of Lords*, 29/3/99, Ellis Ms. 266, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, pp.263-4; The Duke of Ormonde and seven other peers dissented from this Order: Luttrell, *op. cit.*, iv, p.500; Sloan to King, 27/4/99, Ellis Ms., 258, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, pp.245-7.

> *Resort* ought here to be centred as by inherent right..... Neither the Church or [sic] your Lordship will be able to attain your quiet from any power on that side but that it must depend from the powers on this. And that whatever struggles or remonstrances the Peers of Ireland may make, yet the weakest will at last go to the wall. I well know that your Lordship cannot in honour make any voluntary step to weaken the authority of your Fellow Peers and that it must turn to your honour that you suffer for them.'

To Derry, where King had retreated, another correspondent sent details of an orchestrated campaign of disinformation by various 'backbiters': 'Every one that comes from London are full of the anger that is against your Lordship there', he wrote,

> '..... your free, plain temper has made you some enemies and though they are to be despised and to a person at liberty of no ill consequence, yet to your Lordship, attacked by the City of London and misrepresented to the House of Lords in England, they will strengthen your accusers.....'[62]

With parliament adjourned soon afterwards, the ministry decided to intervene. Southwell, writing for the third time in as many weeks, informed King that the government 'would be glad of a good expedient to extinguish this matter', and advised him to co-operate: 'I cannot yet learn of any steps made towards a final resolution', he told him,

> 'and the cloudy state of things would persuade me that none will be taken 'till the next session draws near and that the interim [will] help our Ministers to better views..... For though that country be run down upon every occasion whether as to its prosperity or jurisdiction and is going to be controlled by laws framed on this side, yet since a parliament will be there thought needful while such an Army is to be supported, surely your Lordship's ill treatment cannot be thought the way either to open purses or to unite their minds.'

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[62] Southwell to King, 1/4/99, Lyons 601; Same to Same, 26/4/99, Lyons 606; Same to Same, 4/5/99, Lyons 607; King to Galway, 24/3/99, TCD Ms. 750/2/1/74-5; Captain Corker to King, 13/4/99, Lyons 602; Same to Same, 20/7/99, Lyons 603; Southwell did inform King, however, that if he did travel to Bath to recuperate he would not be arrested: Southwell to King, 6/7/99, Lyons 616.

He himself was sympathetic to the predicament in which many in Ireland found themselves: he took exception to those who portrayed matters 'as if the people of Ireland had a mind to shake off all dependence'. 'But alas!', he concluded,

> 'how has this dependence been hitherto preserved or can ever be in future but by cherishing and not crushing those English Protestants who have nothing on this side [of] paradise to adhere to but old England. And while these desire only to be governed by the Ancient Forms it has been to my admiration that the ministers have not more struggled to confine all the preparation of laws for that kingdom to his Majesty's approbation in Council where everything can be shaped or altered but the very title of the bill sent over; whereas if the laws shall be framed here nothing will be left to his Majesty but a final negative.'[63]

In a sense Southwell had highlighted many of the weakness in the Irish claim. King might well fulminate about the English parliament being no more capable of legislating effectively for Ireland than he was 'to fly to the moon', but the truth was that the Revolution settlement in England had so modified the relative powers of crown and parliament that appeals to 'Ancient Forms' counted for little in the face of a resurgent legislature. Ironically, however, and Southwell may well have been aware of it, King, encouraged by William's stance thus far, had been contemplating petitioning the king directly for some time, having heard that the Society had made their own *Representation* to him. This was despite frantic efforts on the part of Methuen, Archbishop Tenison, Bishop Ashe, Lord Berkeley and William Conolly to arrange one final attempt at mediation. One acquaintance, Henry Langford, was particularly forceful in his warnings about the potentially disastrous consequences of any attempt by King to embroil William in the dispute:

'I am afraid that the king will not screen you if the Lords of

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[63] Southwell to King, 26/4/99, Lyons 606; King to Tenison, 16/4/99, TCD Ms. 750/2/1/85.

> England should continue their displeasure for 'tis observed that he never opposes even his favourites' interest when attacked by parliament and your petition, being a kind of appeal from the Lords of England to the king, may incense them more. And I am likewise afraid it may offend the Lords of Ireland when they sit in parliament, if done without their consent, especially if the least thing be omitted.'[64]

King, who followed his friends' advice on this occasion, had been driven to considering such a course by the increasing success of the Society in enforcing its order for possession.[65] He had been unable to obtain an injunction against their evicting several tenants loyal to him and this had enabled them to secure possession of more of the disputed lands. Nor had the English Lords relented. When they reconvened in late 1699 they immediately moved to enforce their order to have King arrested and brought to London. His friend, Bishop Ashe was despatched by Methuen to see if anything could be arranged, but to no avail.[66] He would have complied earlier but for the 'circumstances of my health', King informed him. 'It has pleased God' he wrote, impudently, to the Earl of Jersey,

> 'to afflict me for a long time with a painful distemper in so much that it is beyond my own expectation and my friends that I am alive..... and for me in my present case to undertake a journey

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[64] King to Burridge, 13/7/99, TCD Ms. 1489/1/25-6; Sloane to King, 27/4/99, Ellis Ms. 258, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.244; Methuen to Vernon, 10/6/99, CSP Dom. 1699-1700, p.223; Tennison to King, 5/10/99, Lyons 626; Capt. William Burgh to King, 10/10/99, Lyons 627; Ashe to King, 4/12/99, Lyons 647; Henry Langford to King, 16/11/99, Lyons 641.

[65] *Order of the Lord Chancellor of Ireland for possession*, 15/7/99, Ellis Ms. 259, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.248; Capt. Samuel Lovell to King, 21/10/99, Lyons 628; Deposition of Henry Green, 1/7/99, Ellis Ms. 261, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.250.

[66] King to Narcissus Marsh, 14/11/99, TCD Ms. 1489/1/85-6; Jersey to Lord Justice of Ireland, 5/12/99, CSP Dom. 1699-1700, p.310; Ashe to King, 4/12/99, Lyons 647; Same to Same, 22/12/99, Lyons 653; Methuen to Vernon, 10/6/99, CSP Dom. 1699-1700, p.223.

were in effect to throw away my life."[67]

His excuse was accepted by a government anxious to see an end to the affair. In fact, the adjournment of the English parliament and the subsequent prorogation of both parliaments reduced tensions noticeably. It also placed responsibility for resolution of the affair into the hands of an administration determined to see it brought to a speedy conclusion.[68]

In spite of this, King steadfastly refused to compromise. Early in 1700 his chances received an unexpected boost when the Society failed in an attempt to obtain an injunction to force the removal of the few remaining tenants still loyal to him.[69] In the wake of this decision it was apparent that neither side would ever be able to enforce absolute possession. For two years the matter remained unresolved, in spite of a variety of initiatives by both governments and the two parties.[70] King even made arrangements to have it brought before the Irish Lords whenever parliament reconvened. But then, in early 1703, with King's elevation to the Archbishopric of Dublin, the impasse was finally

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[67] King to Jersey, 15/12/99, Ellis Ms. 270, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.266; Henry May to King, 14/12/99, Lyons 652.

[68] Lord Jersey to Lords Justices of Ireland, 16/1/00, CSP Dom, 1699-1700, p.358; Same to Same, CSP Dom. 1699-1700, p.326; Luttrell, *op. cit.*, iv, p.602; *Order of English House of Lords*, 11/1/1700, Ellis Ms. 270, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.267. The Society's information was that King was actually in robust health and they pressed for him to be brought to London: Irish Society to Mogridge, 10/2/00, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.269.

[69] Ashe to King, 10/2/00, Lyons 548; Dominic Heyland to King, 23/5/00, Lyons 689; Irish Society to Mogridge, 2/3/00, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p. 271; Same to Same, 6/4/00, ISLB 1688-1700, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p. 271.

[70] James Somerville, Attorney-at-Law, to King, 20/5/01, Lyons 803; Annesley to King, 12/9/02, Lyons 939; Dean Bolton to King, 4/10/02, Lyons 946; King to Rochester, 5/1/03, TCD Ms. 1489/2/132-5; Irish Society to Cairnes, 15/9/02, ISLB 1700-08, p.183, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.428; *Draft state of the case between the Bishop of Derry and the Irish Society*, January 1703, Ellis Ms. 272, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii,* p.431.

broken. In King's successor, Charles Hickman, the Society found a less litigious prelate and a man willing to seek an accommodation.[71] With compromise on both sides the question of title was finally resolved by a private Act of the English parliament in December 1704.[72]

While the question of title may eventually have been resolved, the constitutional issues which the case had generated were far from settled. King's original intention in undertaking the litigation had simply been to secure the property rights of the church. It would prove an added bonus if, by denying them control of part of the borough, the circumstances also allowed him to frustrate repeated Presbyterian efforts to control the Corporation of Londonderry. But once the Society had lodged an appeal to London it had assumed a significance far beyond anything King could have envisaged. Along with Molyneux's book, it had provided a catalyst for the expression of both the resentments and the political aspirations of the Anglican political nation.

In the attempts by the Anglo-Irish to assert their claims to be the inheritors of an independent parliamentary tradition a number of themes can be discerned. The first was the belief that 'as Englishmen' they were entitled to be

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[71] *Archbishop King's petition to Irish House of Lords*, [Draft], 1703, Ellis Ms. 274, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.473; Conolly to King, 6/3/03, Lyons 1001; Bishop Hickman to King, 4/5/03, Lyons 1015; Francis Neville to Hickman, 8/4/03, Ellis Ms. 275, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.475.

[72] 3 & 4 Anne c.I, 1704; Luttrell, *op. cit.*, v, p.483; *Irish Society's deed in favour of Bishop of Derry*, 11/5/05, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry, ii*, p.502. King was unhappy at the arrangement entered into by Hickman, believing it to be prejudicial to the property rights of the church. For a time he considered raising the matter in parliament: Robert King to King, 24/3/05, Lyons 1145. Under the terms of the Act the Society was granted all of the Bishop's fishings and tithes of fish while the Bishop received the Quarterlands plus £200 *per annum* from the Society.

governed by a parliament in which they were represented. This was a notion employed by Molyneux, Dopping and others. King would also use it, albeit less frequently. In a letter to Southwell, for example, he expressed the hope that 'the English who came into Ireland and extended English dominion did not thereby forfeit the liberty of Englishmen, i.e., being governed by laws to which they have given their consent.' If it were otherwise, he insisted, it would amount to slavery. It was, nevertheless, a concept with which he was far from comfortable, not only because he saw that it could be satisfied by a union between England and Ireland, whereby the Irish parliament would be subsumed into a parliament based at Westminster, but also because appeals to notions of 'Englishness' held little appeal for him. The son of a Scottish Presbyterian emigrant, he had neither the emotional nor familial bonds to England that were so real for many Irish Anglicans.[73]

The second theme to emerge was that of Irish institutions, particularly parliament, as repositories of various rights and privileges, derived not from concessions on the part of the English parliament, but the gracious endowments of the crown. This was a notion with which King was far more comfortable. Indeed, on every occasion that he argued the integrity of an Irish kingdom, he would pursue it on this point. To him, precedent and common law, the twin pillars upon which claims of Irish parliamentary independence were constructed, seemed far more dependable and tangible reference points that the concept of natural right with which others such as Molyneux, and later Swift, appeared more comfortable.

The extent of King's patriotism at this early stage in its development is less easily discerned. He was a 'patriot' in the sense that he believed Ireland to

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[73] King to Southwell, 6/1/98, Egerton Ms. 917, fo.153; Victory, *Colonial Nationalism in Ireland*, pp.33-7.

be a separate kingdom, subordinate, not to the English parliament, but to the crown from which it traced its autonomy and privileges. As his later consideration of the advantages of union would confirm, however, he was not committed dogmatically to an independent Irish parliament *per se*. In fact, his principal reason for supporting the cause of the Irish parliament, at least at the outset, was that he believed it offered the most effective means by which the Church of Ireland, indeed Anglo-Irish society as a whole, might be shielded from an avaricious, republican and religiously suspect English parliament. He was unhappy that the events of the previous few years had diminished the appellate authority of the Irish parliament since this amounted to an 'unravelling [of the] foundations' upon which Anglo-Irish society had come to depend. But he was relieved that the English parliament had been unable to enforce its writ. This left the possibility of the kingdom, with the assistance of the king, re-asserting its privileges at some time in the future.[74]

But, unlike Molyneux, whose enduring legacy was that part of *The Case of Ireland Stated* which attempted a vindication of Ireland's parliamentary rights on the basis of Locke's idea of natural right, King would pursue the re-assertion of the judicial authority of the Irish Lords on the basis of precedent and the interest of the monarch in protecting the original compact between the kingdom and Henry II. And because his was to be the commanding presence in the various constitutional struggles of the next twenty years, it was these notions which come to underpin Irish claims to legislative and judicial sovereignty. In 1720, however, precedent and the monarch's protection would both be shown to be inadequate in the face of an increasingly dominant British parliament. It was only at this point that the deficiencies in King's ideology and strategy would be exposed. By clinging to notions of precedent and dual-

[74] King to Burnet, 2/1/99, TCD Ms. 750/2/1/38.

monarchy he would be shown to have retarded the development of a more mature framework for Anglo-Irish political aspirations. It was Swift, and not King, who would prove the true inheritor of Molyneux's ideas and form the link between the latter and the patriots of the later eighteenth century.[75]

[75] See Victory, *Colonial Nationalism in Ireland*, pp.222-6.

CHAPTER 5

1700-1707: '...the promotion of God's glory and the restoring of discipline...'[1]

In the wake of the reaction to Molyneux's book, the English Lords decision in King's case, and the English parliament's mercantilist legislation, the determination of the Anglo-Irish not to be disadvantaged by virtue of Ireland's constitutional position came to be expressed in calls for union with England.

King was one of those who explored the possibility. Although never fully convinced of its merits, on at least four occasions he felt compelled by political and economic circumstances to consider it as a solution to the increasing subjugation of the Irish economy and parliament. However, in spite of attempts to appear enthusiastic, nothing could disguise the fact that union was always a course which was less attractive to him than the re-assertion of an Irish kingdom and parliament subordinate to the monarch alone.

While the regular canvassing of union with England meant that King did have the opportunity to air his opinion on constitutional issues during these years, this period was more remarkable for his various ecclesiastical involvements. These ranged from holding ecclesiastical courts in remote corners of his diocese, to attending Convocation, to sponsoring legislation in the English parliament. It was a display which was to culminate in his

[1] King to Dean Synge, 26/1/05, TCD Ms. 750/3/1/67.

elevation to the Archbishopric of Dublin in 1703, a position which was to allow him to become even more involved than before in the affairs of both church and state.

