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## Mr. Pepys, A Play in Two Acts

### **Abstract**

This play is a fictionalized presentation of singular events in the life of Samuel Pepys (1633-1703). Today Pepys is best known for his diary, which is valued by historians for its colorful descriptions of life in 17<sup>th</sup> century London, England. However, his diary, written in the first decade of his three-decade career in the office of the English Admiralty, was unknown in his lifetime. Later in his time at the Admiralty, during the reign of Charles II, Pepys was caught up in the political intrigues of a fictitious plot to assassinate the Monarch, a scheme that was known as the Popish Plot. He was falsely implicated in the murder of a prominent magistrate, accused of treason, removed from his Admiralty appointment, and imprisoned in the Tower of London under threat of his life. This play examines these events and how Pepys survived to become one of the most colorful and influential figures in England.

### **Keywords**

Pepys, Popish Plot, Charles II, James II, 17th century England

# MR. PEPYS<sup>©</sup>

A PLAY IN TWO ACTS  
BY  
C. CARLYLE CLAWSON



Based on singular events in the life of Samuel Pepys (1633-1703), one of the most colorful and influential figures in England of the 17<sup>th</sup> century.

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## DRAMATIS PERSONAE

[N. B. Ages below of 17<sup>th</sup> century characters are at the start of the play in 1678.  
Several actors may play more than one role at the Director's discretion.]

Sir Arthur O'Bryan	Pseudonym of the prolific British historian and Pepys' biographer, Sir Arthur Bryant (1899-1985). Age about 55; greying; neat, casually dressed in a coarse-wool cardigan sweater with leather patches at the elbows and well-worn bedroom slippers.
Michael Toussaint	A fictional, middle-aged, American professor of medicine who was a former student of O'Bryan. Age about 35; in dress pants with no jacket, white shirt and tie, well-polished shoes; passable singing voice.
Sir Edmund Godfrey	(1621-1678) Justice of the Peace. Age 57; tall and lean; hard of hearing; walks quickly but with a stoop assisted by a cane.
Ruffians One & Two	Ages about 30 and 50; stocky builds; roughly dressed.
Col. John Scott	(Third Man in Scene 2.) Age 46; tall, husky build; always well dressed with well-polished boots and a sword at his side.
Samuel Pepys	(1633-1703) Age 45; on the slightly plump side; shorter than most other male characters; always neatly dressed; tends to pace when in thought or agitated; he is not bald but wears a small periwig most of the time, even at work in his office; has a large, brown, formal wig, the fashion of the time, that he wears to special functions such as sessions of Parliament or appearances in court.
William Hewer	(1642-1715) Age 36; Principal Clerk to Pepys; close friend and confidant of Pepys; slight build; well dressed.
Samuel Atkins	(1657-1706) Age 21; mild-mannered clerk to Pepys.
Sir Anthony Deane	(1638-1721) Age 40; Master Shipbuilder for the Navy and a close friend of Pepys.
Lady Betty Mordaunt	Age late 30s; wealthy, flirtatious, vivacious widow who is a close friend and confidant of Pepys. He described her as "a most homely [unsophisticated] widow, but young and pretty, rich and good-natured"; taller than Pepys; dresses very well.
Lord Shaftesbury	Anthony Ashley-Cooper (1621-1683) Age 57; short and lean; "hawk-faced"; of sour disposition; walks awkwardly with two canes.
Lord Buckingham	George Villiers (1628-1687) Age 50; rotund; bon-vivant; charming but conniving.
Capt. Richardson	Middle-aged; keeper of Newgate Prison; military bearing though no longer in the army.
William Bedloe	Age about 30; ruffian; petty criminal; poorly dressed at first.

Katherine	Pepys' plump, grey haired, late-middle-aged maid.
Bailiff	Officer of the Court of the King's Bench. Middle-aged; heavy-set; dressed in a simple dark-blue uniform with a long frockcoat.
Sir William Scroggs	(1623-1683) Lord Chief Justice of the Court of the King's Bench. Age 55.
Sir William Jones	(1631-1682) Attorney General for the Crown. Age 48; of a nervous disposition; tends to speak quickly but haltingly.
Capt. Richard Vittles	Master of the King's yacht <i>Katherine</i> . Middle-aged; muscular build; ruddy complexion.
Robert Tibbett	Boatswain of the King's yacht <i>Katherine</i> . Age early 30s; dressed as a simple seaman.
Balty	Balthasar St. Michel, brother of Pepys' deceased wife, Elizabeth. Age about 35; dresses well but rather disheveled; excitable and self-centered; a whiner; always obsequious toward Pepys.
Mary Skinner	Pepys' long-standing mistress. Age 26 (19 years Pepys' junior); pretty; slim; intelligent and well spoken; good singing voice; plays a guitar.
Coachman	Drives a Hackney cab about the London streets for hire. Middle-aged; medium build; short beard; wears a worn, floppy, wide-brimmed, black felt hat, driving gloves, a long black coat, and high black boots.
Boatman	Operator of a Thames barge-for-hire conveying passengers up and down the river. Middle-aged; husky build; broad mustache; clothed in waterman's simple gear, seaman's cap, calf-high rubber boots (wellington's).
Tower guard	Late middle aged; dressed in the traditional uniform of the Yeomen Warders of the Tower.
Edmund Saunders	Age mid-50s; Barrister to Pepys and Deane; rotund and jovial.
Speaker of the House of Commons	Age elderly; in the traditional robe and wig of the office
Two judges that sit with Judge Scroggs have non-speaking roles.	

**SETTINGS:** Oxford c.1948 and London from 1678 through 1689.

**NOTES:**

**“PROLOGUE”:** The two scenes in Sir Arthur O'Bryan's study serve as a form of Greek chorus that conveys the overall thread of the play.

**DATES:** The dates given for each scene are primarily for reference by the actors and Director. It is not expected that these will be used routinely to orient the audience

except where the Director feels that it is essential to the audience's understanding of the passage of time and progress of the play.

**STAGING:** The set designer should provide a method for giving the audience orientation to the general time and place of the various scenes. One approach to Act One, Scene One might be to use a rear projection of the city of Oxford with a label stating "Oxford 1948." Then when shifting to London in Scene Two the rear projection could be a sketch of a broad view of the 17<sup>th</sup> century city from across the Thames and labeled "London 1678." (See drawings by Claes Van Visser, 1616, and Wenceslaus Hollar mid-17<sup>th</sup> century and also the British Museum image collection.) Where deemed appropriate, other rear projections could be used to keep the audience oriented. Backdrops for the subsequent 17<sup>th</sup> century scenes could use a similar style of drawings for both interior and exterior settings. The format for all could be sketchy, sepia line-drawings on a cream background with only occasional splashes of muted color and a few props. Only the two scenes in O'Bryan's study would not use the drawn backdrops and would be presented more realistically with fireplace, bookshelves, furniture, etc. This would distinguish the modern from the 17<sup>th</sup> century.

**LANGUAGE:** While no attempt has been made to recreate precisely the syntax of the 17<sup>th</sup> century, expressions and forms are used that attempt to give the flavor of that era. Many words and phrases come from direct quotations of Samuel Pepys and his contemporaries. (See Bibliography)

**GLOSSARY:** (This may be added to the program notes as deemed useful.)

Capriccio: A lively musical composition, usually short and free in form.

Commons: The House of Commons; the elected lower house of Parliament.

Derby House: A building owned by the Crown on the River Thames just north of the Parliament buildings. It became the home of the Admiralty offices in 1674 under Pepys, who also had a private apartment in the building.

Dryden, John: Prolific poet and playwright of the second half of the 17<sup>th</sup> century

East India Company: A consortium of English merchants, founded in 1600 and granted an English monopoly in trade with the East Indies, which grew to dominate world trade in a wide range of commodities.

Flageolet: A recorder-like instrument popular in the 17<sup>th</sup> century; a favorite of Pepys.

Foxe, John: Sixteenth century author who recorded the deaths of many Protestant martyrs under Mary I ("Bloody Mary") in his book, *Foxe's Book of Martyrs*, first published in 1563, which was still well known a century later.

Green Ribbon Club: A radical faction of the Whig party made up of Parliamentarians and their allies, many of whom favored a more republican form of government. Most were obsessively anti-Catholic and worked to weaken the monarchy and block the succession to the throne of James, Charles II's Catholic brother.

Gunpowder Plot: A failed Catholic assassination attempt against King James I in 1605. Barrels of gunpowder were placed by Guy Fawkes and others in the undercroft of

- the House of Lords in hopes of killing the King and restoring a Catholic to the throne. Celebrated today in early November as Guy Fawkes Day.
- Houblon, James: (1629-1700) Wealthy influential London merchant; close friend and confidant of Pepys.
- James, Duke of York: Brother of Charles II and heir to the throne. Professed Catholic.
- John Dory: A type of fish considered a delicacy.
- Lords: Upper house of Parliament made up of those peers of the realm with hereditary titles of Baron and above.
- Mary II: (1662-1694) Daughter of James II. Raised Protestant, married to William of Orange of Holland
- MP: Member of Parliament, used primarily for members of the House of Commons.
- Nell Gwynn: (1650-1687) The actress who was the most notorious of Charles II's numerous mistresses.
- Newgate Prison: The principal prison for the City of London of notorious reputation.
- Newmarket: A town noted for its horse racing that was a favorite entertainment of the monarchs.
- Privy Council: The inner circle of notable men who serve as advisors to the monarch.
- Protestant flail: A simple weapon often carried for self-defense. It was two hardwood rods each about 9 or 10 inches long connected by two short leather thongs so that it could be folded and carried in a pocket; the upper rod for striking might have had a band of lead for greater impact.
- Royal Society: "The Royal Society of London for the Improvement of Natural Knowledge" was founded by Charles II in 1663 as a learned society for the advancement of scientific knowledge. Pepys was among the many notable members.
- Ship of the line: A well-armed, navy vessel constructed to take part in the naval tactic known as the line of battle in which two columns of opposing warships maneuvered to bring the greatest weight of a broadside from their guns to bear on the enemy.
- Sloane, Hans: (1660-1753) Noted physician to the court of the English monarchs and a member of the Royal Society.
- Smithfield Market: An open-air livestock market where religious martyrs had been burned at the stake by Mary I (Bloody Mary) in the 16<sup>th</sup> century.
- Somerset House: A sprawling complex of buildings on the River Thames north of Whitehall Palace. It was the home of James, Duke of York.
- Theatre Royal: The premier theatre of London in the 17<sup>th</sup> century; established between Covent Garden and Drury Lane under a Royal Patent from Charles II in 1662.
- Tories: The group of politicians allied with the monarchy in opposition to the Whigs.



Tower of London: An ancient palace on the River Thames that was often used as a place of confinement for notable persons accused of major crimes.

Whigs: The group of politicians seeking to limit the power of the monarchy and pressing to deny the Catholic James his succession to the throne.

William III: (1650-1702) (William of Orange) Protestant noble man who shared a claim to the English monarchy with his wife (and first cousin), James' II daughter Mary, because he was the grandson of Charles I and nephew of the brothers, Charles II and James II.

York Buildings: A group of houses on the River Thames near present-day Trafalgar Square with access to river traffic through an elaborate York Water Gate that still stands on the Embankment.

