1665 the king unexpectedly paid him a visit at Wim- borne. He opposed unsuccessfully the appropriation pro­viso introduced into the supply bill as hindering the due administration of finance, and this opposition seems to have brought about a reconciliation with Clarendon. In 1668, however, he supported a bill to appoint commis­sioners to examine the accounts of the Dutch War, though in the previous year he had opposed it. In accordance with his former action on all questions of religious tolera­tion he strongly opposed the shameful Five Mile Act of 1665. In 1667 he eagerly supported the bill for prohibit­ing the importation of Irish cattle on the ground that it would lead to a great fall of rents in England. Ashley was himself a large landowner, and moreover was opposed to Ormonde who would have greatly benefited by the im­portation. In all other questions of this kind he shows himself far in advance of the economic fallacies of the day. His action led to an altercation with Ossory, the son of Ormonde, in which Ossory used language for which he was compelled to apologize. On the death of Southampton, Ashley was placed on the commission of the treasury, Clifford and William Coventry being his principal col­leagues. He appears to have taken no part in the attempt to impeach Clarendon on a general charge of treason.

The new administration was headed by Buckingham, in whose toleration and comprehension principles Ashley shared to the full. A most able paper written by him to the king in support of these principles, on the ground especially of their advantage to trade, has been preserved. He excepts, however, from toleration Roman Catholics and Fifth Monarchy men. His attention to all trade questions was close and constant ; he was a member of the council of trade and plantations appointed in 1670, and was its president from 1672 to 1676. The difficulty of the suc­cession also occupied him, and he co-operated thus early in the design of legitimizing Monmouth as a rival to James. In the intrigues which led to the infamous treaty of Dover he had no part. That treaty contained a clause by which Charles was bound to declare himself a Catholic, and with the knowledge of this Ashley, as a staunch Protestant, could not be trusted. In order to blind him and the other Protestant members of the Cabal a sham treaty was arranged in which this clause did not appear, and it was not until a considerable while afterwards that he found out that he had been duped. Under this misunderstanding he signed the sham Dover treaty on December 31, 1670. This treaty, however, was carefully kept from public knowledge, and Ashley did not hesitate to help Charles to hoodwink parliament by signing a similar treaty on February 2, 1672, which was then laid before them as the only one in existence. This is one of the proved dishonourable actions of his life. His approval of the attempt of the Lords to alter a money bill led to the loss of the supply to Charles and to the consequent displeasure of the king. His support of the Lord Roos Act, ascribed generally to his desire to ingratiate himself with Charles, was no doubt due in part to the fact that his son had married Lord Roos’s sister. It is, too, neces­sary to notice that, so far from advising the “ Stop of the Exchequer,” he actively opposed this bad measure; the reasons which he left with the king for his opposition are extant. The responsibility rests with Clifford alone. In the other great measure of the Cabal ministry, Charles’s Declaration of Indulgence, he cordially concurred. He was now rewarded by being made Earl of Shaftesbury and Baron Cooper of Pawlett by a patent dated April 23, 1672. It is stated too that he was offered, but refused, the lord treasurership. On November 17, 1672, however, he became lord chancellor, Bridgman having been compelled to resign the seat. As chancellor he issued writs for the

election of thirty-six new members to fill vacancies caused during the long recess ; this, though grounded upon pre­cedent, was certainly open to the gravest suspicion as an attempt to fortify Charles, and was vehemently attacked by an angry House of Commons which met on February 4, 1673. The writs were cancelled, and the principle was established that the issuing of writs rested with the House itself. It was at the opening of parliament that Shaftes­bury made his celebrated “delenda est Carthago” speech against Holland, in which he urged the Second Dutch War, on the ground of the necessity of destroying so formidable a commercial rival to England, excused the Stop of the Exchequer which he had opposed, and vindicated the Declaration of Indulgence. On March 8 he announced to parliament that the declaration had been cancelled, though he did his best to induce Charles to remain firm. For affixing the great seal to this declaration he was threatened with impeachment by the Commons. The Test Act was now brought forward, and Shaftesbury, who appears to have heard how he had been duped in 1670, warmly sup­ported it, with the object probably of thereby getting rid of Clifford. He now began to be regarded as the chief upholder of Protestantism in the ministry; he rapidly lost favour with Charles, and on Sunday, September 9, 1673, was dismissed from the chancellorship. Among the reasons for this dismissal is probably the undoubted fact that he opposed reckless grants to the king’s mistresses. He has been accused of much vanity and ostentation in his office, but his reputation for ability and integrity as a judge was high even with his enemies.

Charles soon regretted the loss of Shaftesbury, and endeavoured, as did also Louis, to induce him to return, but in vain. He preferred now to become the great popular leader against all the measures of the court, and may be regarded as the intellectual chief of the opposition. At the meeting of parliament on January 8, 1674, he carried a motion for a proclamation banishing Catholics to a distance of ten miles from London. During the whole session he organized and directed the opposition in their attacks on the king’s ministers. On May 19 he was dismissed the privy council and ordered to leave London. He hereupon retired to Wimborne, from whence he urged upon his parliamentary followers the necessity of securing a new parliament. He was in the House of Lords, however, in 1675, when Danby brought forward his famous Non-resisting Test Bill, and headed the opposi­tion which was carried on for seventeen days, distinguish­ing himself, says Burnet, more in this session than ever he had done before. The bill was finally shelved, a pro­rogation having taken place in consequence of a quarrel between the two Houses, supposed to have been purposely got up by Shaftesbury, in which he vigorously supported the right of the Lords to hear appeal cases, even where the defendant was a member of the Lower House. Parlia­ment was prorogued for fifteen months until February 15, 1677, and it was determined by the opposition to attack its existence on the ground that a prorogation for more than a year was illegal. In this matter the opposition were clearly in the wrong, and by attacking the parliament discredited themselves. The immediate result was that Shaftesbury, Buckingham, Wharton, and Salisbury were sent to the Tower. In June Shaftesbury applied for a writ of *habeas corpus,* but could get no release until February 26, 1678, after his letter and three petitions to the king. Being brought before the bar of the House of Lords he at length made a complete submission as to his conduct in declaring parliament dissolved by the proroga­tion, and in violating the Lords’ privileges by bringing a *habeas corpus* in the King’s Bench.

The breaking out of the Popish Terror in 1678 marks