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King had spent the best part of the previous two years away from his diocese and he was determined to compensate for this prolonged absence. The prorogation of parliament in January 1699 allowed him to turn his attentions once again to the affairs of his see. He was, however, unable to depart for Derry immediately. For one thing he was required to remain in Dublin to deal with matters relating to his case. But he had also been struck by a recurrence of his gout. Nevertheless, in March, unwilling to remain away any longer, and against his doctor's advice, he made a brief visit north. The rigours of this trip and a twelve day return journey to Dublin in May, coupled with a cold contracted on the way, forced him to spend most of the month recuperating. In June, frustrated at his inability to spend any concerted period of time in his diocese he decided to forego a planned trip to Bath and set out instead on an arduous and painful trip north. He arrived in Derry late in the month, determined to devote himself to the affairs of his diocese.[2]

Over the course of the previous decade he had made considerable strides in resolving the problems of non-residence and pluralities. Nevertheless, abuses

[2] Southwell to King, 6/7/99, Lyons 616; King to Southwell, 1/7/99, TCD Ms. 1489/1/22-4; This prolonged absence from Dublin, coupled with a recurrence of his illness, led to another spate of reports that he had died while in Derry: Luttrell, *op. cit.*, v, p.73; Anne Parnell to King, 11/6/00, Lyons 694. It also led to rumours, discounted by those who knew him better, that he was about to marry: Jane Bonnell to King, 24/9/00, Lyons 724.

persisted as became apparent to him as soon as he resumed his practice of regular visitations: 'you may go today from the bottom of Inishowen to Donoughmore..... and not pass through one parish that has a resident rector', he complained to his Dean, seeking an explanation as to how this situation had been allowed to develop during his absence. He was well aware that the poverty of some rectors made it impossible for them to pay curates to reside in their cures. He also accepted that impropriations and impoverished benefices perpetuated the practice of holding pluralities. But he was scathing in his censure of those who could afford to employ curates yet neglected to do so, likening the practice to 'robbing on the highway'.[3] It was 'incumbent on them' to provide competent ministers to reside where they could not themselves attend, he insisted. Where ministers did make satisfactory arrangements he was wholehearted in his support: '[I] am mightily pleased with your resolution to undertake the cure of Dungannon', he told the Reverend Richard Crump,

> 'your three cures will then be mightily conveniently [sic] and you may personally have an eye over them. Kilman, the least of them, will pay two good curates and the other two will be a pretty good competency..... I heartily congratulate this thought to you and am glad of your resolution that a very little advantage of revenue shall not hinder the good of the church.'[4]

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[3] King to Bolton, 26/3/99, TCD Ms. 1489/1/158-160; Same to Same, 8/3/00, TCD Ms. 1489/1/157; Same to Same, 13/4/01, TCD Ms. 750/2/2/105; King to Lindsay, 13/5/98, TCD Ms. 750/1/229-230; Same to Same, 24/10/99, TCD Ms. 1489/1/76; Same to Same, 10/8/02, TCD Ms. 1489/2/70-1; King to Rev. R. Griffith, 8/1/01, TCD Ms. 750/2/2/45; Same to Same, 12/2/01, TCD Ms. 750/2/2/69-70; King to Burridge, 28/3/01, TCD Ms. 750/2/2/93.

[4] King to Robert Morgan, 7/4/02, TCD Ms. 1489/2/8; King to George Biris, 7/1/99, TCD Ms. 750/2/1/50; King to Bolton, 20/2/00, TCD Ms. 1489/1/132-3; King to Ashe, 2/3/01, TCD Ms. 750/2/2/81; King to Crow, 2/3/01, TCD Ms. 750/2/2/80; King to Griffith, 31/1/01, TCD Ms. 750/2/2/51-2; King to Archdeacon Roger Ford, 21/3/02, TCD Ms. 1489/2/37; King to Rev. Ralph Sherdley, 13/6/98, TCD Ms. 750/1/243; King to Rev. Richard Crump, 27/2/00, TCD Ms. 1489/1/144; King to Mr. Brett, 19/11/00, TCD Ms. 750/2/2/15.

Particularly galling for King was the fact that, in confronting these abuses, he encountered some of the most trenchant opposition from successive Deans of the diocese. His relationship with Dean Thomas Wallis, incumbent at the time of his arrival in Derry, was so fraught that by 1695 he had to publicly rebuke him on a number of counts, not least that he 'declared Dissenters to be no schismatics', 'declared against the necessity of episcopacy', and 'denied [me] to be his bishop'. In Wallis' successor, Coote Ormsby, King was appalled to discover that he would have to deal with a man whose character he found equally reprehensible. It was, he complained, 'a general misfortune', to have so 'ill principled and so ignorant' man in such a position of authority. The Dean 'behaved himself most like a madman', he informed an acquaintance on one occasion, 'utterly denies me to be his bishop, rails at me 3 hours at a time, resolves to pay me no respect, much less submission, and says to my face that I have no more to do with him than any lay lord.....' In 1699, King even had to defend himself against allegations of violence by the Dean, having learned through Southwell that Ormsby was at that moment busy in London accusing him of having attacked him with a verge while 'using very strange and passionate expressions'. What made it especially annoying was the fact that this was being widely circulated by the Society to his detriment. Although a letter to the Archbishop of Canterbury put the matter straight, King was angered at having been so 'ill used', and threatened Ormsby with prosecution for libel. When Ormsby died some months later King made no secret of his relief, praying that the man appointed to replace him would be more supportive of his attempts at reform.[5]

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[5] *Articles of Complaint against Dean Wallis*, [1695], Ellis Ms. 225, reproduced in Moody and Simms, eds., *The Case of the Bishop of Derry*, p.165-6; King to Sir John Coghill, 12/5/96, TCD Ms. 750/1/10-11; King to Tennison, 20/5/99, TCD Ms. 1489/1/4-

The man chosen, John Bolton, came highly recommended and King looked forward to a period of fruitful co-operation. But relations between the two men soon deteriorated. In requesting that he be allowed to retain his existing living at Rathoath, Co. Meath, the new Dean made a serious miscalculation. The prospect of one of his senior ministers perpetuating this practice was anathema to King. His aversion in this instance was heightened by the fact that the deanery was worth over £700 *per annum*. But, in spite of numerous letters from King, Bolton was not easily persuaded, citing the support of Primate Marsh and several senior bishops as well as some government officials for his stance: '..... though I cannot but applaud your Zealous endeavours', he began in reply to King's fourth letter on the matter in as many weeks, '..... yet I am not convinced that pluralities are so destructive to the Church..... [being] in some cases necessary'. But King was not to be thwarted, and after a lengthy correspondence in which he set out plainly his antipathy to what was being proposed Bolton eventually relented. It would, King opined, offer a good example to junior clergy.[6]

The consequence of this and similar stances on King's part, combined with his attention to the smallest detail in the running of his diocese, was that considerable strides were made in improving the pastoral care offered by the

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5; Southwell to King, 4/5/99, Lyons 607; King to Southwell, 1/7/99, TCD Ms. 1489/1/22-4; King to Bolton, 20/2/00, TCD Ms. 1489/1/132-3; King to Ashe, 11/8/99, TCD Ms. 1489/1/30-2; Same to Same, 13/2/00, TCD Ms. 1489/1/126-7; Ashe to King, 13/3/00, Lyons 672.

[6] King to Bolton, 20/2/00, TCD Ms. 1489/1/132-3; Same to Same, 1/3/00, TCD Ms. 1489/1/147; Same to Same, 8/3/00, TCD Ms. 1489/1/157; Same to Same, 26/3/00, TCD Ms. 1489/1/158-60; King to Ashe, 27/2/00, TCD Ms. 1489/1/144; Bolton to King, 17/1/00, Lyons 661; Same to Same, 12/3/00, Lyons 671; King to Marsh, 2/1/00, TCD Ms. 1489/1/114; King to Annesley, 18/2/00, TCD Ms. 1489/1/129; King to Richard Synnot, 23/2/00, TCD Ms. 1489/1/137; Ashe to King, 6/3/00, Lyons 669.

church in Derry. In fact, in spite of occasional bouts of despondency and continued difficulties with individual churchmen, King was generally satisfied that in the decade since his arrival progress had been made towards re-establishing the authority and security of the church throughout his see. In particular, he felt that the problem of pluralism had been redressed to a large extent. This not only meant that the pastoral integrity of the church was enhanced, but it also silenced those Presbyterian critics for whom this practice provided 'a continual argument in their mouth[s] against the established church'.[7] In addition to this he had managed to secure funds for the construction of several churches and glebe houses. He had also initiated a more rigorous training and examination of potential curates. Furthermore, he had arranged for several Gaelic speaking ministers to serve the large number of Scots who had arrived in his diocese. This not only ensured that those from a conformist background remained within the episcopal church, but also that some Gaelic speaking Catholics and non-conformists were brought within the fold.[8]

On his regular visitations through the diocese, which he viewed as one of the most potent mechanisms for imposing order, King had an opportunity to witness the extent of any improvements at first hand. His account of one

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[7] King to Richard Martin, 27/2/00, TCD Ms. 1489/1/147; Same to Same, 8/3/00, TCD Ms. 1489/1/157; King to Thomas Smith, Bishop of Limerick, 16/1/02, TCD Ms. 750/2/3/89; King to Bolton, 1/3/00, TCD Ms. 1489/1/147; King to Annesley, 21/7/02, TCD Ms. 1489/2/58; King to Ashe, 3/11/02, TCD Ms. 1489/2/113.

[8] King to Annesley, 31/1/00, TCD Ms. 750/2/2/52; King to Ashe, 22/1/01, TCD Ms. 750/2/2/50; John Campbell, Earl of Breadalbane, to King, 25/7/00, Lyons 707; King to Mossom, 1/9/02, TCD Ms. 1489/2/80; King to Parnell, 11/5/01, TCD Ms. 750/2/2/131; King to Marsh, 25/5/01, TCD Ms. 750/2/2/155; Rev. Daniel McLachline to King, 9/9/01, Lyons 831; Rev. David Bethune to King, -/10/99, Lyons 634a; Rev. Patrick Mc Lachline to King, 25/11/03, Lyons 1051.

circuit testified to the range of activities in which he involved himself: 'I came home Friday last from a parochial visitation through part of the diocese', he informed the Archbishop of Dublin in the summer of 1701,

> 'I visited twenty one churches and confirmed in nine; it held me employed twenty three days. I carried the consistory with me and prescribed penance to near an hundred people for one thing and another and ended several causes. I have yet another circuit containing about thirteen churches and had one before. I find this way of great use and would recommend it to all my brethren. I had great crowds of Dissenters everywhere and entertained them with a discourse, generally showing the no-necessity of a separation on their own principles..... truly since the first of June I have been every day more or less on horseback, excepting two or three days.....'[9]

References to his having 'entertained' Dissenters were becoming increasingly common. In his experience visitations had come to represent the ideal opportunity to evangelise in some of the more remote corners of his diocese, where isolated Anglican communities were in danger of being subsumed into the larger Presbyterian population. 'I have taken more than ordinary pains this circuit', he wrote to Bishop Ashe after one particularly arduous progress through the county,

> '[I] made all my own tenants attend me and many came with them so that the churches were generally full. I made some very long discourses to them insomuch that I had better have preached every day. The subject was the sin of making sects and the no-necessity of it. I examined all their pretences and showed them, if all true, they would not, according to scripture, justify a separation. They heard with great attention. I find what I said had a very good effect on many.'

At worst, he was of the opinion that such contact with churchmen would

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[9] King to Narcissus Marsh, 20/7/01, TCD Ms. 750/2/3/19-20; King to Synnot, 18/7/01, TCD Ms. 750/2/3/16; Same to Same, 10/7/01, TCD Ms. 750/2/3/17-18; King to Ashe, 25/7/01, TCD Ms. 750/2/3/32; Rev. Patrick McLachline to King, 30/7/00, Lyons 709.

'shame them [Dissenters] into civility and some sort of morality'. More often than not, however, he felt that the effect was to draw into the Anglican Church many who inclined towards Presbyterianism simply because the alternative had never been clearly presented to them.[10]

But King had other, less spiritual, reasons for making such extensive use of visitations. One was the opportunity which they offered to hold ecclesiastical courts, the remit of which included not only matters relating to tithes and ecclesiastical fees, but the punishment of blasphemy, immorality and heresy. For King the main significance of these courts was not the specific matters with which they dealt, but the fact that they offered one of the few mechanisms by which the authority claimed by both church and state might be seen to reach into life at a local level. In particular, they provided the means by which the various inconveniences which the law imposed might be inflicted upon Dissenters in remoter parts of the country.[11]

This mechanism was particularly attractive to those such as King who sought means by which Anglican claims of supremacy might be translated into tangible effect upon the lives of those who would otherwise remain largely immune to the provisions of the Act of Uniformity and the Test clause. This as far as King was concerned was more than just a matter of local significance: '[t]he question [was] not between the ministers and their parishioners', he explained to Narcissus Marsh, 'but between the church and Dissenters' as to which would ultimately 'prosecute the rules established by God, the church and

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[10] King to Ashe, 25/7/01, TCD Ms. 750/2/3/32-3; Bishop William Lloyd to King, 16/11/99, Lyons 512; King to Annesley, 6/4/03, TCD Ms. 1489/2/187.

[11] King to Wetenhall, 2/5/02, TCD Ms. 1489/2/25; King to Ashe, 25/7/01, TCD Ms. 750/2/3/32-3; Connolly, *Religion*, pp.176-8.

the kingdom'. To countenance any other arrangement would, he insisted, be to derogate local authority to schismatics.[12]

Of all of the intrusions which this practice facilitated none provoked greater resentment amongst Dissenters than that which allowed bishops operating in these courts to challenge the legality of marriages carried out by Presbyterian ministers. This power had as its basis the insistence by the Church of Ireland that, as both a religious and a civil contract, matters relating to marriage were its concern. Consequently any disputes over marriage or inheritance were properly the prerogative of ecclesiastical courts. The result was that such courts were often used to raise questions about the legitimacy of Presbyterian marriages. The pattern was that an Anglican wishing to penalise a dissenter for any reason would question the validity of that dissenter's marriage. The case would then come before the bishop on his circuit and, invariably, Presbyterian ministers who performed such marriages would be deemed to have contravened canon law, with the result that couples so wed were commonly indicted as 'fornicators'.[13]

In spite of growing opposition on the part of Whig ministers and with the wholehearted assistance of Ashe and Synge and others who viewed these courts as a crucial instrument of ecclesiastical and social authority, King

[12] King to Marsh, 14/11/99, TCD Ms. 1489/1/85.