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## ACT ONE

### SCENE ONE

*Time: Circa 1948; early afternoon*

*Setting: The study of Sir O'Bryan's home in Oxford, England. Fireplace, side tables and easy chairs either side of the hearth. As the lights come up, Sir Arthur O'Bryan and Dr. Michael Toussaint are seated comfortably on either side of the fireplace. Both are sipping sherry. O'Bryan is smoking a pipe.*

- O'Bryan Well, Michael, I must say, I was very pleased to get your call. I haven't heard much from you since the war.
- Toussaint No. I'm afraid I haven't been very good at keeping in touch since VE day. I do apologize.
- O'Bryan No need for apology, it was quite understandable. I assumed you were very busy back in the States. Last I heard you had left the Navy and were again at your old university.
- Toussaint That's right.
- O'Bryan So, what brings you back to England and here to Oxford?
- Toussaint Well, our faculty is hoping to reestablish a liaison with the medical school here to again exchange students. Since that's how I got here in the '30s, they thought I should be the one to try to re-forge the link.
- O'Bryan How is it going?
- Toussaint Early days yet. We still have to work out a few details, but no doubt it will happen.
- O'Bryan Good luck.

Toussaint Thanks.

*Slight pause as both sip their sherry and seek a topic to continue the conversation.*

Toussaint I want to tell you again how sorry I was to hear of your wife's death. She was so very kind to me during my student days.

O'Bryan Thank you, Michael. Fortunately, she didn't suffer long. Yet, I must tell you, with her loss and the pressures of the war, I found it very hard to cope. Martha was always such a support to me. I was truly at loose ends; couldn't focus. Friends advised me to bury myself in my work. But at first I didn't think it would help. Nonetheless, after some months I got back to a project that I had left fallow for several years.

Toussaint What was that?

O'Bryan Well, in the early 1930s, I had started a biography of Samuel Pepys. Do you know of him?

Toussaint He was a famous diarist, I recall. He goes back a long way doesn't he, sixteenth or seventeenth century?

O'Bryan Seventeenth. He was born in 1633. My biography was meant to be three volumes, but after the first, I became waylaid by other things—you know, administrative duties, teaching. With the war, many of our younger faculty were taken into the Army or government service. We were quite short-handed. However, after Martha's death, I finally became determined to carve out some time for myself and get back to my old friend, Mr. Pepys.

Toussaint I'm glad to hear it.

O'Bryan I am now well into the second volume. Writing again has given me a great deal of satisfaction; to have a focus.

Toussaint But why does Pepys warrant a three-volume biography just for writing a diary?

O'Bryan Well, that's not the reason. You see, his diary covered only the decade of the 1660s when he was still a young man, just beginning his career with the Navy. As an ex-Navy man you may be interested in his story. The diary was not known in his lifetime. In fact, it was only first published more than 100 years after his death. ...

Toussaint When did he die?

O'Bryan That was in 1703. ... No, as important as the diary is to modern historians, it was *not* important during his lifetime, nor is it why his later life is worth so much of my time and attention.

Toussaint But if he died 250 years ago, it must be hard to find material for three volumes.

O'Bryan You might think so. However, Pepys was a meticulous—almost obsessive—record keeper. He kept copies of nearly all his

correspondence, both official and private. These have been preserved with his library at Cambridge and here in Oxford at the Bodleian. We also have abundant court and government records of that era.

Toussaint [Chuckles] Oh, I have no doubt of that. The British are great record keepers. Witness the Doomsday Book that dates to the twelfth century. You see, I haven't forgotten all you taught me!

O'Bryan Good. But do you remember much of our 17<sup>th</sup> century history?

Toussaint Probably not enough. But I'll bet you're going to remind me. Aren't you?

*They both chuckle.*

O'Bryan I suppose so, but I must if you are to have an answer to your question about Pepys warranting a three-volume biography.

Toussaint Sir Arthur, always the professor.

O'Bryan [Smiles as he pauses to take a sip of sherry and to relight his pipe] In order to understand Pepys' place in the seventeenth century, you have to understand the climate of England at the time. You see, it was a period of great turmoil and transformation. And Pepys was caught up in much of it. When he was a young man, there was civil war, and in 1649 Pepys witnessed the judicial execution of King Charles the First. This was followed by a decade without a king, the Interregnum of Cromwell. ...

Toussaint That I remember.

O'Bryan ... Then, when Cromwell died, Parliament decided to restore the monarchy. So in 1660 they summoned the exiled Charles the Second back from Holland. It was clear to *this* Charles that if Parliament could depose and execute one king and later restore another, then the monarch did not *really* reign "by the grace of God" but by the will of the people. Seeing that his authority was not absolute, Charles must surely have thought, "What good is the crown if the people can decide who wears it?"

Toussaint Good thinking. So how did this affect his reign?

O'Bryan He tried to establish his authority and rule in the traditional manner, but always with an ear to the wishes of Parliament. After all, they held the purse strings of the nation. However, Charles had one arrow in his quiver that modern monarchs don't exercise; Parliament could only convene when he called it, and he could adjourn or dissolve it at his whim.

Toussaint [Chuckles] I imagine modern kings often wish they still had that much power.

O'Bryan No doubt.

Toussaint But where does Pepys fit in?

O'Bryan I'll try to explain. He had been born the son of a simple tailor. His intelligence was recognized early, and in spite of his family's penury, he was given a good education at Cambridge. Through a well-placed cousin,

he had been on board the ship that brought Charles and his brother James, the Duke of York, back to England. Pepys made a good impression on the brothers, and soon thereafter he was appointed Clerk of the Acts for the Office of the Admiralty.

Toussaint Quite a title for a young man.

O'Bryan Yes, he was not yet thirty. However, the title was much more grand than the actual menial duties of the job. But Pepys was ambitious. Soon he became very knowledgeable about every facet of naval affairs and the business of the sea. From his humble birth and his lowly clerk position, he managed to gain wealth and rise to become one of the most influential men in England.

Toussaint Impressive!

O'Bryan Along the way, he acquired some very influential friends, but *also* some very formidable foes.

Toussaint Not surprising. There are always those who resent someone who rises above their station.

O'Bryan This is quite true, and it was even more so in Pepys' time. He had become embroiled in a great tug-of-war between King Charles and Parliament. There were those in Parliament, the republican Whigs, who felt the monarch's arbitrary power needed to be reined in. Their opponents, the Tories, sided with the King.

Toussaint And was that the start of the Whig and Tory parties?

O'Bryan Yes.

Toussaint And how did it play out?

O'Bryan Many of the Whigs were skillful manipulators of public opinion. They also understood the nicety of the rules of Parliamentary procedure, so they would hasten or impede business as it suited them. These men could rally their full forces as a well-led bloc to confront the less well organized Tories.

Toussaint Sounds not too unlike today's politics.

O'Bryan True. However, this power struggle was not purely political. You see, central to this conflict was also the issue of religion. For over a century there had been a fanatical fear of Catholics and what might happen to Protestants should a Catholic ever again attain the English throne. The populace still remembered John Foxe's chronicle of those hundreds who were burned at the stake by the Catholic Queen Mary—or "Bloody Mary" as she became known.

Toussaint I certainly recall what you taught us about the reign of Bloody Mary.

O'Bryan Then you can understand the origin of that fear that had lingered for two centuries.

- Toussaint To be sure.
- O'Bryan The Whigs felt Charles was far too tolerant of Catholics, and some thought that he was himself a *closet* Catholic. More importantly, Charles' brother James was *openly* Catholic. Charles, in spite of fathering numerous bastard offspring, had no legitimate heir. So James was next in line for the throne. The Whigs could not tolerate the idea of a Catholic monarch. They sponsored and passed various acts aimed at marginalizing all Catholics and excluding James from the throne. This conflict, known as the Exclusion Crisis, brewed ever more hotly well into the 1670s.
- Toussaint Just as Charles feared, the monarch did not truly rule "by Grace of God."
- O'Bryan So it seemed. And as I mentioned, Parliament also exerted power through control of the purse strings. This affected Pepys directly, since by then he had risen to be the Secretary of the Admiralty. He was essentially in charge of all the day-to-day operations of the King's Navy and was resolute in his efforts to improve and expand it. There were numerous threats calling on the power of the Navy: There were the on-and-off wars with the Dutch, threats of war from France, and trouble with Barbary pirates raiding merchant ships on the Mediterranean. Therefore, Pepys was continually sparring with Parliament for funds to strengthen the Navy.
- Toussaint Politics and money have been forever intermingled, haven't they?
- O'Bryan True enough. [*Takes a sip of his sherry*] Then in the summer of 1678 a crisis loomed for Pepys. A degenerate, quasi-cleric by the name of Titus Oates came to Parliament with a fanciful tale of a grand plot to put England back into the hands of the Catholics. Over the years there had been rumors of Catholic plots, mostly fanciful but some real. For example, the Gunpowder Plot early in the century. These nurtured great fears for the fate of Protestants under Catholic rule. Blame for these plots usually fell particularly on the Jesuits. The Jesuits had been founded as "soldiers of God" and were dedicated to the defense and propagation of the faith. Fearful Protestants considered them as the "storm troopers" of the Catholic Church.
- Toussaint I never knew those days were so polarized and fraught with fear.
- O'Bryan Yes, it was a very difficult era in English history. [*He pauses and draws on his pipe*] Usually, nothing came of the rumors of Catholic plots. However, the man Oates offered such expansive details and names of supposed plotters, that his story took hold of Parliament and panicked the general populous. He claimed that the Jesuits planned to murder King Charles, and put Catholic James on the throne—and under the thumb of the Pope. Oates' tale quickly became known as the Popish Plot. Pepys became caught up in the tumult of this supposed Plot to the point that it threatened his life.
- Toussaint [*Smiles broadly*] So the plot thickens.

O'Bryan Yes. For Pepys it began with the disappearance of Sir Edmund Godfrey, the London magistrate who had first taken Oates' sworn depositions detailing the Plot.

*At this point the lighting of O'Bryan's study slowly dims as play shifts to 1678 and Scene Two. As the light fades to black, O'Bryan and Toussaint continue speaking, but their voices fade as darkness enfolds them, and the audience need not grasp all of these remaining lines of the scene.*

Toussaint Sounds more like the beginning of a mystery novel than a scholarly biography.

O'Bryan I suppose you could say that. This is the point I have reached in my writing.

Toussaint It may not be a mystery for you, but it could well be for your readers.

O'Bryan I hadn't thought of that. That *would* be interesting.

*Blackout*

## SCENE TWO

*Time: Evening of Saturday October 12, 1678. Shift back in time is apparent to the audience from the scene and the clothing of the characters.*

*Setting: A dimly-lit, quiet London lane. Three men are seen lurking in the shadows. One is tall, well-dressed with fine boots and has a sword at his side. He has on a hooded cape and remains in the shadows so that he is not identifiable by the audience. The other two look like shabbily clothed ruffians. These two speak with lower class accents. As they murmur among themselves, a tall figure approaches from stage left. He is dressed in a long black cloak, has a sword in scabbard at his side, and carries a walking stick. He walks slightly stooped, but with a jaunty step. As he reaches the spot near the lurking threesome, the two ruffians approach him and block his way. The third man remains back where he is not well seen by the cloaked man.*

Ruffian One Beg pardon, m' Lord. You'd be Sir Edmund Godfrey; I'm right, aint I?

Godfrey [*Cups his ear, speaks in a higher class accent*] What did you say? Speak up, my man!

Ruffian One [*Louder*] You'd be Sir Edmund Godfrey?