[13] P. Kilroy, *Protestant Dissent and Controversy in Ireland*, Cork, 1994, pp.193-198; Beckett, *Dissent*, pp.116-123; King to Ashe, 25/8/99, TCD Ms. 1489/1/44; King to Marsh, 31/10/99, TCD Ms. 1489/1/78. Although such prosecutions usually proceeded with ease, Thomas Lawson, writing to King in November 1700, gave an account of one Presbyterian minister whose activities the church found very difficult to curtail mainly because of official connivance: Lawson to King, 30/11/00, Lyons 739. Marriages performed by catholic priests were recognised as valid by the civil law.

exploited the opportunities offered by this mechanism to the full. He rarely missed an opportunity to subject Dissenters to such hearings, denouncing the fact that 'the evil of clandestine marriage grows worse every day', while insinuating that over twenty thousand individuals were 'fornicators' as a result.[14] At one point Lord Deputy Galway felt compelled to publicly rebuke him for his over-zealousness, singling him out as the one who, more than any other in the kingdom, 'torments them about marriages'. It was a prelude to a concerted effort on the part of the government to have the remit of these ecclesiatical courts curtailed. Indeed, by 1702, this official pressure had become such that several of the bishops were persuaded to relent and to allow Dissenters to be 'under apprehensions from the civil magistrate rather than the clergy' in such matters. It was a loss of influence which they deeply regretted, however, and Synge and several others made their dissatisfaction public.[15]

When he was not travelling through his diocese, pursuing title to various

[14] King to Marsh, 20/7/01, TCD Ms. 750/2/3/19; Same to Same, 31/10/99, TCD Ms. 1489/1/37-8; Same to Same, 14/11/99, TCD Ms. 1489/1/85; Ashe to King, 28/10/99, Lyons, 632; King to Ashe, 12/1/00, TCD Ms. 1489/1/111; Same to Same, 25/8/99, TCD Ms. 1489/1/44-5; King to Francis Gwin, Secretary to Lord Lieutenant Rochester, 20/6/02, TCD Ms. 1489/2/45-6.

[15] Galway to Vernon, 24/7/99, CSP Dom. 1699-1700, p.241; King to Gwin, 20/6/02, TCD Ms. 1489/2/45-6; Synge to Wake, 20/8/03, Gilbert Collection 28; Reid, *The History of the Presbyterian Church in Ireland*, ii, Belfast 1867, pp.484-498; J. McBride, *A Vindication of Marriage as Solemnised by Presbyterians in the north*, 1702; Beckett, *Dissent*, p.116. Many churchmen were deeply unhappy at being forced to forgo such a power and several pamphlets on its importance to the authority of both church and state resulted. See, for example, [E. Synge], *An Answer to a vindication of Marriage*, Dublin, 1704, and [R. Lambert], *An Answer to a late pamphlet entitled 'A Vindication of Marriage as Solemnised by Presbyterians in the north of Ireland'*, Dublin, 1704.

church properties, or pestering local gentlemen into releasing impropriate tithes, King took advantage of this prolonged period in Derry to dabble in theology. In spite of the fact that his primary literary impulse was in this area, this was a new venture for him, all of his previously published works, with the exception of his sermons, having had their roots in the political concerns of the day. His chosen topic was the problem of evil. In formulating his ideas he read extensively, consulting not only theological works, but also the writings of Hobbes, Stillingfleet, Herbert, Bayle and Locke. Nor was his interest in the matter purely speculative. Convinced that Epicureans, Deists and other 'deniers of revealed religion' were making inroads into both church and society, he wanted to emphasise a basic Christian belief.[16] He also felt sufficiently confident of his own intellectual abilities to undertake such a challenge. The result was a large and notable philosophical tome, written in King's idiosyncratic Latin, entitled *De Origine Mali.*[17] He had commenced work on it in 1697 after some discussions he had had with Robert Southwell, to whom the book was subsequently dedicated. By early 1700 he had completed a preliminary draft. The following few months he spent correcting and amending the text in the light of comments and criticisms offered by several

[16] King to Browne, 2/2/01, TCD Ms. 750/2/2/66-8; Same to Same, 18/2/01, TCD Ms. 750/2/2/71-4; King to Cloyne, 19/7/01, TCD Ms. 750/2/2/164.

[17] William King, *De Origine Mali*, Dublin, 1702. On the advice of Southwell it was published by Benjamin Crooke, not Robert Clavell, King's regular publisher. A London edition was issued simultaneously while a German edition, published in Bremen, appeared in 1704. An English language edition, *An Essay on the Origin of Evil*, ed., Edmund Law, was published in London in 1731. Further editions of this translation followed in 1732, 1739, 1758 and 1781. It was still being used as a textbook by students at Trinity College in the latter part of the nineteenth century. (Quotations are from the English language edition of 1731.)

correspondents.[18]

King's thesis was that evil, which he defined as anything less than perfect good, was an inherent attribute of human nature. Only God, who was pre-existent, could be perfect. Man, being neither pre-existent nor independent, was, as a consequence of his imperfection, intrinsically prone to doing evil:

> 'God, though he be omnipotent, cannot make any created Being absolutely perfect, for whatever is absolutely perfect must be necessarily Self-existent..... An absolutely perfect Creature therefore implies a contradiction..... The Evil of Imperfection must therefore be tolerated in Creatures, notwithstanding the Divine Omnipotence and Goodness: for Contradictions are objects of no Power. God might indeed have refrained from creating and continued alone, Self-sufficient and Perfect to all Eternity, but his Infinite Goodness would by no means allow it; this obliged him to produce external things, which things, since they could not possibly be perfect, the Divine Goodness preferred imperfect ones to none at all. Imperfection then arose from the Infinity of Divine Goodness.'[19]

One of those who was particularly critical of this analysis was Peter Browne, Provost of Trinity College. Throughout 1701 the two men carried on a lengthy correspondence which highlighted their conflicting analyses of the issues raised by the existence of evil. The main difference between King and Browne centred on the role of free-will. King, while allowing for the role of human choice, traced the source of evil to the imperfection which was a characteristic of humanity. Browne, on the other hand, attributed evil to free choices made by man which were not dictated by any predisposition. Despite Browne's efforts King refused to amend his thesis.[20]

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[18] King to Ashe, 24/12/00, TCD Ms. 750/2/2/36.

[19] King, *An Essay on the Origin of Evil*, pp.81-3.

[20] King to Browne, 18/2/01, TCD Ms. 750/2/2/71-4; Same to Same, 11/3/01, TCD Ms. 750/2/2/84; Browne to King, 28/1/01, Lyons 753; Same to Same, 11/2/01, Lyons 759; Same to Same, 22/2/01, Lyons 763; Same to Same, 6/3/01, Lyons 770; Pooley to King, 4/4/02, Lyons 902; Same to Same, 4/11/02, Lyons 902; A.R. Winnett, *Peter Browne:*

Although this was King's first incursion into the realms of metaphysical speculation, when it appeared it excited considerable interest and controversy, being regarded for many years as a work of some importance. One enthusiast was sufficiently impressed to compare it to Pope's *Essay on Man*: 'This treatise has immortalised his [King's] memory', he opined,

> 'Pope has solved the origin of evil, *per saltum*, by saying, 'whatever is, is right'. The prelate has done it with a pen borrowed from an angel.'

In philosophical circles, however, the reaction was more critical. Both Bayle and Wolfius dismissed its analysis of human nature as over simplistic. It even attracted the attention of Leibnitz who devoted an entire appendix of his *Theodicée* to refuting it's main contentions. But King feigned indifference: 'Soon ripe, soon rotten', he retorted, dismissing such criticism as both reactionary and predictable.[21]

Nevertheless, the fact that such eminent philosophers had felt compelled to refute King's thesis testified to the fact that his contribution was at least considered worthy of their attention. This did not go unnoticed in London with Bolingbroke and several senior bishops indicating their satisfaction at this refutation of Deist teaching. At a time when the Archbishopric of Dublin had become vacant by the elevation of Narcissus Marsh to the primacy, these were important endorsements. It meant that his name was already on the lips of prominent government and church figures when deliberations as to a successor

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Provost, Bishop, Metaphysician, London, 1974.

[21] King to Browne, 11/2/02, TCD Ms. 1489/2/86; Southwell to King, 5/5/02, Lyons 909; Rev. Mark Noble, *Granger's Biographical History of England*, ii, p.103; C.S. King, *op. cit.*, p.41, footnote 4. For an assessment of King's powers as a philosopher see David Berman's Introduction to Archbishop King's Sermon on Predestination, in *Writings from the age of Swift*, ed., Andrew Carpenter, iv, Dublin, 1976, pp.7-27.

began. And, despite public protestations to the contrary, King was more than anxious to obtain this promotion. Indeed, he had already complained to Tollet that his knowledge of the province meant that he, rather than Marsh, should have been made primate. Nor was it a coincidence that he spent much of the latter part of 1702 in Dublin, determined not to be overlooked by virtue of his remoteness in Derry. He was encouraged by the support which he received from the Dublin clergy, taking it as a 'good omen' when he was elected by the Chapters of St. Patrick's and Christ Church as Administrator of the Dublin diocese pending an announcement of Marsh's successor.[22] To ensure that he remained in the minds of those who would decide the matter he made a point of opening a correspondence with the Lord Lieutenant, the Earl of Rochester, the most significant aspect of which was a hint of a willingness on his part to be less contentious in his dealings with the Irish Society. It was calculated to assure the government that his removal from Derry might open the way for a satisfactory settlement with the Society.[23]

His appointment as Archbishop of Dublin in February 1703, therefore, came as no great surprise. Those who supported endeavours to promote reform within the church were particularly encouraged. King himself, delighted to have secured such a prestigious post, looked forward to a long period of eminence and influence during which he could repeat the pattern of visitation, church building, evangelism and reform which had served him so

[22] Southwell to King, 5/5/02, Lyons 909; Same to Same, 10/5/01, Lyons 797; King to Weymouth, 12/2/03, TCD Ms. 1489/2/149; Bolton to King, 18/12/02, Lyons 968; Robert Dent to King, 20/12/02, Lyons 969; King to Tollet, 19/12/02, TCD Ms. 1489/2/125; Rev. David Jenkins to King, 22/12/02, Lyons 970.

[23] King to Rochester, 5/1/03, TCD Ms. 1489/2/95-6; Same to Same, 9/2/03, TCD Ms. 1489/2/148-9; Same to Same, 2/3/03, TCD Ms. 1489/2/166.

well in Derry. He was confident that he enjoyed the support of the majority of clerics in this regard. His only worry was that this goodwill might not survive the tightening of discipline which he promised would accompany his rule.[24]

The attitude within government circles to his appointment was somewhat ambivalent. Edward Southwell, who had succeeded his recently deceased father as Secretary of State for Ireland, was of the opinion that the clergy were 'all afraid of him', something of which he did not necessarily disapprove: 'if he extends his power only to bring them into a little order', he opined, '..... then there will be no great harm in it.' His main concern, however, was not internal church discipline, but the implications for church-state relations of having a man like King in such an influential position. A far more belligerent individual than his predecessor, King, he knew, could be depended upon to be aggressive in asserting the rights of the church both locally and nationally: he was 'a mighty positive man', he advised Nottingham, 'and when in the right [of] an admirable disposition to push a thing to the utmost.' But, he warned, in a particularly perceptive insight, "tis at the same time his misfortune to have the same zeal to drive matters if he happens to be in the wrong.' It would not be long, he predicted, before the government would be the target of his considerable ire.[25]

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[24] *Letters of Appointment to the Archbishopric of Dublin*, 16/2/03, CSP Dom. 1703-4, p.282; King to Ashe, 22/2/03, TCD Ms. 1489/2/162; Foy to King, 6/2/03, Lyons 986; Rev. David Jenkins to King, 18/2/03, Lyons 991; King to Weymouth, 12/2/03, TCD Ms. 1489/2/149; King to Rochester, 9/2/03, TCD Ms. 1489/2/148-9; Same to Same, 2/3/03, TCD Ms. 1489/2/166.

[25] Southwell to Nottingham, 2/7/03, CSP Dom. 1703-4, pp.37-38. Robert Southwell, with whom King had maintained a regular, and unusually forthright correspondence, died on September 11, 1702 after a long illness. He had been succeeded as Secretary of State for Ireland by his son, Edward Southwell Sr., the previous July. All references henceforth are to Edward Southwell unless otherwise indicated.

Within days of his appointment King had begun to substantiate the Secretary of State's foreboding, when, even before his enthronement, he became embroiled in a 'great brangle' with the Chapter of Christ Church Cathedral. For centuries the practice had been that the Archbishop had been enthroned in St. Patrick's Cathedral only. But King was determined to impose his authority from the outset by being installed in Christ Church as well. When the Chapter and its Dean, Bishop Ellis of Kildare, refused to accommodate him he took matters into his own hands. Forcing his way into the Cathedral, he called a visitation on the spot and proceeded to pronounce the Dean and Chapter 'contumacious' for not attending. The Chapter reacted by locking the Cathedral doors once King had left, refusing to re-admit him until he relented. It was the prelude to a dispute which would not be resolved until 1724. It was also a foretaste of the manner in which King would rule his diocese.[26]

[26] ibid. The dispute quickly gave rise to a number of pamphlets by the Dean and Chapter, viz., *An Account of the Innovations Made by the Archbishop of Dublin both in respect of his entrance on the Archbishopric and in regard of the Dean and Chapter of Christ Church*, London, 1704; *A Short State of the Case of the Dean and Chapter of Christ-Church*, London, 1704; *A Continuation of the Case of the Dean and Chapter of Christ-Church*, London, 1705.

II

King's new seniority, together with his appointment to the Privy Council, meant that he was now more involved than heretofore in the political process. Not that he had been unaware of political developments that had taken place, particularly in England, since 1699. The deterioration in William's health and the uncertainty which had accompanied his final years had certainly alarmed him. He was especially unhappy that the terms of the Act of Succession placed limitations on the powers of the monarch. Nor was he overly impressed with the claims of the House of Hanover to the throne: 'there is such a crowd of dependent beggarly noblemen to come over with the successor', he complained, 'that all the places and revenues of England would not satisfy them'. The only point in their favour was that they secured the throne in the Protestant line.[27]

King's sense of unease about the security of the Protestant succession was heightened by other developments. William's decline, uncertainty as to the line of succession after Queen Sophie, rumours of a Jacobite invasion, and the seemingly endless mutations in the government caused by four elections

[27] *Order of Appointment to Privy Council*, 10/6/03, CSP Dom. 1703-4, p.286; King to Robert Southwell, 4/2/01, TCD Ms. 750/2/2/60-5; Same to Same, 25/12/01, TCD Ms. 750/2/3/76-8; King to Southwell, 28/2/02, TCD Ms. 750/2/3/116-7; Same to Same, 2/3/03, TCD Ms. 1489/2/168-9; George Home to King, 29/6/03, Lyons 1030; King to Ashe, 21/3/01, TCD Ms. 750/2/2/87; Bolton to King, 22/3/01, Lyons 777; Home to King, 7/9/03, Lyons 1040.

between 1698 and 1702 had all combined to reawaken his misgivings as to the true intentions of the Whigs: 'I cannot but with concern think to what a pass the king has brought the monarchy by a republican ministry', he told the Tory Bishop Lindsay. The 'next step', he predicted, would be 'that the parliament can name the council.' It was because of his fears for the future of the monarchy that King had been so critical of William's failure to assert his authority over these Whigs, the king's prerogative being, he believed, one of 'the greatest obstacles' to their designs. Nor did a temporary resurgence in Tory fortunes calm him:

> 'I perceive the Whigs go down but its by the Tories outdoing them in whiggery..... I did not imagine England could be so easily made a Commonwealth as it is, or that a Hero king would lay down his sceptre and take up a state-holder's staff without some struggle. But this is the effect of a Republican ministry, and now its never like to be otherwise since the greatest prerogative men have been forced to turn Whigs to obtain the king's countenance.....'

By June 1701 he had convinced himself that 'a republic [was] at the heart with most in England'. There needed only the 'laying aside the king and House of Lords to introduce it in the state.'[28]

Nevertheless, in spite of his pessimism and his criticism of William, he was genuinely saddened by the death in March 1702 of the man who he considered Ireland's 'deliverer'. He would never forget the debt which he and the Irish Protestant community owed him. Despite his shortcomings, King would

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[28] J.R. Jones, *Country and Court, England 1658-1714*, London, 1978, p.302; King to Ashe, 21/3/01, TCD Ms. 750/2/2/87-8; King to George Vaughan, 5/3/02, TCD Ms. 750/2/3/122; King to Lindsay, 21/3/01, TCD Ms. 750/2/2/88-9; Same to Same, 25/4/01, TCD Ms. 750/2/2/119; King to Pooley, 1/6/01, TCD Ms. 750/2/2/158.

always retain a 'great veneration' for William.[29]

William's death did, however, bring to a head King's worries about the succession. Deploring the 'republican principles' which he claimed to see operating at all levels of state, he was not at all confident of a smooth accession by Anne. He was somewhat re-assured, therefore, to hear from London that people had been 'quieted' by the prompt and unanimous acclamation of Anne by both Houses of parliament. But he was still not convinced. He interpreted accounts of 'base reflections made on his late Majesty's memory by the Whigs' as the preliminary to an attempt by the more extreme of their number to seize power and introduce a commonwealth. This was reinforced by reports of widespread 'discontents..... on account of the Whigs being out' of Anne's first ministry. But the efforts of Marlborough, Godolphin and, especially, Harley to construct 'moderate' ministries gradually calmed him. Indeed, by the summer he had moved to the point where he was even contemplating the possibilities offered by the presence on the throne of a devoutly Anglican monarch.[30]

Preoccupied by the War of the Spanish Succession and by the need to consolidate their respective positions, the attitude of both the monarch and the new ministry to Ireland was simple - parliament had to be called in order to approve an increased supply, but every precaution was to be taken to ensure

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[29] King to Annesley, 12/2/02, TCD Ms. 750/2/189; King to Robert Southwell, 28/3/02, TCD Ms. 750/2/3/134; Same to Same, 28/2/02, TCD Ms. 750/2/3/76-8; King to Ashe, 24/3/02, TCD Ms. 750/2/3/130; Ashe to King, 12/3/02, Lyons 888.

[30] Ashe to King, 12/3/02, Lyons 888; Same to Same, 20/1/02, Lyons 866; Robert Southwell to King, 12/2/02, Lyons 876; Same to Same, 28/3/02, TCD Ms. 750/2/3/134; King to Robert Southwell, 28/3/02, TCD Ms. 750/2/3/134; Same to Same, 24/5/02, TCD Ms. 1489/2/33-5; King to Annesley, 31/3/02, TCD Ms. 750/2/3/140; King to Ashe, 23/5/02, TCD Ms. 1489/2/30; Jones, *op. cit.*, pp.313-322.

that nothing would happen there that might undermine the delicate balance of power in England. The appointment of the Duke of Ormonde as Lord Lieutenant was consistent with this policy. The owner of considerable tracts of land in Ireland, Ormonde was not only a staunch Anglican, but also the head of the House of Butler, one of Ireland's strongest Anglo-Irish families. He could be expected to employ his considerable influence in Ireland to orchestrate a quiet session. With a view to the parliament, summoned to meet in September 1703, he undertook to 'improve every opportunity the most I can to the advantage and prosperity of my native country.' For his part, King looked forward to a session in which the loyalty of the kingdom to the new monarch might be clearly set forth.[31]

In spite of the efforts of Ormonde, however, it was soon apparent that there was still widespread anger amongst the Anglo-Irish at their treatment by the English parliament. To some extent this could be traced to annoyance at the subordination of the Irish House of Lords appellate jurisdiction. But it was the various Acts which had been passed in Westminster restricting Irish trade, together with the revaluation of Irish coin, which excited most resentment. This sense of grievance had been aggravated by the Act of Resumption, passed at Westminster in April 1700, which had voided many of the land settlements concluded over the previous decade.[32] Apart altogether from the constitutional

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[31] Southwell to Dawson, 13/2/03, Cal. Dept. Corr., 52/142/93; Nottingham to Lords Justices of Ireland, 30/3/03, Cal. Dept. Corr., 52/142/109; Jones, *op. cit.*, pp.313-322; King to Weymouth, 16/3/03, TCD Ms. 1489/2/198; Moreton to Wyche, 30/10/03, Wyche Ms. 1/1/274; CJI, 24/9/03.

[32] King to Southwell, 28/3/02, TCD Ms. 750/2/3/134; Victory, *Colonial Nationalism in Ireland*, pp.82-6; D. Hayton, 'A Debate in the Irish House of Commons in 1703: A Whiff of Tory Grapeshot', *Parliamentary History*, 10, 1991, pp.151-63, [hereafter: 'A Debate in the Irish Commons'].

implications of such a statute, the manner in which the Commissioners of Forfeiture had proceeded about their business had inspired accusations of corruption and favouritism. And the fact that individuals such as Brodrick and Conolly, the principal parliamentary managers in the country, had been deprived of some of their lands meant that this anger was bound to be reflected in the members' attitude to the government's parliamentary programme.[33]

King's attitude to these developments reflected the cynicism with which he now viewed all initiatives of the English parliament in relation to Ireland. Reckoning them merely another attempt to 'beggar us' to England's advantage, he was scathing in his denunciation of the laws in relation to exports. In spite of the fact that it had included provision for the return of some impropriate lands to the church, he was equally hostile in his assessment of the Act of Resumption. It had been foisted upon the kingdom by a hostile parliament, and its provisions, he argued, seemed designed to 'encourage Irish papists' at the expense of Protestants. Those who would normally be expected to support the government 'have suffered great, very great hardships by the Act,' he informed Southwell, warning him that they could be expected to vent their anger at the next parliament.[34] Nor was he mollified by a proposal to vest the actual allocation of lands so resumed in the Irish parliament:

> I should be glad that we could retrieve our jurisdiction. But *quere* will leaving the disposal of those forfeitures to an Irish parliament do that? I am afraid it will not. On the contrary it will, I doubt, be

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[33] Simms, *Williamite Confiscation*, pp.119-125; Alan Brodrick to Thomas Brodrick, 13/5/01, Midleton Mss. 2/20; [St. John Brodrick], *Short Remarks upon the Late Act of Resumption of the Irish Forfeitures and upon the manner of putting that Act in execution*, p.11; Cox to Nottingham, 13/2/04, CSP Dom., 1703-4, ii, p.53.

[34] King to Bishop of Worcester, 3/2/99, TCD Ms. 750/2/47-8; King to Annesley, 3/1/01, TCD Ms. 1489/1/155; Same to Same, 31/1/01, TCD Ms. 750/2/2/52; King to Ashe, 11/2/02, TCD Ms. 750/2/187; King to Robert Southwell, 28/3/02, TCD Ms. 750/2/3/134.

a shift to save the honour of the House [English Commons] that resumed them'.[35]

For the government, the sight of King involving himself in these protests was especially ominous. Southwell was particularly concerned: he 'threatens hard the ripping up his old Londonderry affair', he warned Nottingham, and had already drawn up a petition on the matter which he intended to bring before the Irish Lords at the earliest opportunity. While he would endeavour to do everything in his power to mollify him, it would, he believed, prove very difficult to make him 'quiet' once parliament convened.[36]

Indeed, anticipating more widespread discontent, the administration in Dublin had already informed their superiors in London that a pliant parliament should by no means be presumed. It was indicated that unless some legislation acceptable to the members were offered there would be considerable difficulty in securing the passage of the Money bill.[37] One measure which it was suggested might indicate goodwill on the part of the government would be a bill disabling Catholics further in the matter of inheriting land. This was

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[35] King to Ashe, 11/2/02, TCD Ms. 750/2/187; Ashe to King, 31/1/02, Lyons 873. In spite of his antipathy, King declined to be party to an *Address* proposed by several of those more directly affected by the Act. He also attempted to exploit the fact that his friend, Francis Annesley, had been appointed as one of the commissioners of inquiry which compiled the report which had led to the Act of Resumption. He wrote several letters to him dealing with both the lands involved in his dispute with the Society, as well as the matter of impropriate lands: King to Annesley, 17/11/99, TCD Ms. 1489/1/93-4; Same to Same, 18/2/00, TCD Ms. 1489/1/127; Same to Same, 12/2/02, TCD Ms. 750/2/3/106. Annesley's suspension from the Irish House of Commons in 1703 would be one of the ways in which the Irish House of Commons would indicate their displeasure at the whole operation of the Act: see McGuire, *Politics*, p.116.

[36] Southwell to Nottingham, 2/7/03, CSP Dom. 1703-4, p.38; *Archbishop King's petition to the Irish House of Lords [draft]*, 1703, Ellis Ms., 274, reproduced in Moody and Simms, etc.

[37] Lords Justices of Ireland to Rochester, 30/1/03, BL Add. Ms 9715, fo.41v; Southwell to Nottingham, 2/7/03, CSP Dom. 1703-4, p.38; Alan Brodrick to St. John Brodrick, 29/11/02, Midleton Mss. 1248/2/73-5.

especially so in the light of the many claims submitted by Catholics to the Commissioners of Forfeiture. To assist the London government in its deliberations a bill intended to satisfy this purpose had been framed by the Privy Council and forwarded to England. A second bill, designed to impose severe penalties on Catholic priests who came into Ireland from abroad, had also been enclosed.[38]

King's attitude to these proposals is difficult to gauge, principally because his correspondence book for the period from April 1703 to August 1704 does not survive. Nevertheless, indirect evidence would suggest that, while supportive of the proposals intended to restrict priests from coming into the kingdom, he was unhappy about the method by which ordinary Catholics were to be disabled further in relation to inheritance. This would certainly be consistent with his stance in 1697 and the attitude he would adopt again in 1709. The few pieces of his correspondence from this period that do survive confirm this analysis. Writing some months before the convening of parliament he complained about plans to impose the Oath of Abjuration on Catholics. They were sufficiently excluded from offices of trust already, he insisted, and their conduct did not warrant any further disabilities. Indeed, such impositions merely had the effect of breeding discontent and driving them into the Jacobite camp. He argued strenuously to this effect when the oath was debated in the Lords, denouncing any attempt to penalise Catholics simply on the basis of creed as distinct from treason or inadequate title. Indeed, so strident was he in

[38] Southwell to Nottingham, 22/7/03, CSP Dom., 1703-4, p.58; King to Ashe, 24/1/02, TCD Ms. 750/2/3/130; Lord Lieutenant and Privy Councillors of Ireland to Nottingham, 26/6/03, CSP Dom. 1703-4, pp.24-5; Southwell to Coningsby, 22/6/03, De Ros Ms. 46/2; For a detailed account of the passing of these acts see Simms, 'The Making of a Penal Law (2 Anne, c. 6), 1703-4, *IHS*, 12, 1960, pp.105-108.

opposing its imposition that one 'poor' Catholic wrote thanking him for his efforts, informing him in the process of his 'fame and honour' amongst the Catholic population.[39]

In England there was considerable resistance to the measures proposed to the extent that when parliament convened in Ireland neither of the two bills forwarded by the Irish Privy Council had been returned. Only after repeated calls from the Dublin administration was the bill 'to prevent priests coming in' sent back. The more contentious bill to prevent the further growth of popery, which was intended to disable Catholics from retaining or inheriting certain lands, was withheld pending further consideration. As a result an even more vindictive bill was framed by an impatient Commons in which the Brodrick faction was proving very difficult and forwarded to England with the explicit threat that any amendments to its contents would jeopardise the money bill.[40]

Constrained by both the sensitivities of the new monarch and the need to appease their continental Catholic allies, the government stalled. By January 1704 the bill had still not been returned in spite of Southwell's entreaties. But political developments soon complicated matters further. The defeat of the second Occasional Conformity bill in December 1703 had enabled Godolphin, Marlborough and Harley to secure their position at the expense of Tories such

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[39] King to Weymouth, 16/4/03, TCD Ms. 1489/2/198/201; King to Annesley, 20/4/03, TCD Ms. 1489/2/206-7; Denis Brennan to King, n.d. [1703], Lyons 2360.