Godfrey I am. Who wishes to know?

Ruffian Two And wasn't it you as took two certain sworn depositions from one Titus Oates in September last?

Godfrey And if I did, what business is that of yours? [*He attempts to walk past them, but is physically detained*]

Third man     *[Steps a bit closer but we still can't see his face]* Hold, Sir Edmund; we must ask you to come with us. There are some gentlemen who would speak with you.

Godfrey       *[Angry]* Then let them come to my chambers and address me in proper manner at a proper time. I will not be waylaid like this.

*He again tries to push past, but a short scuffle ensues. Godfrey attempts to draw his sword, but the first ruffian grabs him pinning his arms to his side. As Godfrey continues to struggle, the second ruffian draws his protestant flail (see glossary) and strikes him over the head. He falls limp. The third man, who has not entered into the fray, speaks.*

Third man     This is very unfortunate, but cannot be helped. He was offered a chance to come peaceably. *[Turns to leave]* Bring him along.

*The ruffians drag Godfrey away behind the third man as they all exit.*

*Blackout.*

### SCENE THREE

*Time:       Tuesday October 15, 1678*

*Setting:   Pepys study/office furnished with bookcases, desk with chair and two side chairs close beside each other. His neat desk holds his papers, quill-pens and an ink pot. On the bookshelves are volumes and memorabilia of his various interests including, a ship model, telescope, and three flageolets (recorders). To one side is a globe stand and a wig stand with his large, brown, formal wig. As the lights come up, Will Hewer is seated at the desk taking dictation as Pepys paces while he dictates a letter.*

Pepys         ... your Majesty will no doubt agree that we must strengthen his Navy given the many menaces that now address these shores. We learn daily of more threats from the Dutch and French fleets. Now, as we approach the end of 1678, your Majesty's total fleet numbers no more than thirty ships of the line. By our best information, these numbers are but one-third of that of the Dutch fleet and three-fifths that of the French. Therefore, as Secretary to his Admiralty Board, I now convey to your Majesty the entreaty that we take immediately to Parliament a request for funds to mount the building of an additional thirty ships of the line and twelve new support vessels. Your master shipbuilder, Sir Anthony Deane, ...

*Breaks off dictation as Sam Atkins enters*

Pepys         *[To Atkins, a bit annoyed]* What is it Atkins?

Atkins         Beg pardon, Mr. Pepys, but Sir Anthony Deane is here.

Pepys         How fortuitous! Send him in. *[Exit Atkins]* We can continue later, Will, but stay. Let us hear Sir Anthony's news. It may touch on our present letter to the King.

*Enter Deane.*

Pepys [Stops pacing to greet Deane] Deane, dear friend, it is good to see you.

Deane [Nods to each] Pepys. Will. I bid you both greetings. I trust I am not interrupting your work.

Pepys No, no. ... [Gestures Deane to a chair]

*Deane sits.*

Pepys ... I was just speaking of you in my letter to the King. I am asking his permission to take to Parliament our request for the thirty new ships as we discussed. If you have no alterations in your statement of costs, I will request the full 600,000 pounds.

Deane I stand by my figures.

Pepys Good. In ten days' time I am called to give an accounting of Admiralty affairs before those popinjays of Parliament; they who know nearly nothing of naval matters. Well, if they wish an accounting, I shall give it to them. I intend to inundate them with a detailed record of all costs and vessels of his Majesty's Navy since he was restored to the throne.

Deane Up to your old tricks, I see. But eighteen years of records seems a bit of a much, even for you, Samuel.

Pepys Perchance. We shall see. Now then, what news have you? Anything more on this Plot against the King in those bloody claims of the man Oates? ...

Deane Perhaps.

Pepys ... I have been away since Friday last. I was called to the King who is now in Newmarket for the races. I only returned last night, so have heard nothing for four days.

Deane Then you do not know that Sir Edmund Godfrey has disappeared.

Pepys Ye Gods, no! Had you heard of this, Will?

Hewer No, nothing.

Deane All that is known is that he left his house in Hartshorn Lane on Saturday morning and has not been seen since. As to whether this has any link to the Oates Plot, one can only speculate. But as you know, Godfrey was the magistrate who twice took sworn depositions from Oates.

Pepys Yes, our friends on the Privy Council kept me informed.

Deane Then you know something of the details of his charges.

Pepys Yes. However, there is something about the whole matter that is quite puzzling. [Resumes his nervous pacing] Ever since Oates' first claims of a Plot these two months past, the scope of his claims have expanded as well as the list of those he has implicated. In his original deposition he laid claim to forty-three charges. These charges could have been



concocted by any clever person. Then later, in his second deposition, he had expanded his charges to eighty-one. These new charges greatly embellished his original list and gave more particulars. These contained a few points that seemed to tally with things known only to a very few influential people.

- Deane That suggests that someone is feeding him information.
- Pepys My thought exactly! You will recall that Oates claimed his knowledge of the Plot came from his association with the Jesuits. His original list was all quite general in nature and focused mainly on the Jesuits. But his new charges are well outside the Jesuits' sphere. And this time he specifically named Edward Coleman, secretary to the Duchess of York.
- Hewer But why would he name someone in the Duke's own household if he were dredging about at random?
- Pepys Indeed! But *was* it a random toss? It soon proved not. Oates says that the Plot is aimed at placing a Catholic on the throne in the person of King James the Second. Therefore, naming Coleman places the Duke himself under suspicion.
- Deane And when they found among Coleman's papers, letters to a Papal curate of the French court, it confirmed his guilt and lent credence to Oates' charges.
- Hewer I see.
- Deane Now Coleman is imprisoned and will soon be tried for treason.
- Pepys To be sure. I fear he shall not survive. [*Pause*] But how would Oates know to specifically name Coleman. Only a few of those closest to the King and the Privy Council knew of any suspicion surrounding Coleman. *I* certainly did not. It appears that, between Oates' two depositions, he must have been speaking to someone very knowledgeable. But to whom? He claimed that he had again been in touch with the Jesuits. That is a safe claim, a Jesuit *might* have known of Coleman; however, no Jesuit would have known all of Oates' other particulars. So, if not the Jesuits, who was it?
- Deane Whom do you suspect?
- Pepys Well now my friends, I ask you, who would benefit most if Oates' ridiculous Popish Plot were to gain credence?
- Deane/Hewer The Whigs!
- Pepys Of course! And those most *radical* of the Whigs, the Green Ribbon Club with its leaders, William Harbord of the Commons and our Lords Shaftesbury and Buckingham. This group of fanatics—many republican holdovers from the Cromwell years—never agreed with recalling Charles to the throne. They now sit in their private room at King's Head Tavern, sipping their ale and cups of tea, plotting to thwart Charles at every turn.

They block the most important actions of Parliament just to see this obstruction as a blow to the King, no matter the cost to the defense and welfare of the English people and their Navy.

- Hewer But how does this touch on the disappearance of Sir Edmund?
- Pepys I do not yet know, but I fear it must. As magistrate, Godfrey has sent not a few of this city's criminals to prison. Thus, he has many enemies among them. He knew this, of course, and rarely walked out without his manservant as bodyguard. Nevertheless, I am of a mind that his present truancy relates in some measure to this Popish Plot.
- Deane You may well be right, but how would he be linked to the Plot?
- Pepys Since it was he who took Oates' sworn affidavits, it could be feared by *someone* that Godfrey knows more of the scope of this Plot than has yet been revealed.
- Hewer But which someone?
- Pepys Who can say? ... And I will tell you both another concern I have regarding the whole matter of this Popish Plot. As former Lord of the Admiralty, the Duke was *our* master. Anyone deemed to be a Duke's man is *also* under threat. We must all three be strictly on our guard.

*Blackout*

## SCENE FOUR

*Time:* Late Evening of Thursday October 17, 1678

*Setting:* The King's Head Tavern in Fleet Street. A quiet, private, lantern-lit room. Shaftesbury is seated at table drinking as Buckingham enters with tankard of ale in hand. They sip their ale as they talk

- Shaftesbury [*Annoyed*] You are late, Buckingham. I have waited for nearly one full hour. I was beginning to despair of seeing you at all this evening.
- Buckingham Yes, Shaftesbury, and I crave your pardon. A pardon I trust you will freely allow when you hear my news. News of direct interest to our cause, though of good or ill I cannot yet judge.
- Shaftesbury [*Brightening*] If this proves true, I shall willingly grant you pardon.
- Buckingham I am sure you shall.
- Shaftesbury We shall see. Proceed.
- Buckingham This morning on Primrose Hill, a dead body was found. It was that of Sir Edmund Godfrey
- Shaftesbury Damn! I feared he was dead, but hoped not. Where is the body now?

- Buckingham At White Horse Tavern.
- Shaftsbury I know the place. What more is known?
- Buckingham All I can learn thus far is that this morning two common fellows found Godfrey's body lying in a ditch. From its condition murder was assumed. It has been taken to the White Horse where Godfrey's physician was called to examine the body. An inquest is to be held tomorrow at eleven o'clock.
- Shaftsbury What do you make of all this? Might it in any way touch on us?
- Buckingham I fear it may. As you know, I have been using Colonel John Scott to gain further information of the man Oates.
- Shaftsbury And you think Scott could be involved in this matter?
- Buckingham He *may* be. When I *first* learned of Godfrey's disappearance, I did not. But I now recall that when I last spoke to Scott a fortnight ago, he mentioned his suspicion that Godfrey knew more of the Plot than stated in Oates' depositions. Scott said he intended to look into this further. When I asked how, he put me off saying I would know soon enough.
- Shaftsbury Did you encourage him in this?
- Buckingham No! In truth, I told him he must proceed on his own. I would have no part in the matter.
- Shaftsbury And where is Scott now?
- Buckingham I know not. Hearing of Godfrey's murder, I at once sent word to Scott at his lodgings. His landlord, a haberdasher named Payne, sent word back to me that two days ago Scott left the house telling Payne he would be gone for a month. He gave no word of where he was bound, but he wanted his room saved and his trunk kept there for safe keeping.
- Shaftsbury So we cannot question Scott further until he returns.
- Buckingham True. But I believe that until we do, we must assume that Scott was somehow involved in Godfrey's murder and act accordingly.
- Shaftsbury I agree, but it may be of no matter. Scott is a base rogue we know, though he puts on a smooth facade. Should he prove involved and his association with you is discovered, we can truthfully declare he was not in your employ and that we had no part in the abduction or the murder. Meanwhile, we may yet use Godfrey's death to our advantage.
- Buckingham How so?
- Shaftsbury Our prime objective remains passage of an Act of Succession to the Throne that excludes James, Duke of York, and forever ensuring that a Protestant reigns. Agreed?
- Buckingham Aye, and the best way to ensure passage of this Act would be to implicate the Duke directly in the Popish Plot.

Shaftsbury Indeed. But in spite of the link of Coleman to the Plot, this is not enough to implicate the Duke directly. However, we can surely get at him through those closer to him. This could cast a pall over him that will strongly influence Parliament toward passage of our Act of Succession.

Buckingham And of those close to the Duke, who do you suggest?

Shaftsbury Who better than that upstart who parades his position as Secretary of the Admiralty like a presumptuous peacock, our Mr. Pepys?

Buckingham Hurrah! I would welcome that. However, it will not be easy. Pepys is clever and close to the King. I know of no way to link him to the Plot, even if ever so remotely.