[40] Nottingham to Ormonde, 8/7/03, CSP Dom. 1703-4, p.43; [Southwell] to [Nottingham], 23/11/03, CSP Dom. 1703-4, p.211; *Minutes of Debates on Money bill*, [December] 1703, Midleton Mss. 9/75-7; Connolly, *Religion*, pp.272-3.

as Nottingham and Rochester.[41] However, Tory cries of 'the Church in Danger', particularly on the part of members of the Commons and Lower House of Convocation, coupled with the moderating influence of Harley, made it advisable to placate Tory sentiments. Thus when the bill against the further growth of popery was discussed it was decided to append to it a clause, soon to be called the Test clause, which had the intention of specifically disabling Dissenters.[42]

Whatever the reason for the addition of this clause, it complicates any assessment of King's attitude to a bill which now proposed to penalise both Catholics and Dissenters. There is no doubt but that he inclined towards penalising Dissenters in this manner. Indeed, he had already indicated his support for Tory attempts to pass the Occasional Conformity bill. In addition, he was generally acknowledged to be the most hostile of all Irish bishops towards Dissenters. He had also been a key figure in the Irish church's success to date in frustrating the introduction of a Toleration Act. Moreover, as recently as 1702 he had indicated that only the inclusion of a Test clause would ever persuade him to consider a toleration for Irish Dissenters.[43]

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[41] Nottingham to Southwell, 12/10/03, CSP Dom 1703-4, p.151-2; Southwell to [Nottingham], 10/1/04, CSP Dom. 1703-4, pp.491-2; Wogan to Southwell, 13/1/04, B.L. Add Ms. 37763/41; Home to King, 14/2/04, Lyons 1061; Edward Gregg, *Queen Anne*, London, 1980, p.177-9.

[42] Southwell to Blathwayt, 26/1/04, B.L. Add. Ms. 34774/26; Wogan to Southwell, 20/1/04, B.L. Add. Ms. 37673/47; Weymouth to King, 15/5/03, Lyons 1019; Southwell to Nottingham, 17/7/03, CSP Dom. 1703-4, pp.47-8; Same to Same, 17/7/03, CSP Dom. 1703-4, p.49; Connolly, *Religion*, pp.162-3; Hayton, 'A Debate in the Irish Commons', pp.156-8; See Simms, 'The Making of a Penal Law, (2 Anne, c.6), 1703-4', pp.115-6, and McGuire, 'Government Attitudes to religious non-conformity in Ireland 1660-1719' for a discussion of the various explanations offered for the addition of the clause.

[43] King to Edward Southwell, 31/12/02, TCD Ms. 1489/2/127-9; King to Annesley, 16/3/03, TCD Ms. 1489/2/172-3; King to Lindsay, 21/7/02, TCD Ms. 1489/2/59.

With this record, it was not surprising that he was soon defending himself against charges that he not only supported the insertion of the clause, but had actually been instrumental in persuading the government to adopt this policy. Indeed, Bishop Burnet was quite explicit in naming King as the architect of the entire strategy. Daniel Defoe, a prominent non-conformist, while berating Irish Anglicans in general for turning so quickly on their erstwhile allies, also singled him out as instrumental in the whole design. Making great play of the idea that King had proposed the insertion of this clause, he contrasted this with his stance little over a decade previously in his 'unexceptional history' [*The State of the Protestants of Ireland*], in which he had called for the loyalty of the Dissenters to 'be remembered to their honour'.[44]

In spite of these allegations, however, it is unlikely that King took any part in the events which led to the inclusion of the Test clause. Indeed, over ten years later he was still resolutely refuting such accusations. Quite apart from the fact that official correspondence made no mention of King or any other bishops making representations on a Test clause, the manner in which the government chose to implement this measure placed him in a dilemma. Likely to have been opposed to its anti-Catholic provisions, he found that rejecting this bill would also lose the church a much coveted buttress against Presbyterianism.[45]

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[44] Gilbert Burnet, *History of His Own Time*, Oxford 1833, v, pp.103-4; Bolton to King, 17/1/04, Lyons 980; D. Defoe, *The Parallel, or Persecution of Protestants, the Shortest Way to Prevent the Growth of Popery in Ireland*, London, 1704, pp. 11-16. See also Cox to Southwell, 24/10/06, B.L. Add. Ms. 38154/86, where Cox defended himself against charges similar to those directed at King.

[45] King to Ashe, 8/2/16, TCD Ms. 2533/132-6d. One other argument against King playing any role is the fact that the terms of the clause subsequently gave rise to queries as to whether Church of Ireland ministers were required to take the oath prescribed. This was something which King would never have allowed to happen had he been involved in advising the government: Bishop Compton of London to King, 27/5/04, Lyons 1084; Vesey

In fact, the evidence would seem to suggest that, determined to see the Test clause implemented, but unwilling to be associated with a bill which penalised Catholics in a manner to which he was fundamentally opposed, King simply withdrew while the bill was being debated. With no indication that he was suffering from a recurrence of his gout, and having missed only 2 of the 60 sittings to date, King absented himself for the final six days of the parliament during which time the bill was given its second and final readings amidst widespread lobbying by both Catholics and Dissenters. He took no part, therefore, in either the debates or the voting on the bill, which duly passed both Houses. Strengthening this view that he simply absented himself is the fact that it was the only occasion on which King would act in this manner. In future parliaments where the two issues were separately addressed his attitude was quite clear: he was consistently hostile to attempts to disable Catholics in such a manner and equally adamant that the Test clause should not be repealed. Indeed, it was to the retention of the Test clause, and not the penalisation of Catholics, that he would subsequently devote an inordinate amount of his time and energies.[46]

While King had not actively sought the introduction of the Test, he and his fellow bishops were more than happy to see it implemented, the fact that it was not accompanied by a Toleration making it all the more attractive. To many it

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to King, 29/5/04, Lyons 1085.

[46] Southwell to Nottingham, 19/2/04, CSP Dom. 1703-4, ii, p.537; Cox to Southwell, 24/10/06, B.L. Add Ms. 38154/86; King to Lindsay, 30/10/06, TCD Ms. 750/3/2/62.

seemed to presage an era when the church, under the patronage of a monarch known to be a committed Anglican, might increase its influence at all levels of society. It was a prelude to a decade during which King and many others would attempt to extract favours for the church from both her Majesty and various Tory ministries.

A persistent complaint of clerics at all levels had been the refusal of the government to convene a sitting of Convocation. Convinced that the church should be legislated for by 'God and the church' only, and viewing Convocation as 'the king's council for ecclesiastical affairs', King had long been one of those most vocal in pressing for such a forum, believing it to be a fundamental right of the church and a mechanism by which the church's independent corporate status might be demonstrated: 'The first article in Magna Charta is that the Church of England shall be free', he had written to Robert Southwell in 1697, intending that the same privilege be understood to apply to the Church of Ireland,

> 'and that freedom can consist in nothing but in choosing the ecclesiastical constitutions by which she is governed in Convocations..... If the church once come to have her constitutions altered without Convocations, which are her legal representatives, she is no more free but an absolute slave, and our religion would in earnest be what the papists call it, a parliamentary religion, and changeable with every king's humour..... Convocation was the king's council for ecclesiastical affairs, but such a council as the parliament was for civil, and consequently part of the legislative power.'

As well as allowing the church to legislate for itself on various matters he also hoped to see both bishops and clergy avail of the opportunity to address issues such as the growing 'irreligion' of society.[47]

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[47] King to Robert Southwell, 21/12/97, TCD Ms. 750/1/149-50; King to Foy, 5/10/97, TCD Ms. 750/1/91; King to Stillingfleet, 3/2/99, TCD Ms. 750/2/1/66-7; King to

Calls for Convocation became more persistent after 1702 with the emergence in Ireland of a High Church party. Similar in many respects to the 'Highfliers' in England, these churchmen hoped to avail of Convocation to re-assert the legal rights and authority of the church, reinforce orthodoxy and impose a degree of social and moral discipline.[48] Once Anne had succumbed to pressure in England to summon a meeting of Convocation there, pressure from the church party in Ireland increased. In June 1703, promising 'an united zeal for the glory of God and her Majesty's service', the entire episcopal bench signed a petition requesting that a session be summoned to meet at the same time as parliament. However, reluctant to see a repeat of the situation in England where Francis Atterbury had embroiled Convocation and parliament in controversy, the government attempted to stall by querying the terms under which an Irish Convocation might be convened. King wrote personally to explain the correct procedure. He also enlisted the assistance of the Bishop of London in the matter. The bishops as a whole maintained the pressure with yet another *Memorial* requesting that writs enabling elections be approved.[49]

Bishop Edward Smith, 28/3/01, TCD Ms. 750/2/2/94-5.

[48] On the emergence of an Irish High Church Party see Hayton, 'A Debate in the Irish Commons', pp.151-63; Connolly, 'Reformers and Highfliers: the post-Revolution Church', pp.154-165; Beckett, 'The Government and the Church of Ireland under William III and Anne', pp.98-102; D. Hayton, *Ireland and the English Ministers, 1707-16: A Study of the formulation and Working of Government policy in the Early Eighteenth Century*, [hereafter: Ireland and the English Ministers], unpublished D. Phil., Oxford, 1975, pp.125, 134-7. For an account of the activities of Atterbury and the Highfliers in England see G.V. Bennett, *The Tory Crisis in Church and State: the career of Francis Atterbury, Bishop of Rochester*, Oxford, 1975.

[49] Compton to King, 10/8/03, Lyons 1036; Southwell to Ormonde, 6/6/03, NLI Ms. 991, p.62; Ormonde to Nottingham, 2/7/03, CSP Dom. 1703-4, p.37; Same to Same, 10/8/03, CSP Dom. 1703-4, p.86; Sir Edward Nortley to [Nottingham], 24/7/03, CSP Dom. 1703-4, p.61; Southwell to Nottingham, 17/7/03, NLI Ms. 991/95; Same to Same, 2/7/03, CSP Dom. 1703-4, p.37; Same to Same, 10/8/03, NLI Ms. 991/102.

In the face of this concerted pressure the government finally relented. As a result, when the bishops received their writs to attend parliament, a *praemunientes* clause was included authorising them to convene their deans, archdeacons and proctors in Convocation. When precedents were consulted, however, it was discovered that the terms under which they had been summoned did not give them authority to act as an ecclesiastical synod. Consequently they would not be able to legislate directly on matters of relevance to the church, but only advise parliament. This was unacceptable to both bishops and clergy. Together they began to campaign for separate writs enabling the four provincials to initiate elections amongst the lower clergy. This would allow Convocation to act in a synodal capacity. Aware of the agenda of the Highfliers in England, the Dublin administration counselled against allowing Convocation to convene on such terms. An attempt by King to secure a full Convocation on his own initiative merely complicated matters, being perceived by the other bishops as a bid to usurp the authority of the primate, and enabling the government to exploit it as evidence of 'great feuds amongst ..... both bishops and clergy' and an excuse for further procrastination.[50]

Urged on from Whitehall, Ormonde was initially hopeful of deferring Convocation altogether until a more 'convenient opportunity.' This, as Southwell observed, only made the bishops more determined:

> 'His Grace [Ormonde] has this day had a fresh attack from the four Archbishops, they all seem extremely bent on this affair. At the same time they all solemnly engage that there shall be no heat or

[50] Compton to King, 16/9/03, Lyons 1042; Same to Same, 5/11/03, Lyons 1046; Beckett, 'The Government and Church of Ireland under William III and Anne', pp.100-101; Marsh to Tennison, 5/10/03, Lambeth Ms. 929/28, (quoted in Edward Carpenter, *Thomas Tennison*, London, 1948, p.381).

> divisions amongst them, that they desire only just to meet and address her Majesty. They hope under her happy reign to be restored to this ancient right and..... they so much think it their right that if denied they will address the House of Lords and will endeavour to oblige the Chancellor to grant that writ.....'

The lower clergy, for whom Convocation offered the only forum in which they might air their collective views, supported the bishops with their own petition. In the face of this united front Ormonde felt it wiser to relent. In late November a Convocation with full legislative powers was summoned to gather in St. Patrick's Cathedral on January 11, 1704.[51]

But, while the bishops and clergy may have been united in their advocacy of Convocation, once it had convened it quickly became apparent that they had radically different agendas. The bishops wanted to see issues of church discipline and organisation addressed. However, the members of the Lower House, while willing to deal with these matters, were more concerned with establishing their privileges *vis-à-vis* both the Upper House and the Houses of parliament, resenting, in particular, the fact that the House of Commons had assumed authority in areas which they believed to be the prerogative of Convocation. In a move calculated to bring this to a head, and in a manner similar to that which had embroiled Convocation and Commons in England, the members of the Lower House began to debate the question of tithes and clerical taxation which the House of Commons considered their preserve. Urged on by William Perceval, Archdeacon of Cashel and a friend of Atterbury, with, King noted indignantly, the tacit support of Bishops Lindsay and Pooley, they became 'pretty violent in their tempers' to the point that they

[51] Southwell to Nottingham, 6/11/03, CSP Dom. 1703-4, p.190; Beckett, 'The Government and Church of Ireland under William III and Anne', p.101.

refused to desist unless the government clarified their respective roles.[52]

Both the timing and the nature of this encroachment was, in turn, resented by the members of the Commons and led to a protracted dispute between the two Houses.[53] It was also objected to by the majority of bishops, who, hoping to persuade the Commons and government to support their campaign to have Anne remit the First Fruits and Twentieth Parts to the church, as she had done in England, found this intrusion anything but helpful.[54] They attempted to redirect the energies of the Lower House to questions of church discipline and reform. But King only exacerbated matters by summoning Peter Browne, Provost of Trinity College and Chairman of the committee of the Lower House investigating its prerogatives, to a meeting with him in St. Sepulchre's. This was perceived by the members of the Lower House to be an attempt to exert pressure on their chairman and they initiated a move which would have censured not only King but those in the Upper House who had supported him. The result was that the two Houses became embroiled in such an acrimonious dispute over privilege that by the time Convocation and parliament had been prorogued little in the way of reform had been achieved.[55]

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[52] King to Wake, 12/9/17, TCD Ms. 750/11/2/302; Winnett, *op. cit.*, p.39.

[53] King to Abercorn, 28/4/05, TCD Ms. 750/3/1/155; Foy to King, 6/3/04, Lyons 1067; Clayton to Thomas Brodrick, 12/3/05, Midleton Mss. 2/178; Alan Brodrick to St. John Brodrick, enclosing *Memorandum Account of 'misunderstandings' between the House of Commons and the Lower House of Convocation*, 14/3/05, Midleton Mss. 2/180-2.