Shaftsbury Ah, but my dear Buckingham, remember the power of *rumor*. When Pepys first stood for election to the Commons, there was tattle spread about that he had Popish sympathies and might even be a confessed Catholic. I know this because I started the rumor.

Buckingham Clever!

Shaftsbury Now, although Pepys escaped that trap and won the seat, the taint still lingers in his shadow.

Buckingham And we can use this?

Shaftsbury Indeed! When the Green Ribbon Club meets here next week, we shall subtly convey the rumor that Pepys has Popish proclivities. Thus, he may even have had some part in Godfrey's murder. Of course, we do not know where this rumor arose; nevertheless, if true, it must cause great concern. Given our members' fears of Oates' Plot and the city's panic over all things Catholic, this should be enough to put Pepys in the midst of the turmoil and move suspicions ever nearer the Duke.

Buckingham I believe it will work.

Shaftsbury Of course it will work! Now, one last thing before I depart, you must have a trusted agent at Godfrey's inquest. We must know details of the murder if we are to use it to our advantage.

Buckingham To be sure, Shaftesbury. I know just the man.

Shaftsbury Good. [*Rises to leave*] Drink up, Buckingham, you have done well, [*Turns back*]. and your pardon is granted. [*Exits slowly on his two sticks*]

*Buckingham, seated with tankard in hand, raises it to the departing Shaftesbury.*

Buckingham Thank you, and fare thee well my friend.

*He is pleased with himself and takes another drink and mulls over their conversation as the lights fade to black.*

## SCENE FIVE

*Time:* Late afternoon, Friday October 18, 1678

*Setting:* Pepys study. Pepys is working at his desk wearing his small periwig and pince-nez spectacles.

*Hewer enters*

Pepys Ah, Will. Good, you are back. [*Removes his spectacles*] The inquest has ended then?

Hewer Yes.

Pepys And what was revealed?

Hewer Much. Two of the men who found Sir Edmund's body recounted how initially they had seen a cane and gloves by the path on Primrose Hill. Yet, they did not think much of this, assuming the owner had gone into the bushes to relieve himself. But later they grew suspicious and returned with the innkeeper of the White Horse and found Godfrey's body. Though the path was wet and muddy from rain the previous day, his boots and clothes were dry and free of any mud. His valuables were untouched, and they saw tracks of a cart near the body.

Pepys So we can conclude he was killed elsewhere and brought to the spot by cart sometime after the rain. Correct?

Hewer Yes. Then the doctor described *his* findings. There were marks of strangulation on the neck—the likely cause of death—and, peculiarly, there was also a great mass of bruises on the chest. And also, Sir Edmund had not eaten for at least two days before he died.

Pepys Therefore, it was death by strangulation. But, it seems, not until he had been held for two days and harshly used. Since he left home on Saturday the twelfth, he was most likely murdered on Monday the fourteenth.

Hewer So it is assumed.

Pepys But if he was held for two days, where ... and to what end?

Hewer Then Godfrey's housekeeper told of the Friday before he disappeared and the next morning. Sometime in the afternoon of Friday the eleventh ...

Pepys The morning I left for Newmarket.

Hewer ... a messenger came and spoke to Sir Edmund for just two or three minutes. She heard none of their conversation, but that night, without explanation, Godfrey burned a goodly amount of his private papers. Next morning, Saturday, he ate a hearty breakfast before leaving on foot alone. He told her that he would be gone the better part of the day and not to expect him for supper. The manservant confirmed all the housekeeper had said. Sunday morning, finding that Godfrey had not returned, they raised the alarm.

- Pepys           Therefore, I presume the coroner's verdict was "unlawful killing by a person or persons unknown," ...
- Hewer           Yes.
- Pepys           ... and no one was named as a possible suspect?
- Hewer           No, not during the inquest. Nonetheless, there are rumors about naming the Jesuits.
- Pepys           As usual, blame falls on the Catholics. Yet, more to the point, it would seem from all you tell me this was neither a murder by a simple footpad for robbery, nor yet by some aggrieved criminal for revenge. [*More to himself than to Hewer*] So Godfrey was taken somewhere and held by force for two days without food, roughed up, and then murdered. Were they trying to get information from him? Was his death accidental in the act of cruel pressure? Or had he learned too much of his tormentors to be left alive? But his body was not found for another three days. Where was it held and why? Hmm. ... Anything more, Will?
- Hewer           Yes. [*He produces a paper from a pocket and hands it to Pepys*] I have been given this order for you. As Naval Secretary with responsibility for the security of the ports, you are to notify all harbormasters to be on guard for escaping Jesuits or any suspicious persons seeking to leave the country.
- Pepys           [*Looking over the paper*] Good. Draft letters at once to each harbormaster with the instructions in this order. [*Hands the paper back to Hewer*] Should any such person turn up, we shall be in the thick of it. Now, Will, I have some distracting news. The Privy Council has named a Secret Committee led by Lord Shaftesbury to investigate the whole matter of this Popish Plot. The members are nearly all staunch, Catholic-hating Whigs—none friendly toward *us* I ween—and they are primed to accept all of Oates' claims as gospel.

*Hewer has no time to reply as the maid Katherine enters*

Katherine      Lady Mordaunt to see you, Mr. Pepys.

Pepys           Thank you, Katherine.

*Katherine exits*

Hewer           I will get to my work.

Pepys           Yes. Thank you, Will, and well done.

*Hewer exits*

*Enter Lady Mordaunt*

Pepys           [*Rises as she enters the room, approaches, and takes her hand leading her to a chair*] Betty, my dear, how are you? What brings you to my humble hearth?

*As they speak he stands before her chair and continues to hold her hand. She makes no attempt to retrieve it.*

- Mordaunt I hope I am not interrupting your work, Samuel. ...
- Pepys Not at all.
- Mordaunt ... I just wanted to offer you an invitation. If you are free tomorrow evening, I am having a small supper before attending the new production at Theatre Royal. Just a few close friends.
- Pepys Delightful! What is the play?
- Mordaunt Dryden's "Marriage à la Mode."
- Pepys Wonderful! I had heard that they might do a translation of Moliere's "Misanthrope." I don't care for theatrical translations. I feel they rarely capture the author's lilt or true intent, ...
- Mordaunt Perhaps not,
- Pepys ... but this is one of Dryden's best. [*Speaks as he takes the chair closest to her and continues holding her hand*] It all sounds very enjoyable. Dryden is very clever and always entertaining. We were together at Cambridge you know. I haven't seen his "Marriage" for several years. Who will play the female lead?
- Mordaunt I do not know. I have heard they tried to get Nell Gwynn to return to the stage. But apparently she refused.
- Pepys Too unfortunate! [*In a pensive tone*] Ah, our pretty, witty Nell; she would have been a treat. [*More lightly*] I suppose she thought his Majesty would not approve. I recall what a delight she was in Dryden's "The Maiden Queen." ... No matter! As Hamlet says, "the play's the thing".
- Mordaunt You will come then?
- Pepys Of course! Thank you. And in return, may I offer *you* an invitation for Friday a fortnight. It will be my annual dinner commemorating my survival of the surgeon's assault upon me for bladder stone.
- Mordaunt I will be delighted! Your parties are always so gay.
- Pepys I intend that this one be particularly so; it is the twentieth anniversary of that ordeal.
- Mordaunt I presume we will have music. You *will* play won't you?
- Pepys Of course. And in honor of this special anniversary, I have composed a simple capriccio for the flageolet. I trust you will find it charming.
- Mordaunt [*She smiles broadly*] Grand! And as to tomorrow, if you would like, please bring along your Miss Skinner. I am sure she would enjoy it.
- Pepys [*A bit taken aback. Finally letting go of her hand*] Betty dear, she is hardly *my* Miss Skinner. Mary is her own person with her own household in Haymarket.
- Mordaunt [*Slight laugh*] Oh, Samuel, after all we have been to each other, you needn't be so coy. The invitation stands.

*She smiles as she pauses waiting for his to reply, but Pepys is momentarily at a loss for words.*

Mordaunt I must go now, but I will see you tomorrow at six then. [*Rises and moves toward the door.*] ... And be on time.

Pepys [*Rises and accompanies her to the door*] Am I not always?

Mordaunt [*Hesitates and turns back to him*] Dear Samuel, I know there are invariably several ladies in your life, but Mary is *the* particular one, is she not?

Pepys [*Hesitates slightly searching for a comfortable reply, then smiles weakly*] Well, is there not safety in numbers?

Mordaunt [*Again smiles broadly enjoying her tease*] Yes, Samuel dear, but in this case, the safety is for *yours* not theirs. Perhaps the evening's play will bolster your courage.

*They both chuckle as she exits—he rather weakly.*

*Blackout*

## SCENE SIX

*Time: Friday November 1, 1678*

*Setting: An elegant, though dimly-lit room. It is bare except for two chairs beside a small table with a third chair opposite. Sam Atkins is seated on the third chair. He looks disheveled. A single guard, Capt. Richardson of Newgate Prison, stands near Atkins. In a quiet corner Shaftesbury and Buckingham are seen conversing quietly.*

Shaftesbury And you say this man Bedloe claims to have seen Atkins standing beside Godfrey's body in Somerset House the Monday after he disappeared?

Buckingham Aye. It was, he says, with three or four others between nine and ten in the evening.

Shaftesbury Who is this William Bedloe? Can he be trusted?

Buckingham He is a petty villain and swindler, and he is also a confederate of Titus Oates. So as far as trust is concerned, I am sure he will stick to his story as long as the King's 500 pound reward for Godfrey's murderer remains in play.

Shaftesbury Good. But for now, we will hold his accusation in reserve with this Atkins fellow. A more direct attack on Pepys—and thus upon the Duke—comes through the charges of Captain Crookes. If Pepys can be linked directly to the murder of Godfrey, Pepys will undoubtedly accuse the Duke in order to save his own skin. Let us see what our Master Atkins has to say to the



accusations of Crookes. Perhaps his sojourn in Newgate Prison has loosened his tongue.

*They move to confront Atkins. Shaftesbury sits at the table, Buckingham remains standing before Atkins. They fall naturally into playing "good cop – bad cop" with Shaftesbury the latter.*

Shaftesbury [To Richardson.] You may wait outside, Captain. [Richardson exits]  
Now then, Samuel Atkins, do you know who we are?

Atkins Yes, m' Lord.

Shaftesbury Good. And do you know why you are being held in Newgate Prison?

Atkins Captain says it is because I am accused of assisting in the murder of Sir Edmund Godfrey. [Emphatically] But that is in no way true.

Shaftesbury So you may say. I will come right to the point of the matter. You know a Captain Charles Crookes, do you not?

Atkins [Puzzled] Yes, m' Lord.

Shaftesbury We have it on the Captain's sworn testimony that in mid-August last he told you of a common seaman named John Child, a man of low character who would do a foul deed for low pay.

Atkins Never, m' Lord! I know of no one by that name. I *do* know Captain Crookes is disgraced and a bankrupt. He must be lying to get the King's 500 pound reward.

Buckingham [In kindly tone] Now then, Master Atkins, you are in the employ of Mr. Samuel Pepys, are you not?

Atkins Yes, m' Lord.

Buckingham And you have personal knowledge that Mr. Pepys had conflict with Sir Edmund and wished him ill, ...

Atkins Oh no, m' Lord. I know no such thing.

Buckingham ... and did not Mr. Pepys instruct you to tell Captain Crookes to send the man Child to visit him in his Derby House chambers, though perhaps not telling you why.