[54] Bolton to King, 17/1/04, Lyons 980. The 'First Fruits' was a sum equal to the annual value of a benefice payable by an incumbent as he assumed office. The 'Twentieth Part' was a 5 per. cent. levy on the annual income of all beneficed churchmen. On her birthday in 1704 Anne had announced a remission of these two levies to the Church of England. The remission had not, however, been extended to the Church of Ireland.

[55] _____ to _____, 25/6/04, B.L. Add. Ms. 21137/69-70; Edward Synge to Wake, 25/7/04, Gilbert Coll. 28; *Memorandum regarding Conflict between Convocation and Bishops*, February 1704, B.L. Add. Ms. 9715 p.89.

King's disappointment at Convocation's failure to concentrate on measures of benefit to the church was all the more pronounced given the high hopes he had always held out for such a body. He had come to expect little from parliament, but the fact that an assembly of the church's own should prove so 'fruitless' was especially galling. Only in their call to have Gaelic speaking preachers sent to evangelise the native Irish and their lobbying against Sunday trading did he consider that the members had addressed appropriate business. Worse still, by antagonising the Commons, the Lower House had jeopardised several measures coming before parliament. If this first session provided an indication of how the lower clergy might behave in future then he would be forced to reconsider supporting Convocation's recall.[56]

[56] King to Samuel Synge, 26/1/05, TCD Ms. 750/3/1/66-72; Foy to King, 6/3/04, Lyons 1067; Foy to King, 20/5/04, Lyons 1083; *Convocation Minute Book*, TCD Ms. 668/1.

III

With both parliament and Convocation prorogued in the spring of 1704, King was able to attend once again to his ecclesiastical responsibilities. In July he embarked on his first visitation of his new diocese. It's effect was to highlight the extent of the problems facing him: non-residence, pluralities, unlearned clergy and dilapidated churches abounded. The only difference from what he had confronted in Derry, it seemed to him, was that opposition to reform was far more entrenched. Undaunted, he launched straight into an outright assault on these practices. Clerics were left in no doubt that, while he would encourage and reward pastoral integrity, he would brook no dissent. While the process would prove far more arduous and time-consuming than he had anticipated, he never wavered in the belief that he would be successful in replicating his successes in Derry.[57]

To this end he had already embarked on an ambitious and costly programme of church building and repair. He had also made a determined bid to establish the title of the church to various disputed properties. One such attempt involved some land at Seaton in County Dublin. This had previously

[57] King to Ashe, 1/8/04, TCD Ms. 750/3/1/1-2; Same to Same, 17/8/04, TCD Ms. 750/3/1/15; King to Compton, 2/8/04, TCD Ms. 750/3/1/4; King to Viscount Blessington, 12/9/04, TCD Ms. 750/3/1/29; King to Marsh, 17/2/05, TCD Ms. 750/3/1/94; King's administration of his diocese is dealt with in R. Kennedy, *The Administration of the Diocese of Dublin and Glendalough in the Eighteenth Century,* unpublished M.Litt. thesis, TCD, 1968.

been held as a fee farm by the see. In 1702, however, it had been seized by the Commissioners for Forfeitures. Convinced that, if left unchallenged, this would form a precedent for the seizure of other land which the church held by endowment from the crown, King challenged the Commissioners. However, since the legislation under which the land had been forfeited and distributed had passed in Westminster, appeals against grants made by this body had to be made to the English parliament. Quite apart from his feelings on the constitutional implications of such a step, King was aware that this was likely to be an expensive and time consuming exercise. Nor did the prospect of being absent from his new diocese at such a critical time appeal to him. It was for this reason that he was anxious, initially, to arrange a private settlement.[58]

By an unusual convergence of circumstances, however, it soon became more feasible for him to consider going to England for a protracted period. For one thing a bill intended to resolve the dispute between the new Bishop of Derry and the London Society had been brought into the English parliament. Unhappy with some of the conditions conceded by his successor, he was anxious to contribute to the debate. He had also been informed that Lemuel Matthews, former Archdeacon of Down and Connor, whom King, as a member of the Royal Commission, had deprived of his post in 1694, was about to submit an appeal to the English Lords. Again, he judged it prudent to attend and vindicate the stance of the commissioners. One other factor in favour of his travelling to England was the fact that the Irish bishops had decided to pursue the remit of the First Fruits and Twentieth Parts and it was felt that this required the presence in London of King, who along with

[58] King to Annesley, 16/3/03, TCD Ms. 1489/2/172-3; Same to Same, 23/3/03, TCD Ms. 1489/2/177; King to Trustees of Forfeitures, 16/3/03, TCD Ms. 1489/2/175.

Jonathan Swift, had been delegated the task of lobbying on this issue. Swift, who had involved himself in this campaign by virtue of his political contacts in England, had been using the opportunity to both extend his own influence and to ingratiate himself with King. With a vested interest in seeing the campaign reach a successful conclusion, he had informed King in December that he was 'confident, with some reason, that it would be easily granted'. All that was required, he felt, was for the church to send a senior bishop to canvass the ministry, in which event it was likely Anne would be persuaded to accede.[59]

While all of these factors inclined him to the view that a prolonged stay in England might prove beneficial to the church, it was the worsening of his dispute with the Chapter of Christ Church which finally persuaded King that he should go. Over the course of the previous few months this feud had degenerated into an undignified public squabble with both King and the Chapter publishing conflicting accounts of what had occurred.[60] With the Chapter continuing to deny him entry to the Cathedral to hold his visitation for fear that he would declare them excommunicate, King had decided to seek the opinion of the courts. The Bishop and Chapter had countered by appealing to

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[59] King to Cox, 5/12/04, TCD Ms. 750/3/1/54-5; Marsh to King, 8/3/06, Lyons 1200; Luttrell, *op. cit.*, v, p.483; Swift to King, 13/12/04, H. Williams, ed., *The Correspondence of Jonathan Swift*, [hereafter: Swift Corr.], 3 vols., Oxford, 1948, i, p.49; Marsh to Tennison, 16/1/05, Lambeth Ms., 929/56, (quoted in E. Carpenter, *op. cit.*, 1948, p.381.) Swift's role in this and the possibility that he was using it to advance his own position, is discussed in Carpenter, *Archbishop King and Dean Swift*, pp.301-332.

[60] Moreton to Ormonde, 29/8/04, HMC Ormonde, viii, p.110. King's printed statement of the case is no longer extant: Luebben, *op. cit.*, p.149. The Dean and Chapter countered with a number of pamphlets outlining their grievances: [Dean and Chapter of Christ Church], *An Account of the Innovations Made by the Archbishop of Dublin both in respect of his entrance on the Archbishopric and in regard of the Dean and Chapter of Christ Church*, London, 1704; idem., *A Short State of the Case of the Dean and Chapter of Christ-Church*, London, 1704; idem., *A Continuation of the Case of the Dean and Chapter of Christ-Church*, London, 1705. See also the papers of the Archbishop of Dublin relevant to this case in the Representative Church Body archives, Ms. 61, folios 1-33.

the Queen to recognise Christ Church as a Chapel Royal. This had been referred to the Lords Justices by her Majesty. An offer by Richard Cox, the Lord Chancellor, to mediate had been rejected by both parties, thus forcing the authorities to act. Deciding in King's favour, the Lords Justices ordered that he be allowed access to Christ Church. Refusing to comply, the Chapter responded with an appeal to the English parliament.[61]

Convinced that success for his adversaries would represent 'a great blow to the episcopal power', King decided that he would have to travel to England. The fact that the Chapter had sent one of their number, a Mr. Clayton, to London to publicise their cause provided an added incentive. Clayton, with the full backing of his colleagues, was busy in the city's coffee houses slandering King to the best of his ability and had published a short pamphlet which he was hawking about from one politician to another. In early January, 1705, therefore, King left for England expecting to spend at most four months there dealing with this and various other matters.[62]

Despite his eagerness to confront both the Chapter of Christ Church and Clayton, King's first task on arrival was to petition parliament with regard to the fee farm at Seaton. Commending his 'thorough care of the see', Edward Southwell had written to Secretary Hedges on his behalf encouraging the

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[61] King to Enoch Reader, Archdeacon of Dublin, 14/9/04, TCD Ms. 750/3/1/32-3; Annesley to King, 12/9/04, Lyons 1113a; King to Southwell, 29/8/04, TCD Ms. 750/3/1/24; King to John Sharp, Archbishop of York, 21/10/04, TCD Ms. 750/3/1/44-5; King to Ashe, 26/12/04, TCD Ms. 750/3/1/63; King to Thomas Johnston, 29/8/04, TCD Ms. 750/3/1/28-9.

[62] King to Compton, 12/8/04, TCD Ms. 750/3/1/6; King to Tenison, 24/8/04, TCD Ms. 750/3/1/21-2; King to Ashe, 26/12/04, TCD Ms. 750/3/1/63; King to Smith, 23/12/04, TCD Ms. 750/3/1/62-3; *A Short State of the Case of the Dean and Chapter of Christ-Church*, London, 1704; King to Southwell, 29/8/04, TCD Ms. 750/3/1/24; Same to Same, 14/9/04, TCD Ms. 750/3/1/31-2; King to Sharp, 21/10/04, TCD Ms. 750/3/1/44-5; King to Johnston, 29/8/04, TCD Ms. 750/3/1/28-9.

government to lend their support. King had, however, arrived on the very day that the members had decided not to receive any more private appeals for the remainder of the session. All that he could do was to lodge his suit with Queen's Counsel and wait for parliament to reconvene. This he did, but even then managed to cause problems - 'so voluminous' was his submission that the lawyers assigned to the case complained that it was unlikely they would be able to prepare a report in time for the next session.[63]

The only advantage in this delay was that it freed King to counter Clayton's endeavours on behalf of Christ Church. Denouncing Bishop Ellis, Clayton and the Chapter for acting in a manner contrary to the best interests of the church, he secured the support of the Archbishop of Canterbury and various senior prelates. John Evelyn, who made his acquaintance over dinner at Lambeth Palace, was particularly impressed by him, describing him as 'a sharp, ready man in politics as well as very learned.' King also made a point of accepting visits from 'the best people' at his residence in Pall Mall in the hope that his account of the feud would become so widely known that Clayton would be unable to 'hurt him'. That his reputation had been unaffected by Clayton's activities was soon clear. A series of invitations from the Queen to preach before her in St. James' Chapel, and the fact that he was seated 'just by' her at the proroguing of parliament were widely interpreted as indicating royal endorsement. Even Alan Brodrick, one of the most powerful managers in the Irish parliament, was impressed. Describing him as 'a man of very good sense and spirit and really a valuable man', he urged his political associates to consult

[63] King to Southwell, 25/1/05, TCD Ms. 750/3/1/31; Henry Green to Robert King, 23/1/05, Lyons 1131; Southwell to Hedges, 3/1/05, PRO. S.P. 63/365/1; Same to Same, 15/2/05, PRO. S.P. 63/365/73.

King regarding the political situation in Ireland.[64]

In this whirl of social and political activity King soon over-exerted himself. Within a few weeks of his arrival he had succumbed yet again to the gout. His secretary, Henry Green, had little sympathy for him. In his opinion, King had brought this attack on himself, and, having seen him repeat this pattern time and time again, he had lost patience with his master. One of the few people capable of doing so, he ordered him to rest. This King did, although, much to Green's annoyance, it did not stop him 'being frequently visited by Ministers of State and others that love the Church'. Nor did King help matters by spending most of his limited resources on books: 'we live as frugally as we can', Green wrote to a friend in Dublin, and that only because of his own 'endeavour to hinder that expense as much as I can with good manners'. It was an indulgence which even Green could never persuade the bibliophile King to curb.[65]

Despite his steward's apparent lack of compassion, this attack was quite serious and the frustration induced by the failure to make headway in his various causes merely exacerbated King's condition. As anticipated, his petition regarding the disputed title to the lands at Seaton had not been ready when parliament reconvened, and had been deferred until the autumn session. Likewise, there had been little progress in resolving the dispute with Christ

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[64] Henry Green to Robert King, 23/1/05, Lyons 1131; Same to Same, 28/3/05, Lyons 1147; Same to Same, 28/4/05, Lyons 1078, (this is incorrectly indicated in the catalogue as written in 1704); *Diary and Correspondence of John Evelyn*, ed., E.S. de Beer, Oxford, 1955, 4/1/05; Alan Brodrick to St. John Brodrick, 16/5/05, Midleton Mss. 2/203; W. King, Christian Humility: *A Sermon preached before the Queen at St James's Chapel on Palm Sunday*, London, 1705.

[65] Henry Green to Robert King, 23/1/05, Lyons 1131; Same to Same, 15/3/05, Lyons 1143; King to Cox, 21/4/05, TCD Ms. 750/3/1/107-8; King's regard for his servant was quite genuine. Green's nephew succeeded him as his servant and in his will, dated May 6, 1726, King left him a substantial sum of money. For a copy of the will see C.S. King, *op. cit.*, pp.43-48.

Church. A proposal by the Lords Justices of Ireland that Ellis be translated to the vacant bishopric of Meath, thereby removing him from the deanship of Christ Church, had been ignored. It had also been reported, unofficially, that the Solicitor-General was of the opinion that King did not have the authority he claimed over Christ Church. He had, furthermore, been unsuccessful in his attempt to frustrate the enactment of a bill resolving the dispute between the Bishop of Derry and the Society. To make matters worse, the Society were now refusing to accept that they owed any arrears of rent to King. In addition to all of this, it had become apparent that the government were not keen to remit the First Fruits and Twentieth Parts to the church without extracting something in return. This, King hoped, might only amount to the remission of tithes allocated to the church in a Linen bill then under discussion. But privately he suspected that the church might be forced to 'pay dear for it' by agreeing to the repeal of the Test clause.[66]

Setbacks in England were not the only matters concerning King throughout 1705, however, since the news from both Convocation and parliament in Ireland was equally disconcerting. He was particularly disturbed to hear that the members of the Lower House of Convocation had resumed their dispute over privilege with the House of Commons. He wrote to Dean Samuel Synge, who had kept him fully informed of developments, exhorting him to encourage the lower clergy to take 'all reasonable measures for reformation and ..... the promotion of God's glory and the restoring of discipline'. 'Spiritual matters

[66] King to Ashe, 9/6/05, TCD Ms. 750/3/1/180; Vesey to King, 11/1/05, Lyons 1128; Burridge to King, 7/3/05, Lyons 1199; Green to Robert King, 15/3/05, Lyons 1143; King to Cox, 21/07/05, TCD Ms. 750/3/1/190; Same to Same, 31/7/05, TCD Ms. 750/3/1/208-9; Same to Same, 4/9/05, TCD Ms. 750/3/1/222-3; King to Ashe, 8/8/05, TCD Ms. 750/3/1/214; Lords Justices of Ireland to Ormonde, 31/7/05, B.L. Add Ms. 9716, i, 187.

seem so little at heart with the Convocation,' he complained, 'the care of their temporalities seem to be their principal study.'[67]

It was for his fellow prelates, however, that he reserved his most scathing criticism. Berating them for their failure to give a good example to the clergy, he denounced what he believed was lethargy and indifference on their part: 'some men are very dextrous at doing nothing,' he complained, wishing that 'those of that temper would keep out of places that require something to be done.' They seemed willing 'to bite their nails with concern,' he observed sarcastically, but do little else. 'For God's sake endeavour to procure a few canons for the regulation of things amiss in our discipline,' he implored Bishop Ashe,

> 'if we do so all other things will come in due course. We have our Saviour's promise, 'Seek first the Kingdom of God and all these things shall be added to you.' But if the Convocation only mind the secular profit of the church, or such things as the parliament must do for them, the world will look on all this as priest-craft and carnal interest and we shall get nothing. I perceive the lower house do their part pretty well; and if the bishops fail of theirs they will fall under the same censure that some bishops do here.'

'If the truth were known', he told the same bishop in another letter some days later, 'our acting so much as men of the world is the cause that we have not one clause for the benefit of the church' in the parliament. 'The world', he observed,

> 'begins to look on us as a parcel of men that have invented a trade for our easy and convenient living and 'till we show the world that we seek their good more than our advantage, we are not like to wipe off the aspersion.'[68]

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[67] King to Dean Synge, 26/1/05, TCD Ms. 750/3/1/67; Synge to King, 15/2/05, Lyons 1140; King to Synge, 22/2/05, TCD Ms. 750/3/1/101; Synge to King, 22/2/05, Lyons 1141.

[68] King to Ashe, 15/3/05, TCD Ms. 750/3/1/117; Same to Same, 5/4/05, TCD Ms.

He wrote in a similar vein to the Archbishop of Tuam exhorting him to encourage his fellows to take 'the good of the church into their consideration.' 'The present opportunity,' he insisted, '[was] the most favourable and reasonable that we ever can expect to do something in Convocation for the church ..... we must do something now or never expect human probability to do anything.' But such appeals had little effect. By the time Convocation was prorogued the Lower House was once again embroiled in controversy with the Upper House, the Irish Commons and the English parliament on the question of their respective prerogatives.[69]

While King had been primarily concerned to keep an eye on the conduct of Convocation, he had also attempted to keep abreast of developments in the Irish parliament which sat from February 10 to June 16, 1705. Rumours that the government intended to introduce a Toleration Bill or even attempt a repeal of the Test clause had caused him some alarm: 'I can't think Ireland can move anything more contrary to its interest,' he informed the Lord Chancellor, Sir Richard Cox,

> 'for we are generally looked on here as a body of desperate Whigs and a great part of our ill usage is founded on that belief, and the moving for a Toleration will confirm all here in that belief, nay, perhaps will be interpreted [as] a leaning to the Scots interest, a surmise that will unspeakably prejudice us.[70]

750/3/1/131; Same to Same, 28/4/05, TCD Ms. 750/3/1/151; Same to Same, 7/4/05, TCD Ms. 750/3/1/136; Same to Same, 26/5/05, TCD Ms. 750/3/1/174; King to Vesey, 17/4/05, TCD Ms. 750/3/1/144-5; King to Synge, 26/1/05, TCD Ms. 750/3/1/66; Same to Same, 6/2/05, TCD Ms. 750/3/1/83.

[69] King to Vesey, 17/4/05, TCD Ms. 750/3/1/144-5; Vigors to King, 16/5/05, Lyons 1163; King to Synge, 26/1/05, TCD Ms. 750/3/1/66; King to Abercorn, 28/4/05, TCD Ms. 750/3/1/155; Synge to King, 22/2/05, Lyons 1141.

[70] King to Sir Richard Cox, 6/2/05, TCD Ms. 750/3/1/80-2; Synge to King, 22/2/05, Lyons 1141;

He was delighted to hear, therefore, that after a hostile reaction by the Commons, the government had decided not to press the issue. He had also been alerted to the fact that at Privy Council a clause was about to be inserted in a proposed Linen bill which would have the effect of reducing the tithes of several of the clergy. Along with several other prelates in London at the time he lobbied various English Privy Councillors about the harm this would do to already impoverished cures. Eventually, with the help of a *Memorial* on the issue from the Lower House of Convocation, several influential peers, including Lord Pembroke, were persuaded to oppose the insertion of such a clause, with the result that it was omitted from the draft returned to Ireland.[71]

But frustrating individual clauses in bills did not compensate for the continued refusal of the government to sponsor statutes which would address issues such as non-residence, impropriations and clerical education. He wrote to Ormonde's secretary, to protest at the absence of any such measures:

> 'I observe that there is not one clause for the benefit of the church in all your bills and many invasions of our liberties and properties and am heartily sorry it should so happen. But since it is so nobody will blame us to be as tenacious as well of what the law has already given us.'

Despairing of the government ever actively supporting the church and its reform, he wrote in a similar vein to Cox: 'the inheritance of God and the church [has] less security and fewer friends than the salaries of publicans', he complained, but to no avail - the parliament of 1705 passed with little heed

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[71] Green to Robert King, 28/4/05, Lyons 1078; Southwell to Hedges, 14/3/05, PR 63/365/122-3; King to Hartstonge, 18/4/05, TCD Ms. 750/3/1/145; King to Synge, 28/4/05, TCD Ms. 750/3/1/152; Coningsby to Ormonde. 28/4/05, HMC Ormonde Ms. viii, p.151; *Memorial of Deans, Archdeacons, Proctors of Clergy of the Church of Ireland assembled in Convocation*, 23/3/05, PRO. S.P. 63/365/143; King to Cox, 10/5/05, TCD Ms. 750/3/1/162-5; Vigors to King, 16/5/05, Lyons 1163.

paid to those bills sought by the church.[72]

Resigned to the fact that the various items of unfinished business meant that he would have to remain on in England until Christmas at least, King departed for Tunbridge Wells in July and from there to Bath.[73] When the English parliament resumed in October 1705 he returned to London in order to be present at the opening. In the interval since the members had last gathered there had been one important development in relation to his claim to the title of the lands at Seaton. It had become obvious to many of the English bishops that if King's title was denied then their own property rights might well be undermined. As a result several of them had persuaded King to allow his petition to be incorporated into an Endowment bill which they were framing. Bishop Nicolson of Carlisle, despite the fact that he thought King 'strangely paradoxical and a little crazed', was one of those who took a prominent role in canvassing for the bill. Consequently when the bill came before parliament it had the support of many English Tories and bishops, and, in spite of some opposition, passed both Houses.[74]

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[72] King to Dawson, 9/4/05, TCD Ms. 750/3/1/133-4; King to Cox, 10/5/05, TCD Ms. 750/3/1/162.

[73] King to Dawson, 24/9/05, TCD Ms. 750/3/1/225. During July, August, September and October King moved between Tunbridge Wells, Bath and London: King to Crow, 30/10/05, TCD Ms. 750/3/1/229.

[74] King to Cox, 31/10/05, TCD Ms. 750/3/1/232; *The London Diaries of bishop William Nicolson, Bishop of Carlisle 1702-1718,* ed., C. Jones and G. Holmes, Oxford, 1985, 10/11/05, p.300, 12/2/06, p.376, 18/2/06, p.380 and 24/2/06, p.385; King to Crow, 29/1/06, TCD Ms. 750/3/1/10; Same to Same, 30/10/05, TCD Ms. 750/3/1/229. For details of King's involvement in the opposition to a related Impropriations bill some years later see Annesley to King, 11/2/07, Lyons 1241; Same to Same, 18/2/07, Lyons 1244;

This led to a marked rise in King's own political reputation. So too did the long delayed decision of the courts and parliament in his favour in his dispute with the Chapter of Christ Church. Furthermore, he had reached agreement with the Society with regard to the disputed rents. His only disappointment remained the unwillingness of the ministry to advise the Queen to allow the remit of the First Fruits and Twentieth Parts. But even on this issue he was happy that both he and Swift seemed to have caused a rethink on the question of seeking a repeal of the Test clause as a *quid pro quo*.[75] The result of all of these developments was that King was able to return to Ireland in April 1706 fully satisfied that he had asserted not only his own diocesan authority, but the property rights of the church, as well as preparing the ground for the eventual remit of the First Fruits.[76]

Same to Same, 26/4/07, Lyons 1255; King to Annesley, 1/2/07, TCD Ms. 750/3/2/85.

[75] King to Robert King, 19/3/06, Lyons 1201a; Lady Mary Dun to King, 10/1/06, Lyons 1188; Same to Same, 9/2/06, Lyons 1195; King to Crow, 30/10/05, TCD Ms. 750/3/1/229; King to Cox, 4/9/05, TCD Ms. 750/3/1/322-3.

[76] King to Robert King, 19/3/06, Lyons 1201a; Green to Robert King, 10/1/06, Lyons 1189. King suffered a serious attack of gout shortly after returning although this did not deter him from holding his diocesan visitation: King to Crow, 6/7/06, TCD Ms. 750/3/2/35; Same to Same, [22/06]/06, TCD Ms. 750/3/2/37.

IV

Church related matters such as these occupied most of King's energies during the years 1700 to 1707, but this did not deflect his attentions entirely from constitutional politics. Besides the perpetual struggle in the House of Commons over supply, the topic which most excited the interest of the Anglo-Irish during the period was the prospect of union with England, which, in the wake of the loss of appellate jurisdiction by the Irish Lords and the imposition of various restrictions on Irish trade by the English parliament, had become an increasingly attractive option.[77]

The idea of union was not new. Throughout the seventeenth century the possibility had been canvassed in Ireland but had met with little enthusiasm from England since it offered little advantage to the English economy. But in the political uncertainty which had followed the defeat of James, union was soon being presented as a solution to both Ireland's ambiguous constitutional status and England's need to secure its interest in Ireland. In 1691, King's friend, James Bonnell, then Accountant-General for Ireland, had tried to persuade Robert Harley of its merits: 'this alone would take the Kingdom out

[77] Victory, *Colonial Nationalism in Ireland*, pp.93-4. P. Kelly, 'The origins of the act of union: an examination of unionist opinion in Britain and Ireland, 1650-1800', in *IHS*, 25, 1987, pp.236-247, [hereafter: 'The origins of the act of union']; J. Smyth, *op. cit.*, pp.785-797; McGuire, *Politics*, pp.164-176; D. Hayton, 'Constitutional experiments and political expediency, 1689-1725', in S. Ellis and S. Barber, eds., *Conquest and Union: Fashioning a British State, 1485-1725*, London, 1995, pp.276-305.

of the hands of the Irish', he told him, 'and would take away all jealousy of it from the English, since it would seem then but to be a part of themselves as much as Wales'. Around the same time King had also toyed with the notion as 'an expedient to make this a happy kingdom', but had not given it any serious consideration. Prompted by the attempts of the English parliament to restrict Irish Woollen exports, he had returned to the possibility once again in 1697: he was 'glad', he told Southwell,

> 'that some of the great men in England are inclinable to promote the Union of Ireland with England. 'Tis assuredly the only way to make both flourish effectually. Nor will the terms be hard in my opinion.....'

Preoccupied with his case against the Society, however, he had been in no position to give the prospect his full attention, although he did tie the constitutional issues raised by his case and union in yet another letter to Southwell: 'As to the expedient that no parliament be held in Ireland', he wrote, alluding to union,

> 'but that it be governed by the p[arliament] law of England, we shall like it very well, provided we be allowed our representatives in the English parliament as I find it has been formerly. But I hope the English that came into Ireland and by conquest enlarged the dominion of England did not thereby forfeit the liberty of Englishmen which I think consists in being governed by laws to which they have given their consent'.[78]

In fact, it was 1699 before King was in a position to give the idea serious consideration. He was prompted to do so, not only by Molyneux's oblique endorsement of it in *The Case of Ireland Stated* as 'an happiness we can hardly

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[78] King to Robert Southwell, 19/7/97, TCD Ms. 750/2/79; Same to Same, 6/1/98, Egerton Ms. 917, fo.153; Kelly, 'The Origins of the act of union', pp.237-241; King, *Memorandum on Irish Parliament*, [1692], Lyons 264a; [Bonnell] to Harley, 3/11/91, HMC Portland, iii, p.480; Victory, *Colonial Nationalism in Ireland*, p.92.

hope for', but by the various legislative and judicial initiatives taken by the English parliament over the previous twelve months and the dawning realisation that if the Anglo-Irish were to retain any say in legislation affecting them then union might well be the only viable option: 'Considering how our laws and privileges are cramped, and how unable we are to obtain or pass our laws that are really for our good,' he explained to Southwell, most people 'would readily hearken to such a proposal'. As to the probability of Irish interests being consistently outvoted in such an event, King pointed out that in the wake of the Woollen Acts and the Irish Lords subordination in judicial matters, the existing political arrangement amounted to nothing less. In any case, it was 'not so much for their votes' that Irish representatives should attend Westminster, he insisted, 'as for their being necessary to giving an account of affairs relating to Ireland.' But, it was obvious that such a scenario held no great attractions for him. Both Ireland and his Majesty would be 'great losers' in such an event, he opined: Ireland would lose its parliament and the king a loyal kingdom.[79]

When, in 1702, he again came to give the idea serious consideration, it was prompted by his having a 'hint that there [was] some design to unite Ireland to England' already under way. By this time he had persuaded himself that union might well offer Ireland some important advantages: 'Considering the breach made on our jurisdiction,' he reminded Annesley,

> 'and the little ability or dexterity we have to help ourselves, how our parliaments are clogged and hampered by our own laws, and overturned by the invasion of our privilege, I do not see but it

[79] King to Robert Southwell, 14/11/99, TCD Ms. 1489/1/89; Southwell to King, 4/11/99, Lyons 635; Cox to [Harley], 28/10/99, HMC Portland, iii, p.610; Molyneux, *The Case of Ireland Stated*, pp.97-8.

[union] may be better for us than as it is at present.'