Atkins No, he did *not*, m' Lord.

Shaftesbury And there Mr. Pepys engaged Child to murder Sir Edmund Godfrey.

Atkins [Panicky] No never. That cannot be true.

Buckingham Well now, Master Atkins, I never saw you before, but I'll swear you are an ingenious fellow. [Places a finger on Sam's forehead] I see the working of your mind. You must know that if you are to save yourself, you must own to these charges. Now, just declare what you know of this matter.

Atkins Oh, m' Lord, I can say only that I know nothing of any man Child. No matter the claims of Captain Crookes, who I know *hates* Mr. Pepys because he had him court-marshalled. My master, Mr. Pepys, would never have been a party to Sir Edmund's murder. They were as good friends as could be and showed great mutual respect. If I were to say otherwise 'twould be a lie. Telling such a lie would do me a great deal of hurt.

Buckingham [*Calmly*] That aside, Master Atkins, we must raise another matter with you. On the night of Monday fourteenth October last, where were you between nine and ten o'clock?

Atkins [*Puzzled*] Ah, I suppose at home for I am seldom out at that time of night.

Shaftsbury [*Sharply*] No, Samuel Atkins! I shall tell you where you were. You were to be seen in Somerset House standing over the body of the murdered Sir Edmund Godfrey.

Atkins That is impossible, m' Lord. I have never in my life been in Somerset House.

Shaftsbury [*To Buckingham*] I believe it is time to see what Bedloe has to say.

Buckingham [*Goes to the door and speaks to Richardson*] Bring in William Bedloe.

Richardson Yes, my Lord.

*A few seconds later Richardson returns with Bedloe who is shabbily dressed. Richardson remains near the door.*

Shaftsbury [*To Atkins*] Do you know this man?

Atkins No, m' Lord, I never saw him in my life.

Shaftsbury [*To Bedloe*] And you. Do you know this man?

Bedloe [*Looks carefully but cautiously at Atkins*] Ah ... I believe I have seen him somewhere, m' Lord, but where I cannot recall.

Shaftsbury [*Impatient, barks*] Come now, Bedloe, is this the man, or no?

Bedloe [*Hesitates, then is cautious*] Hmm ... m' Lord, I cannot *swear* 'tis he. 'Twas a young man who said his name was Atkins and a clerk of Derby House. ... He is very *like* the man I saw, but the light was rather dim. I cannot positively swear this is he.

Shaftsbury [*Disgusted, to Bedloe*] Leave us!

*Bedloe exits*

Buckingham [*A little firmer now*] Master Atkins, we must be plain with you. There is Captain Crookes' sworn oath against you. And now here is another one who says you are likely the man who stood over the body of Sir Edmund. We cannot answer to Parliament by doing any less than keeping you confined to stand trial in the murder of Sir Edmund Godfrey. I fear your silence will bring you under severe punishment.

- Shaftsbury [Snaps at Atkins] And, Samuel Atkins, I will tell you of *which* punishment: you will be *hanged*. [Now mockingly] Or perhaps you will be knighted. If the Papists rise and cut our throats, you will be knighted, if not, you *will* hang.
- Atkins M' Lord, I well know it. And I also know the laws of God will bring me into a *worse* fate if I tell a lie. If you send me to be hanged, I can say no more nor otherwise declare falsely. In Proverbs it says, "A false witness shall not be unpunished, and he that speaketh lies shall perish." [*Hangs his head in his hands*]
- Shaftsbury [*Calls to Richardson*] Captain, return him to his cell.

*Blackout*

## SCENE SEVEN

*Time:* Saturday morning, November 2, 1678

*Setting:* Pepys study. Pepys is at work at his desk.

*Enter Katherine.*

Katherine Sir Anthony Deane to see you, sir.

Pepys Wonderful. Show him in please, ... and Katherine, ask Mr. Hewer to join us.

Katherine Yes, sir.

*Exit Katherine; pause, enter Deane*

Pepys Deane, dear friend, ...

Deane Pepys, good morrow.

Pepys ... what news?

Deane Panic over this Popish Plot grows more fervent by the hour. [*Rattles off this list*] At Parliament's demand, the King has banned all Papists within thirty miles of London. Any Jesuit found is to be arrested. Sales of knives have soared. Troops have been ordered to challenge all funeral processions and search all coffins for arms.

Pepys [*Frowns and shakes his head*] The situation is beyond sane reasoning. I trust *you* have managed to stay clear of any direct accusation of involvement in the Plot, ...

Deane I have.

Pepys ... but I fear it grows ever closer to my door. Sam Atkins has been arrested and is now held in Newgate without recourse to visitors or outside communication.

- Deane            Egads! On what charge?
- Pepys            According to a friend on the Secret Committee, there are two. One by Charles Crookes, a dishonest deceiver and coward. He has claimed that Sam summoned a seaman named Child to these chambers where I supposedly hired him to murder Sir Edmund. There is also the claim of a man named Bedloe who says he witnessed Sam standing beside Godfrey's body in Somerset House on the night of Monday fourteenth October, two days after Godfrey's disappearance.
- Deane            Somerset House! Is there any actual proof that the body was ever there?
- Pepys            Not a shred.
- Deane            First Coleman and now this fable of the murdered body right in the Duke's household.
- Pepys            Those who believe in the Plot will grasp at any tale these rogues tell to bring the Plot ever closer to the Duke.
- Deane            Do you think Atkins is seen as a conduit to you?
- Pepys            Of course! There can be but one reason only why they would arrest a simple clerk such as Sam. Shaftesbury and the others seek a path to the Duke's door through me. They may well have thought to implicate me directly in the murder, but then found out that I was with the King at Newmarket. So they turned to Atkins. They know full well that Sam would be but a small fish in this affair. Were the trail to end with him, they would have nothing of use to link the murder of Godfrey and the Plot to us or the Duke. No, they must use Sam to implicate *me*. If they are successful in this, everything I possess, including my *life*, will be under threat. Now it all rests on the constancy of our young clerk lying in wretched solitude at Newgate Prison.
- Deane            What will you do?
- Pepys            I must move heaven and earth to clear Sam of all charges brought against him—for his sake *and* ours. He can be foolhardy at times. However, ...
- Enter Hewer.*
- Pepys            ... he is a devout Protestant who is above reproach. Will, good! You are needed. We must trace Sam's every step for those three days in question. Start with his fellow clerks. They are his friends and may know of his movements or persons whose company he kept.
- Hewer            They are just completing their work.
- Pepys            Press them to recall all they can of those three days. I will begin by making a chronicle of Sam's life to prove him a devout Protestant and an honest fellow.
- Hewer            I shall question them at once.
- Exit Hewer.*

- Pepys Now then, Deane, I told you of this mysterious traveler to Gravesend who aroused the suspicions of officials there.
- Deane Yes.
- Pepys Let me tell you of what we have learned.
- Deane Do you now know who he is?
- Pepys Indeed! In this wise. The letter from Mayor Posten of Gravesend told of the keeper of a clothing stall at the Gravesend Fair. This clothier told of selling a heavy travelling cloak to a man that he *recognized*.
- Deane A lucky break.
- Pepys Truly. This clothier often works in London at the Bear Tavern in Cannon Street. The man who bought the cloak often drinks at the Bear and lodges just across the road in the house of a Robert Payne. I sent men to speak to this Payne and to search the stranger's room. There they learned the man's name; he is a Colonel John Scott. When last seen by Payne, Scott told his landlord he would be gone for a month, but his room and goods were to be held for him. There in his trunk were found many papers. Among them maps of English ports, and a detailed account of the strength of our fleet and port defenses. This last I recognized at once.
- Deane How so?
- Pepys Because, my friend, it was an account for Parliament that I had prepared myself. Now I wonder how he got hold of *that*?
- Deane Hmm, Curious. ... So this Scott may or may not be involved in Godfrey's murder, but he is surely up to his neck in something nefarious.
- Pepys No doubt, but hear more. The day Scott left Payne's house was on the fifteenth of October, just the day after Godfrey had been killed and two days before the body was found. And the Gravesend inn-keeper who took Scott in told Mayor Posten that Scott used an alias, not his own name. Thus, he was clearly travelling incognito. Hardly the action of an innocent man.
- Deane I agree. What more is known?
- Pepys First, though Gravesend is a mere a half-day's journey from London, Scott did not arrive there until the nineteenth. That leaves four days of his movements unexplained.
- Deane Surely sufficient time for him to be involved in moving the body to Primrose Hill.
- Pepys Verily! However, what we know of Scott thus far indicates him to be a clever and cautious fellow. I doubt he would have soiled his hands in the deed. He would have left it to others, though perhaps at his direction.
- Deane What of his movements after the nineteenth?

- Pepys Through our several port officials we have traced Scott from Gravesend to Folkestone. There he boarded the fishing boat of a James Sturgis, paying four guineas to be taken to France.
- Deane So he has avoided capture.
- Pepys For the time being. However, his furtive disappearance and the papers found in his trunk were sufficient to issue a warrant for his arrest. Should he ever again set foot on English soil, he will be seized.
- Deane Good.
- Pepys And here is a remarkable thing: Scott did not tell Sturgis his name, but did tell him that if he ever needed to contact him he should enquire of Lord Buckingham for his man John.
- Deane Amazing! Then Scott has a link to our foes of both the Secret Committee and the Green Ribbon Club.
- Pepys Precisely, and no doubt he is linked to their attempt to get at us through poor Atkins. It is imperative that we discover all that can be known of this Colonel John Scott.

*Blackout*

## SCENE EIGHT

*Time: Evening, February 10, 1679*

*Setting: A comfortable room in Pepys home. Pepys and Mary Skinner are having a quiet, candle-lit supper at a small table. There are easy chairs and other furniture about the room. Mary's small guitar is on a stand to one side. They continue to eat slowly as they converse.*

- Pepys Is the John Dory to your liking, Mary?
- Skinner Oh yes. It is my favorite fish, and the sauce is quite pleasant. You must compliment cook.
- Pepys I shall. It is such a joy to have you back in London, Mary.
- Skinner Thank you, Samuel. [*Takes a sip of her wine*] I have told you of my simple pursuits while with Aunt Beth at Woodhall. However, the family there gives so little attention to the events of London. Pray tell me, what have I missed?
- Pepys Surely. But most of it is not good news, I fear. After these months of delay, Sam Atkins is finally to be tried tomorrow before Lord Chief Justice Scroggs.
- Skinner Poor Sam!

- Pepys Scroggs is a rather harsh judge, but Will and I have assembled a most formidable defense. We have traced with witnesses, Sam's every step over those three October days in question. I have no doubt he will comport himself well and will be acquitted.
- Skinner That is wonderful. I will pray for his safety.
- Pepys Please do. When he is freed, a great deal of the threat to Deane and myself will be averted; though, I fear, *not* eliminated. Our enemies still lurk in the shadows. We must remain ever vigilant to their next move.
- Skinner I agree, Samuel, you must be most cautious. [*Takes another bite of the meal and a sip of wine*] And what of the election?
- Pepys It went not as *hoped*, but sadly, as I expected. Deane and I have retained our seats in Commons, but many of our fellow Tories fared less well. The public hysteria over the Plot has not waned. It garnered great gains for the Whigs. They have won 150 seats against only 30 for the Tories.
- Skinner This must be a blow to his Majesty.
- Pepys To be sure! He had hoped for a *healing* Parliament. Alas, a vain hope. Now with both Parliament and public opinion arrayed against him, Charles has been forced to name a new Privy Council. Sadly, Shaftesbury is at its helm. Charles will now have more difficulty with Parliament than ever he has had in the past.
- Skinner I am sure you are correct.
- Pepys The furor over the Duke grows to a threat of civil war. In an attempt to calm this threat, Charles has sent him into exile in Flanders. The King was also obliged to name a new Admiralty Board manned mostly with foes of Deane and myself. Unfortunately, these new men know almost nothing of naval matters but *think* they know a great deal. They will be insufferable to work with. I felt I could not function under such a burden. Therefore, I sought to resign as Secretary.
- Skinner Oh, Samuel, you didn't!
- Pepys I did. But the King would have none of it. He assured me that, though the new board has the *symbol* of power, *true* power will remain with me. Therefore, I remain Secretary—at least for now.
- Skinner Good!
- Pepys Yes. I will be able to continue to reform many of the ill practices of the Navy's officer corps. I recently learned of yet another of our "gentleman captains" who has stayed on shore away from his ship for long periods without consent. These men who have no training for the sea or for command, gain preferred positions only because of social rank. They must be disciplined. I fear the Lords will find great fault with me over this point.

- Skinner But for you to have retained your Commons seat must surely work to advantage in your dealing with Parliament.
- Pepys Well yes, I cannot deny it. Nevertheless, Shaftsbury has goaded the new Parliament into appointing a Committee of Enquiry to probe supposed wasteful mismanagement by my office. There is also an accusation that I have been accepting bribes to appoint some ships' officers.
- Skinner Oh, Samuel, will they never give up on these ludicrous charges?
- Pepys Alas, I fear not, not while the Whigs retain power. And to add to all this, Shaftesbury has accused me of turning a blind eye to wide-spread Popery among ships officers.
- Skinner Oh dear! How ridiculous! [*Takes a bite of food*] ... And is there anything new regarding the Popish Plot?
- Pepys Yes. The citizenry is more than ever in a frenzy. They are convinced that Godfrey was killed by Papists. And now Oates and his cohorts have accused the Queen's own physician, Sir George Wakeman, of planning to poison the King.
- Skinner Good Lord! Will those wretches stop at nothing? How can people credit such lies?
- Pepys The people are engulfed by flames of fear of the Catholics and fueled by the likes of Shaftesbury. [*Pauses as he takes up his glass and sips*] And the Plot has taken yet another toll. A fortnight ago a goldsmith named Miles Prance claimed knowledge of the murder of Sir Edmund. He named as the murderers a pair of priests, who have since fled the country, and three common laborers of Somerset House. On the sworn word of Prance and that same William Bedloe who has accused Sam, those three have today been sentenced to the gallows.
- Skinner Dear God! Do you think this goldsmith Prance was truthful?
- Pepys Not at all! I believe he made up his tale to save his own neck. He had been denounced by another to be a party to the crime. He swore his own innocence, of course, but testified in some detail about the murder. His information did have some ring of truth, so he seemed to have known *something*. Even the most inventive liar does not build elaborate stories on a mere wisp of fantasy. Makes one wonder: Who was it *coached* Master Prance?
- Skinner Oh, Samuel, it is all so sordid! Where will it all end?
- Pepys Who can say, my dear, who can say? Had these three men been truly guilty, they surely would have revealed who hired them for they had no reason of their own for the crime. But if they are purely innocent, as I do believe, then even to save themselves from the gallows, they could not lead back to the architects of the murder.
- Skinner So authorities are no closer to the truth, yet three innocent men will hang.



Pepys           That is certain. Nonetheless, there is another trail that might lead to a solution. Colonel Scott remains a principal suspect. More of him has been revealed by our inquiries.

Skinner        Has it been helpful?

Pepys           A great deal, but not enough. So we continue to search. Information confirms that he is at least *capable* of the deed. To summarize his crimes: he is thief, swindler, spy, forger, bigamist, and debaucher of women. In the West Indies he was convicted of murder, but escaped the noose by bribery. He served in the army in our Province of New York, but was drummed out of the regiment for embezzlement. For this loss of command, he now bares a grudge against the Duke who then ruled the colony. Hence, Scott will likely be happy to assist the Green Ribbon Club in their machinations against the Duke and the King.

Skinner        An amazing villain. How has such a scoundrel escaped prison or the gallows?

Pepys           Oh, he is most cunning. We know he has made close ties with the Whigs. When he dared return to England he was immediately imprisoned; however, within days he was freed on order of the Privy Council. That, of course, means on the order of Shaftesbury. Since then Scott has been in hiding.

Skinner        If so, why did he return to these shores?

Pepys           Why indeed! I believe it can only mean that the Whigs have some use for him. ... But my dear Mary, on this homecoming evening let us not dwell more on such unpleasantries. I would have you take up your guitar and sing me a pretty song as I finish my wine. [*He takes his glass and moves to a more comfortable chair*]

Skinner        Oh yes, Samuel. Let us celebrate my homecoming with music. [*She takes up her guitar and sits again as she strums and begins to sing softly*]

*As she sings, Pepys taps his foot and chimes in on some of the words. But soon he becomes sleepy and nods.*

Skinner                Oh kind Sir, tell me please,  
                          Where are those roses rare  
                          That once did bloom so bright  
                          In this your garden fair?  
  
                          My dear, when you departed  
                          This scene so long ago,  
                          Both I and the roses red  
                          Grieved so to see you go  
  
                          Oh dear Sir, no choice had I.  
                          My father bade me away.  
                          He betrothed me to another,  
                          No choice had I but to obey.

[*She abruptly breaks off singing*] Samuel, is it the wine or my song that makes you sleepy? You are surely nodding off.

Pepys Oh, I *am* sorry, Mary dear. Your singing is so soothing. But it *is* getting late. Are you expected back at Haymarket this night?

Skinner [*Coyly*] No, Samuel.

Pepys Good! [*Rises*] And so to bed.

*Mary also rises and puts her guitar aside. They hold hands and exit as lights fade to black.*

## SCENE NINE

*Time: Morning, February 11, 1679*

*Setting: Trial of Sam Atkins at the Court of the King's Bench in Westminster Hall before Lord Chief Justice William Scroggs. Crowd noises. Scroggs and two other judges in their robes and wigs are seated at their raised bench. Attorney General Sir William Jones stands before them. A railing (bar) separates the inner official court from the spectators of the Hall. Sam Atkins stands next to Captain Richardson outside the railing as he waits to be called before the court. Pepys and Hewer stand outside the railing. Sam's witnesses, Captain Vittles and Boatswain Tibbett are with them. Bedloe is also to one side among the crowd.*

Scroggs My Lord Attorney General, we will now resume proceedings in the case of Mr. Samuel Atkins. Can we continue where we adjourned yesterday?

Jones [*Picks up some papers*] Yes, my Lord.

Scroggs I trust we can make quick work and be done with the matter. Are the witnesses sworn in yesterday now present?

Jones Yes, my Lord.

Scroggs Good. Proceed.

Jones Bailiff, call Samuel Atkins.

Bailiff [*Staff in hand strikes it on the floor and in loud voice*] Samuel Atkins will approach the bench.

*Atkins responds by entering the railing to stand before the judges.*

Scroggs Mr. Atkins, yesterday you heard charges against you as an accessory in the murder of Sir Edmund Godfrey. I must warn you that you are still under oath. Do you understand?

Atkins Yes, m' Lord.

Scroggs You then, under your solemn oath, did plead innocent to the charges. Do you now stand by that plea?

- Atkins Yes, m' Lord. I should deem myself very happy to be able to acquit myself of the duty I own to his Majesty, but I am purely innocent. Whatever was sworn against *me* might as easily have been sworn against *any* man.
- Scroggs [*Nods to his fellow judges*] Prettily put. [*Back to Sam*] You have also heard the sworn testimony of Captain Charles Crookes.
- Atkins Yes m' Lord. But I never had the conversations with him as he claims, and I ...
- Scroggs Hold! You are mistaken, Mr. Atkins. [*Takes a more kindly tone*] He does you no mischief at all. His account of the discourse with you is nothing to the matter. There is nothing in it bearing on any *crime*.
- Scroggs looks for assent to the other two judges who nod back.*
- Pepys [*Aside in some surprise to Hewer*] The Chief Justice seems to have shifted to Sam's defense. The case now hangs on Bedloe's testimony. Sam should be able to counter any claim Bedloe might make.
- Scroggs [*To Jones*] Sir William, we will hear from your next witness.
- Jones [*To the Bailiff*] Call William Bedloe.
- Bailiff [*Strikes the floor with his staff and in a loud voice*] William Bedloe will approach the bench.
- Bedloe comes forward now dressed in new, rather gaudy finery.*
- Pepys [*Aside to Hewer*] See his garments, Will! From Sam's earlier description, this rascal Bedloe has been spending the King's reward before it is in his pocket.
- Jones [*Paper in hand*] William Bedloe, we have before us here your sworn affidavit presented to the Committee of the House of Commons. We need not go over every particular, but I would like you to confirm two points. On the night of Monday the fourteenth of October last you say you were present in Somerset House. Correct?
- Bedloe Yes, m' Lord.
- Jones There you say the body of Sir Edmund Godfrey was viewed by several men, including yourself. Is that correct?
- Bedloe Yes, m' Lord.
- Scroggs [*Takes over*] And at what hour was that?
- Bedloe Between nine and ten o'clock, m' Lord.
- Scroggs And you now see before you the accused, Samuel Atkins.
- Bedloe Yes, m' Lord.
- Scroggs And was he among the men you saw on that night beside the body of Sir Edmund Godfrey as you have indicated in your affidavit?

Bedloe [Very hesitant] M' Lord, it is hard for me to swear that this is he. There was very little light. [Gazing at Atkins] Ah ... I do not remember that the man was such a person as the prisoner. As far as I can recall, the man had a ... a more manly face, and he had a beard. ... I, ah ... that is ...

*The judges wait impatiently while he gazes at Atkins and seems to be searching for more to say.*

Pepys [Aside to Hewer] See how he hesitates. He is in fear of being charged with perjury.

Scroggs [Very impatient] Come now, Mr. Bedloe, can you swear it was this man or can you not?

Bedloe I fear I cannot swear it was he, m' Lord.

*Scroggs leans over to speak to the other judges for a moment.*

Pepys [Aside to Hewer] That consumes the case against Sam. He will be a free man.

Scroggs [Disgusted] You have wasted our time, William Bedloe. [Waves Bedloe aside.] The witness is excused.

*Exit Bedloe. Jones retreats to his place at one side near the railing.*

Scroggs Now Mr. Atkins, let us settle this matter. Were you at Somerset House the night of Monday the fourteenth of October last between the hours of nine and ten o'clock?

Atkins No, m' Lord. In all my life I was never in that house.

Scroggs [Smiling broadly] Then call witnesses to prove where you were that night, and you need not trouble yourself or this court any further.

Atkins Thank you, m' Lord. I call on Captain Richard Vittles of his Majesty's yacht, the *Katherine*.

Pepys [Aside to Hewer as Vittles enters inside the railing before the judges] Vittles is well versed. This should seal the case in Sam's favor.

Scroggs Captain Vittles, I must remind you, you are still under oath. Do you know the prisoner, Samuel Atkins?