However, he was acutely conscious of the fact that the depressed political and economic condition of the country placed Ireland at a disadvantage: the proposal 'comes on us at an ill time,' he complained, 'when we are under disadvantages and in no condition to stand on terms.'[80]

In spite of these instinctive fears, however, it is obvious that King believed that union was quite a real prospect at the time. He wrote a long, considered letter to his friend, Bishop Ashe informing him that he had 'thought much of it' and setting out the bases upon which negotiations on the Irish side might be pursued. It would, he predicted, 'prove more difficult than many imagine'. But if, as seemed probable, discussions were to begin, then he thought that the Irish body politic should at least be well prepared and more proactive.[81]

In his deliberations he had identified four areas of potential difficulty. For each of these he proposed solutions which might be put forward in any bargaining: firstly, 'the proportion of taxes' which the two kingdoms should contribute 'ought to be an unalterable fundamental', based on the custom records; secondly, the remaining rights of the Irish parliament should be secured and 'nothing can or ought to be binding till assented to by both parliaments by way of bargain'; thirdly, to ensure genuine representation of Ireland's interests, 'none [should] serve for Ireland that doesn't live in it'; finally, the distribution of seats between Lords and Commons would have to be specified. But he could not hide his lack of enthusiasm: 'all this is our loss' he complained, '..... our rights are so trampled on that I know not when they rise.'

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[80] King to Annesley, 12/2/02, TCD Ms. 750/2/189; Southwell to King, 9/4/02, Lyons 904.

[81] King to Ashe, 11/2/02, TCD Ms. 750/2/187-8.

Furthermore, believing his Majesty to have 'lost his prerogative already beyond retrieve' to the English parliament, he was of the opinion that the Anglo-Irish could not rely on him to support their cause. In such circumstances it was unlikely that they could negotiate terms which would be to Ireland's advantage.[82]

Although nothing further was heard of union for some time, this episode is interesting in shedding light on King's political outlook at a time when there was no parliamentary forum in which he might openly voice his opinions. Certainly, in confirming that he had given detailed consideration to the issue, even down to isolating the key elements of any possible settlement, it does highlight how his pragmatism and political astuteness consistently overrode any principled objections or personal antipathy he might harbour. King the idealist longed for an independent Irish parliament subject only to the crown. King the realist consistently sought ways to accommodate the kingdom of Ireland within a volatile political and constitutional environment.

But, while he had given the idea considerable thought, it was apparent that he remained to be persuaded of the benefits of such a development, his instinctive reaction being that it would not be to the kingdom's advantage. This was partly a hankering for a return to the Irish parliament of its autonomy and authority. It also reflected his conviction that the poor economic condition of the country would place Ireland at a disadvantage in any serious discussions, since 'we must just taste what is given us, for we can't struggle.' But increasingly it stemmed from a genuine mistrust of successive English ministries which he was sure were republican in outlook and bent on

[82] King to Ashe, 11/2/02, TCD Ms. 750/2/187-8; King to Annesley, 12/2/02, TCD Ms. 750/2/189; Southwell to King, 9/4/02, Lyons 904.

destroying both the crown and the House of Lords. The elimination of a separate Irish parliament would, he believed, simply facilitate such an ambition.[83]

He was soon given the opportunity to air his views more publicly. By 1703, as preparations for a new parliament proceeded, the campaign for union had gained momentum. The publication by Henry Maxwell of his *Essay Towards a Union,* in which he argued forcefully in favour of a union, both reflected and encouraged a growing appetite for such a course amongst the Anglo-Irish. Maxwell's argument was that such a 'happy marriage' would, by creating 'one interest', not only put an end to the ongoing economic and constitutional squabbling, but prove beneficial to both kingdoms. To this end he devoted the bulk of his pamphlet, attempting to persuade his English readers of the benefits they could expect from improved trade, cheaper raw materials and reduced security costs.[84] That Maxwell was expressing the sentiments of many in Ireland became obvious when parliament convened in 1703. Southwell reported early in the session that both Houses had 'talked of an union and how advantageous it might be to both kingdoms.' 'All the speakers concluded that they did in the most earnest manner desire a Union with England,' he advised, and they now intended, 'to consider that matter and how to represent it to the Lord Lieutenant to lay it before her Majesty.[85]

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[83] King to Annesley, 12/2/02, TCD Ms. 750/2/189; King to Ashe, 11/2/02, TCD Ms. 750/2/187-8.

[84] Henry Maxwell, *An Essay Towards a Union of Ireland with England, most humbly offered to the consideration of the queen's most excellent majesty and both houses of parliament*, London, 1703, pp.12, 21; King to Southwell, 6/1/98, Egerton Ms. 917, fo.157v.

[85] Southwell to Nottingham, 2/10/03, CSP Dom. 1703-4, p.141; Same to Same,

King did not share their enthusiasm. When an *Address* was considered by the members requesting 'to be restored to their ancient privileges or else to be united to England,' since this 'would tend to our further security and happiness to have a more comprehensive and entire Union,' he was reluctant to sign his name. He confided in Southwell that he doubted whether England would ever be magnanimous enough to offer union to either Ireland or Scotland, in spite of the fact that England 'might satisfy both ..... without hurting their interest and with increase of power'. Indeed, he was convinced that 'the mere pleasure of hurting others' would keep the English from ever considering the welfare of either. Although a reflection of the bitterness with which he still viewed his own and the kingdom's treatment by the English House of Lords, his analysis proved correct, at least as far as Ireland was concerned. The parliamentary *Address* elicited nothing more than an acknowledgement from the Queen and the matter was soon lost sight of in the circumstances surrounding the addition of the Test clause to the anti-popery bill.[86]

The realisation that negotiations between England and Scotland on a union had reached an advanced stage, however, brought the issue to a head again in 1705. During his time in London and Bath King had become convinced that such a union was definitely intended and he dreaded the economic and political consequences for Ireland: 'Nobody here can say for or against it, because we are entirely strangers to the nature of it', he told Annesley,

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4/10/03, CSP Dom. 1703-4, p.144; Same to Same, 9/10/03, CSP Dom. 1703-4, p.149; Cox to Nottingham, 13/2/04, CSP Dom. 1703-4, p.531; Bishop of Kildare to Wyche, 30/10/03, Wyche Ms. 1/1/274.

[86] LJI, ii, 1/10/03 and 25/10/03; Southwell to Nottingham, 15/10/03, CSP Dom. 1703, p.156; Cox to Nottingham 13/2/04, CSP Dom. 1703-4, p.531; King to Robert Southwell, 29/8/04, TCD Ms. 750/3/1/24-27; George Home to King, 10/6/04, Lyons 1088.

> 'but if Scotland have any concern by it in the legislation of England we sure have reason to apprehend the consequences. You know how the parliament of England have assumed a legislative power over us, and if the Scots be allowed representatives there, they will have a vote in making laws for us and we shall be obliged not only to such laws as England thinks advantageous to them, though to our detriment, but likewise the interest of Scotland will be considered..... [T]he Woollen Manufactory was taken from us because England resolved to have it to themselves and sure Scotland rivals us much more in our Linen and *quere* whether they may not expect to be gratified in it.'

This apprehension was echoed in a letter to Southwell: 'Will not the Scots interest be considered before ours', he asked him, 'and may not the power of Scotland in the parliament crush our yet weak efforts for Linen Manufacturing as England did the Woollen?'.[87]

Of even greater concern to King, however, were the implications for Ireland of a union which recognised non-conformism as the established religion in Scotland. The impact which this might have on Ireland's Dissenters filled him with apprehension; 'you know how steady we have been to prevent any legal footing for Presbyterians', he told Annesley, 'but how their power in the parliament of England may influence only God knows.' They were 'insolent already and [I] dread to think [of] the effects a little encouragement to them from England may have.' He wrote in similar vein to Southwell, remarking upon what 'an ill influence on this kingdom both as to our civil and religious rights' such a union would have. Wondering why 'no one step is taken by the people of Ireland to be admitted to the union', Annesley, in turn, urged the political leaders to act immediately. 'Where are all the mighty patriots?', he

[87] King to Annesley, 17/09/06, TCD Ms. 750/3/2/51; King to Southwell, 16/10/06, TCD Ms. 750/3/2/61; Ellis to Dawson, 3/2/05, Cal. Dept. Corr. 52/142/277; Jones, *op. cit.*, pp.329-333; Kelly, 'The origins of the act of union', pp.243-4; Cox to Southwell, 16/11/06, B.L. Add. Ms. 38154/106; Alan Brodrick to St. John Brodrick, 13/2/05, Midleton Mss. 2/167.

enquired.[88]

The 'patriots' Annesley sought were not forthcoming. Individuals such as the Lord Chancellor, Richard Cox, did respond. But the fact that no parliament sat between June 1705 and June 1707 meant that the forum in which Ireland's case might be best articulated was not available.[89] As a result a *Representation* against the union between England and Scotland which had been mooted failed to materialise. '[I] believe you apprehend very well the consequences of the intended union,' an increasingly disheartened King replied to Annesley,

> '.....this step will prevent any union with Ireland for ever, a thing desired by many, though to me the advantages are not so clear. It seems that such an union is well represented by Aesop in his fable of the lion joining with the other beasts to hunt the stag.....but let that be as it may, nobody would have the possibility of it taken away ..... England will neither need us nor think it safe to admit us after this is settled whereas if the present design should miscarry perhaps either a union with Ireland or a good treatment of it might be thought necessary.'

In fact, the only consolation to be gained from the inclusion of Scotland in a union was 'the settling the succession in the Protestant line, for which the Protestants here are zealous.'[90]

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[88] King to Southwell, 16/10/06, TCD Ms. 750/3/2/61; Southwell to Nottingham, 26/2/04, CSP Dom. 1703-4, p.542-3; Annesley to King, October 1706, Lyons 1230; Same to Same, 8/3/07, Lyons 1246; Same to Same, 1707, Lyons 1249.

[89] Cox to Nottingham, 13/2/04, CSP Dom. 1703-4, p.531; Cox to Southwell, 9/11/06, B.L. Add. Ms. 38154/100. Several pamphlets espousing union with England did appear, however: *The Queen an Empress and her three kingdoms one empire; or Brief remarks upon the present and a prospect of the future of England, Scotland and Ireland in a happy Union, Dublin*, 1706; *A Union between England and Scotland ..... prejudicial to England except also that Ireland is included*, 1706; Kelly, 'The origins of the act of union', p.244.

[90] King to Annesley, 17/4/07, TCD Ms. 750/3/2/104; Same to Same, 15/10/06, TCD Ms. 750/3/2/60-1; Annesley to King, 26/4/07, Lyons 1256; *Newsletter*, 29/10/06, HMC Portland, viii, p.255; Ormonde to Lords Justices of Ireland, 31/10/06, Cal. Dept. Corr., 52/142/522; Alan Brodrick to St. John Brodrick, 13/2/05, Midleton Mss. 2/167.

When the union between England and Scotland was eventually ratified in 1707 King could not hide his disappointment. He interpreted 'the haste of the parliament in passing the union' as evidence that England was more anxious to obtain a union than Scotland. As a result, he assumed that 'those people have made the best bargain'. He was deeply disturbed by the fact that the union had 'settled Presbytery in Scotland..... much firmer than the Church in England.' Instructions from England that the union should be celebrated in Ireland met with a cool response: 'We are to celebrate 1st May as a thanksgiving for the union, but I find very few that are satisfied how it will be a benefit to this kingdom,' he protested. He could not promise, he responded with barely concealed indignation, that the services would be 'performed with all the cordialness that becomes all good Christians in their addresses to God'. Conscious now of Ireland's isolation, the parliament which re-assembled in July 1707 could do little more than make anxious pleas for closer ties with the new Great Britain. But, as King had expected, there was little enthusiasm for such a step in England. A request that Queen Anne herself might 'extend your favour [of a Union] to all your subjects, till none are excluded from so great a blessing', elicited no more than a 'gracious answer' from London.[91]

Nothing illustrated more conclusively the political impotence of the Anglo-Irish than the failure to achieve at least some initial steps towards a Union. To a large extent the reason for this lay in the fact that union with Ireland offered few advantages to England. This was particularly so since the events of 1698 and 1699 had reinforced the claims of the English parliament to legislative and

[91] King to Annesley, 18/2/07, TCD Ms. 750/3/2/91-3; R. Powys to Dawson, 23/1/07, Cal. Dept. Corr., 52/142/562; Southwell to Dawson, Cal. Dept. Corr., 52/142/581; King to Crow, 5/4/07, TCD Ms. 750/2/2/99; King to Annesley, 17/4/07, TCD Ms. 750/3/2/104; LJI, ii, 15/7/07; Cox to Southwell, 31/7/07, B.L. Add Ms. 38155/87.

judicial supremacy. Union with Scotland, by contrast, offered at least the agreement of that nation to the Hanoverian succession after Anne's death. The Irish request for Union, on the other hand, had its origins in the weakened position of both the Irish parliament and the established church. As such it offered little potential benefit to the English body politic.[92]

To a man like King, aware of the inherent frailty of the Irish establishment, and simultaneously distrustful of Whigs, High Tories, Presbyterians and Jacobites, union conjured up various possibilities. He did not have any overall philosophical commitment to, or antipathy towards, the idea of union *per se.* He could not deny that, under the right circumstances, it presented obvious benefits to Ireland. For the most part, however, particularly when he pondered the nature of political developments in England, he contemplated the prospect with barely disguised horror. He was still bitter at the 'slavery' imposed by England, increasingly conscious of the economic and religious vitality of Dissenters in the north and apprehensive lest the established church in Ireland be subdued by English Whigs, atheists, Deists and Socinians. Thus, ever hopeful that Ireland's legislative autonomy might be restored by a resurgent monarchy, he never wholeheartedly supported calls for union. It was always 'a thing earnestly desired by many, though to me the advantages are not so clear.' He preferred to cultivate an improvement in the attitude of English ministries towards Ireland, rather than risk entering a union in which the influence of the Church of Ireland might be diluted and the possibility of an independent Irish parliament lost forever.[93]

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[92] Smyth, *op. cit.*, p.796.

[93] King to Annesley, 15/10/06, TCD Ms. 750/3/2/60-1; Victory, *Colonial Nationalism in Ireland*, p.95-6.

Yet, in keeping with his generally cautious nature, he never completely discounted union as a possible solution to Ireland's economic and constitutional subordination. Instead, he merely cautioned patience: 'though a lady like a man very well,' he suggested cryptically, 'yet to be too forward may mar her design.' Ireland would be best served by strengthening her economic position, biding her time and, if appropriate, seeking union at some more favourable moment.[94]

[94] King to Annesley, 2/5/07, TCD Ms. 750/3/2/111-2.