Vittles Yes, m' Lord, for these seven years past.

Scroggs What can you tell the court of his whereabouts on Monday the fourteenth of October last?

Vittles On that morning I had need to visit Mr. Pepys' office. There I spoke with Sam Atkins as one will with a friend. He told me of two gentlewomen of his acquaintance, the sisters Sarah and Anne Williams, to whom he had promised some sort of outing for that afternoon. He asked me could they perhaps visit the *Katherine* as they had never been on board such a vessel. I was pleased to oblige Mr. Atkins and arranged to meet him and his friends that afternoon at four o'clock. Which I did and took them down

river to Greenwich where the *Katherine* was docked. After showing them over the ship, we went to my cabin for a light meal. There I happened to have some good cheese and fine wine just come from beyond the seas. There we drank freely for some time, the ladies enjoying our company and we theirs. Through the evening, I own, we did all become quite fuddled with the drink. [*Hesitates looking down as though a bit ashamed*] I must beg your lordship's pardon, but so it was.

Scroggs [*Chuckles mildly*] Proceed.

Vittles At half past the hour of ten, I ordered my Boson and four of our men to take my guests in the ship's four-oar boat up river to their landing near Billingsgate. The men reported later it was with some strain that they helped Mr. Atkins on shore, he being well under the influence of my wine.

Scroggs At what time did your men part company with Mr. Atkins, Captain?

Vittles They were rowing against the tide, m' Lord, so it was nearly midnight by the time they reached Billingsgate.

Scroggs So Captain, it is your testimony that on the fourteenth of October last Samuel Atkins was on board the *Katherine* from approximately half past four in the afternoon until half past ten, and then, until nearly midnight, he was on the river with your men of the *Katherine*.

Vittles Yes, m' Lord.

Scroggs Then call one of your men to attest to this, and we will have done.

Vittles My Bosun, Robert Tibbett, should come forward. [*Gestures to Tibbett*]

*Tibbett enters inside the railing before the judges.*

Scroggs Robert Tibbett, you have been sworn to be truthful before the court. Can you confirm all that your master, Captain Vittles, has here testified in this matter?

Tibbett Yes, m' Lord, I can to a jot.

*Scroggs leans over to speak privately to the other two judges for a moment; they nod their heads in agreement*

Pepys [*Aside to Hewer*] That clinches it. Sam will go free.

Scroggs Samuel Atkins, it is the verdict of this court, as to *all* charges brought here against you, that you are *not* guilty. ...

*A few cheers from the crowd.*

Atkins [*Drops to his knees*] God bless the King and this honorable court.

Scroggs ... Further, I would speak of the matter in this wise. In misplaced zeal to discover the murderer of Sir Edmund Godfrey, there has been a grasping at the muddled testimony of William Bedloe and others. On hearing of someone who may have owned to the name of Mr. Pepys' clerk, this was seized upon to place a quite innocent man in prison and now before this

court. I should be most glad if all those brought before us in the matter of the Popish Plot had been so innocent. Mr. Atkins, you are free to go about your business. [*With a smile and chuckle*] And I advise that this day you and Captain Vittles go and share *another* bottle together.

*Blackout*

## SCENE TEN

*Time:* Evening, May 20, 1679

*Setting:* The private, lantern-lit room of the King's Head Tavern where Shaftesbury and Buckingham met previously. Buckingham sits alone at the table with a tankard of ale. A second tankard is also on the table as Shaftesbury enters slowly on his two sticks.

- Shaftesbury Ah, Buckingham, you are on time I see. [*Sits*]
- Buckingham To be sure. I was averse to keeping you waiting. I have ordered your ale to save you the trouble.
- Shaftesbury My thanks to you. [*Picks up the tankard and takes a long draft*] Was your trip to France fruitful?
- Buckingham I cannot say that it was. I am glad to be home. But what of the Exclusion Bill? It was just being framed when I left.
- Shaftesbury It was introduced in the Commons five days ago. In the short of it, it calls for the removal of all Catholics permanently from London and, more importantly, it bars the Duke from ever succeeding to the throne.
- Buckingham Wonderful! I assume that the entire Bill was accepted as written.
- Shaftesbury Of course, and by a strong Whig majority. The second and third readings will be in the next few days. It will surely pass.
- Buckingham And we will be rid of the Duke forever. But what of the King? He must be livid.
- Shaftesbury To be sure, but when passed, there will be nothing he can do about. Now, what of Scott? Do you know where he is to be found? Have you spoken with him?
- Buckingham Aye. I have had him lodged with a trusted friend in Sussex, but he is now returned to the city. He will join us here. ...
- Shaftesbury Excellent.
- Buckingham [*Looks at his pocket watch*] ... He should arrive soon.
- Shaftesbury Have you learned anything more of his possible role in Godfrey's murder?

- Buckingham No. Given our need for his testimony, I have been loath to press him further on the matter.
- Shaftesbury That is wise. It is best to let that sleeping dog lie. For now, is he prepared to come before the Commons with his charges against Pepys?
- Buckingham Yes. Most eagerly.
- Shaftesbury Excellent! With Atkins freed, that path to Pepys is barred.
- Buckingham It was a sore waste of effort, I ween.
- Shaftesbury Yet worth it had it succeeded. Scott now remains our only chance to snare that slippery Secretary of the Admiralty and bring the Duke down with him.
- Enter Scott in a hooded cloak with tankard in hand.*
- Scott *[As he removes his cloak revealing him to be very well dressed]* Good tidings, m' Lords, I trust I am on time. *[Takes a seat]*
- Buckingham Yes. ... John, this is Lord Shaftesbury.
- Scott *[Nods to Buckingham and speaks to Shaftesbury]* Honored to meet you, m' Lord.
- Shaftesbury Colonel Scott, Lord Buckingham has apprised me of your part in this matter and the charges you propose to lay before the Commons against Samuel Pepys and Sir Arthur Deane. We need not review them now, but I must be sure that you will not hesitate before that body.
- Scott Trust me, my Lords, I will take great satisfaction in proceeding against Pepys and, in turn, delight in any blemish I can cast upon the Duke of York.
- Shaftesbury *[To Buckingham]* Have you made it clear to the Colonel that the Commons is but the first step. It will be necessary make the charges strong enough to warrant trial for treason before the Court of the King's Bench.
- Buckingham We have discussed this.
- Shaftesbury Further, Colonel, the law requires that any charge of high treason must be supported by the sworn testimony of two credible witnesses. Do we have a second such individual?
- Scott *[A bit hesitant but blusters his way through this]* Ah, have no fear, m' Lord, when the trial opens the second man will come forth. There is more than one we can count upon.
- Shaftesbury I surely hope so, Colonel Scott, for our sakes and *yours*.

*Blackout*

## SCENE ELEVEN

*Time:* Early evening, May 22, 1679

*Setting:* The Three Tuns Tavern near the river. A hackney-coachman is seated at an out-of-the-way table with a tankard of ale as a boatman approaches with tankard in hand.

Coachman Join me, Ben. How fare thee?

Boatman Thank ye, Daniel. I am well. And you? [*Sits as the coachman continues*]

Coachman Well also. Tell me, how runs the tide?

Boatman [*Smiles broadly*] And do you mean tide of the Thames or the tide of political affairs? I may speak of either or both.

Coachman [*Chuckles*] Both then if you will.

Boatman The river tide was just now on its ebb. I came down easily with it from Westminster. As to the tide of politics, here is news that may divert you. I was bringing two members of Parliament back to the City. These gentlemen spoke of this day's interesting doings of that body.

Coachman Prithee tell!

Boatman In the Commons an MP name of Harbord, made several charges against Mr. Pepys—charges of mismanagement in the affairs of the Admiralty. This brought much discussion and angry reply from Mr. Pepys who, it seems, well held his own against this Harbord. Then rose a man who is not a member, but Harbord had asked leave to speak. He was a Colonel John Scott. He brought a tale of treasonous misdeeds that he claimed were committed by both Mr. Pepys and Sir Anthony Deane, the King's master shipwright.

Coachman I know well of both men. What misdeeds did this Scott claim?

Boatman My passengers told me nothing of the details, but to be sure, the charges were several and severe. They raised such a great furor that they were both taken these two into custody by the Sargeant at Arms. They are now imprisoned in the Tower.

Coachman Those charges must have been most severe.

Boatman Surely, for they are to be tried at the King's Bench for high treason. 'Tis said they will *surely hang*.

Coachman Were they thought to be part of this Popish Plot that now o'erwhelms the city?

Boatman From what my passengers spoke, it appears not. [*Pause as he takes a drink*] But what of the Plot; any new reports on the city streets?

Coachman None that I have heard. But to be sure, it is the main topic on every tongue—that and the disgust of the people over the lustful and extravagant



ways of the King and his court. Sunday next there is to be another march to voice opposition against the Catholics and then a burning of the Pope in straw likeness at Smithfield.

Boatman And will you march, Daniel?

Coachman I think not. I fear the Plot as much as any man, but to my mind, the marches are of little avail.

Boatman Perhaps you are right. . . . As to the conduct of the King and court, I'm told that Charles spends great sums at gambling and many hours with his mistresses, all to the neglect of the country's concerns. He seems to hold no fear of the Plot against his own life, leaving all in the hands of Parliament and the Privy Council. The people are demanding more be done, but they see no action—only words.

Coachman Yes, that is common opinion. It is this that sets the teeth of the citizens. They are in a great rage. And they fear being murdered in their beds by Jesuits.

Boatman No doubt.

Coachman Just today, as I drove my cab along the Strand, I came up against a Royal coach that was detained by an angry mob. They were in great fury, all shouting, "Catholic whore! Catholic whore!" . . .

*The boatman chuckles as he takes more from his tankard.*

Coachman My passenger thought the coach must carry the King's Catholic mistress, Lady Castlemaine. Yet suddenly, it was *Nell Gwynn* who thrust her head out the coach window. She laughed and waved at the crowd crying out, "People! People! Calm yourselves, I am NOT the Lady Castlemaine, I am the PROTESTANT whore!"

Boatman [*Laughs heartily and raises his tankard*] To the Mistress Gwynn.

Coachman [*Laughs and follows the boatman's toast.*] To Nell Gwynn.

*Blackout*

## SCENE TWELVE

*Time:* Late afternoon, May 24, 1679

*Setting:* Pepys' chamber in the Tower with white-washed walls and a pair of high barred windows. The plain furnishings are a bed, a small, rude table and chair. Two other chairs are against one wall. Pepys has removed his coat and wig, his hair is disheveled and his shirt collar is undone. He is wearing his round pince-nez spectacles and is seated at the table with paper, quill-pen and ink pot. He is trying to write but hesitates unable to begin. There is the sound of the cell door being unlocked.

*Guard enters.*

Guard            You have visitors, Mr. Pepys.

Pepys            Thank you, guard, let them in please. [*Lays his spectacles aside as he rises to greet them*]

*Guard exits.*

*Enter Hewer, Lady Mordaunt and Mary Skinner. The door is locked behind them*

Skinner          [*With tears, rushes to Pepys and embraces him*] Oh Samuel. What have they done to you?

*Lady Mordaunt has also embraced Pepys tearfully but is silent.*

Pepys            [*Presents a brave face to his visitors, hiding his own anxiety*] Ladies, ladies, calm yourselves. I am unharmed. God willing, all will come right in the end. Thank you for coming. Please sit. ...

*The women sit, Hewer remains standing while Pepys moves nervously about the cell.*

Pepys            [*Glances down at his attire*] ... I fear I am not in fit state to greet you. However, be that as it may, you are here and that is what matters. And Will, thank you for coming and for bringing our friends.

Hewer            I was not sure they should come, but they were insistent. I decided it would perhaps serve to settle some of their fears. ... And give *you* cheer.

Pepys            Rightly so, Will, rightly so. [*To the women*] As you see, I am quite comfortable. Nothing so foul as the cells of Newgate where poor Sam Atkins sat those many weeks. I receive adequate food and am treated with reasonable respect.

Skinner          But why have they put you here?

Pepys            I am afraid that our past service to the Duke has become a double-edged sword. I served the Admiralty, which he led to the benefit of the nation. That linkage to the Duke led to attacks upon me that were in turn to be aimed at him. However, it now seems these attacks have acquired a life of their own. So now our enemies seek my total downfall. I am sure Will has told you of the charges by the man, Colonel Scott. The Commons viewed these charges as treasonous. Therefore, they felt obliged to confine Deane and myself for trial.

Mordaunt        But what will you do, Samuel?

Pepys            I know something of this man Scott from his actions after the murder of Sir Edmund. Now we must learn even more of him. At the time, he became a wanted man and fled to France. So why has he now returned only to be taken into custody? Though he was held prisoner, after only a few days someone saw fit that he be released on his own trust. Now he has reappeared before the Commons to make such invidious charges; but why? [*Pauses a moment in thought*] There is more to this matter than meets the eye.

- Skinner            Cannot the King come to your aid?
- Pepys             I am afraid not—at least not directly. With the people in such a turmoil over this Popish Plot and the rabid opposition of this Whig Parliament, I believe Charles must rightly fear another civil war. Being forced to resign as Secretary of the Admiralty, I am no longer in his service thus not under his protection. He has thwarted Parliament too often to risk another direct denial of their will by assisting me. It is their prerogative to have us tried in a court of law and so we shall be. But I know he has not forgotten us. [*Chuckles slightly with a broad smile*] Yesterday he sent Deane and myself a haunch of venison for our tables.
- Skinner            If *he* won't help, what can *you* do?
- Pepys             We are not without resources and friends. We must follow a course of methodical and cautious case-building as we would for any legal trial. [*Turns to Hewer*] Will, have you word of Sir Anthony. We are not allowed any contract.
- Hewer             I have seen him only briefly. He is fearful, yet not without hope. He said he relies on your wisdom in this matter and will assist any way he can.
- Pepys             See him again, Will, and thank him for his trust. Ask him not to despair. Reassure him that, just as I have now said, we have resources and friends. Any other news?
- Hewer             Mr. Houblon sends his greetings. He and his family have gone for a fortnight to their country house at Epping. However, he promises you he will be at your disposal whenever and however he may serve you.
- Pepys             Thank you. I will write to him. Anything more that I should know?
- Hewer             There have been further reactions in Parliament to the Popish Plot. Yesterday the Commons called for the banishment of the Queen and all her Catholic attendants. All Catholic peers are denied their seats in the Lords, and six of them have been charged with high treason. They are now imprisoned.
- Pepys             Do you see how this sordid Popish Plot grows with no end in sight? And the Whigs use every new twist to further rouse the populace toward denying the Duke the throne. [*Moves to Hewer's side*] Now, Will, you can do me a further service.
- Hewer             I will be pleased to, Mr. Pepys.
- Pepys             [*Takes Will's hand*] Come now, Will, there is no need for such formality. I am no longer Secretary, and so we are no longer master and clerk. In these two decades in my employ you have learned much that will serve you well in the years to come. Through prudent management of your funds and cautious investments with the East India Company you have grown prosperous. I am proud of all that you have accomplished.
- Hewer             It has been, in large measure, because of your wise council.

- Pepys I happily offered what advice I could, but the accomplishments have been your own. [*Smiles broadly*] And thus, I say that we should now put formality aside and henceforth we shall be Samuel and Will, affable friends.
- Hewer Thank you, Mr. . . . er, Samuel.
- Pepys Good! Now to the service I would ask of you. When I resigned as Secretary, I took all my papers and personal possessions to my private rooms in Derby House. However, the Privy Council will no longer suffer me to reside there. Therefore, I ask that you remove all my belongings from Derby House to some convenient safe place until I may find residence elsewhere.
- Hewer Anticipating this, I have already acted. I have moved all your belongings to my new house at Number 14 of the York Buildings. The house is large. It is far more space than mother and I require. You are welcome to an apartment there for as long as you desire. The rooms look out on the Thames, and there is a stable for your coach and horses.
- Pepys Do you hear this man, ladies? Oh Will, I do heartily thank you, and please convey my thanks also to your dear mother.
- Hewer I shall.
- Guard enters.*
- Guard Time's up, Mr. Pepys.
- Pepys Yes. Thank you, guard.
- Mordaunt Samuel, [*Embraces him*] I am sure it has set our minds a bit at ease to see and speak with you.
- Skinner Yes. [*Also embraces him*] It has been gratifying to be in your company even if only for these few minutes.
- Pepys [*Takes each woman by the hand*] Thank you all for coming. And please keep me posted, Will.
- Hewer I shall.
- The three exit with the guard. Sound of the door being locked.*
- Pepys turns and for a moment looks about the cell in contemplation; he then lies down on his cot as the light slowly fades to black.*

## SCENE THIRTEEN

*Time:* That same evening.

*Setting:* Night has fallen leaving Pepys' cell dimly lit by the moon shining through the barred windows and a single candle on the table. Pepys, now alone, is lying awake on his cot and listens to a church bell toll the hour of ten. He rises and

*paces slowly in silence for about three breadths of the cell before stopping near the table. The lone candle illuminates his face. He sits and puts on his spectacles. He takes up his pen, and leans over as though to begin writing. He hesitates and looks about the room.*

Pepys [Speaks softly to himself] I would set down, as I have so often done, what has transpired these recent days. Writing such a journal has always helped to clarify my thoughts. ... [Glances about his cell] And yet, what can I now say of the misfortune that has borne me to this place?

*He slowly lays the pen and spectacles aside, stands up, and again looks about the cell and up at the barred windows. He speaks slowly and calmly, obviously expressing his inner thoughts.*

Pepys As I look about these four walls, at these bars—bars that admit the light of an argent moon and yet confine me—it is a struggle to penetrate the events that have brought me here. To be sure, there are great forces arrayed against me. This I know. Shaftesbury and Buckingham and those fanatical fellows of the Green Ribbon Club hold such vehemence against the King and his brother that anyone allied with them is now fair fodder for their wrath. Charles has always sought to rule with a just hand. Yet *they* rain one injustice after another upon him. ... But what can justify their present injustice towards *me*? For these two decades past, I have exerted the greatest care in all matters of his Majesty's Navy and of my own life. Any fair man will see that my duties and loyalties due both to his Majesty and to the Duke have been entirely intent upon but one precise aim: to preserve and strengthen our English fleet. And this to one purpose only: to protect this kingdom and its interests both here and abroad. What other motives have these men ascribed to me that they now set their traps to destroy me? Can they be so petty, so vindictive, so steeped in their own ambitions that they would have had me do any less at the expense of the safety of these shores?

*Pauses as he sits again and stares off into space.*

Where have I gone wrong? How might I have averted this adversity? Have I not taken the most particular care of each element, each detail, each scintilla of the needs of our Navy? Has this not been enough? What more could I have done? It seems all my attentions to the Navy and to moving my career forward have now fallen short. What have I left unheeded? Where have I erred?

*Again pauses. Bows his head a moment then raises it again.*

My enemies chastise me for my pride. Do not my successes in the management of our Navy warrant some measure of pride? Those who set themselves against me are *themselves* proud men. What a great irony it is that such proud men as these do often resent the pride they see in others—even when justly earned. Why is that so? Perchance, did I parade my pride too generously? Perhaps they wished me to be less forthright, less

bold, to offer to them more deference. I have always treated each man with the respect he deserves. Yet, it seems my foes—Lord Shaftesbury and those others—would have wished me to *grovel*. That I would *not*; I *could* not. I treated them most civilly, but I forswore all *false* humility. Yes, I could have been less bold perhaps, but I trod the path that would lead to the greatest success of the Navy and the comfort of our country. With great care I have fashioned my life wholly to the business of the sea. Must I now accept that, carefully as one will, a man can never be the master fully of his own fate? ... Possibly so. Did not Hamlet, that morose Dane, teach us? “There is a *divinity* that shapes our ends, rough-hew them how we will.” Whatever is to come, I suppose I must now accept that it follows upon my own hubris, my air of perceived conceit, my own failures. It is our Lord’s will.

*Pauses and gives way to despair.*

Oh alack, alack! Here I now am, set low, stripped of my position, my property, my reputation, in threat of my *life*. Deprived of the King’s succor, the only thing which might save me. The finish of all this is shrouded in a veil uncertainty. Yet. ... Even should I escape the noose, what will remain? Am I to be denied the contentment and warm colors of life’s autumn only to be thrust headlong into a winter of dotage and despair? I have striven always to give justice to every man. Where now is justice for me?

*Leans over the table with head on folded arms.*

*Fade slowly to black*

## **End Act One**

## **ACT TWO**

### **SCENE ONE**

*Time:* Morning, June 19, 1679

*Setting:* Pepys’ cell in the Tower. Pepys is less disheveled than in the previous scene. He is seated at his table writing wearing his periwig and spectacles. There is a knock and the sound of unlocking the door.

Guard            A visitor, Mr. Pepys.

*Guard admits Balty, who enters hat in hand, then guard exits.*

*Balty remains standing before Pepys at his table.*

Pepys [Removes his spectacles] Brother Balty, many thanks for coming so promptly.

Balty I am always at your service, Samuel. How fare thee?

Pepys I have recovered my spirits, thank you. Have you any news of Sir Anthony?

Balty He fares well enough for himself, but he is in some dismay for his family.

Pepys Let him know that I am doing all I can for both of us.

Balty I will, Samuel, to be sure. It was fortuitous that you should summon me. I was of a mind to speak with you.

Pepys I have a task for you, but first let me hear what is on your mind.

Balty Thank you, Samuel. You are always most thoughtful and kindly to the brother of your sainted wife. [*Rattles off in one flustered stream*] Of late I have been threatened with being brought into court for a supposed debt by a most unreasonable woman who claims that I owe her nine pounds for a saddle that I bought from her stable boy, and later, finding it to be in great need of repair, I did return it to him and retrieved my money, but *he* told the lady that I had *kept* the saddle and not paid him at all which is all *lies*. [*Draws a deep breath*]

Pepys Oh Balty, when will you learn to keep a better grasp on your financial affairs? If the saddle belonged to the woman, the stable boy had no right to sell it. Did you not wonder if the saddle was truly his to sell?

Balty [*Obsequiously*] You are right as ever you are, Samuel. But at the time I was fully taken in by his story.

Pepys It would appear that it is the stable boy's word against yours. I will write to the woman, ...

Balty Oh, if you would please.

Pepys ... although it may be of little avail. But we shall see. And now to my business. I have arranged for you to take the post of Agent General for the Navy at its base in Tangier.

Balty Oh, Samuel. That is wonderful! My most sincere thanks.

Pepys You will start in three months' time. However, to fill these next three months I have a delicate duty for you that will serve me immeasurably.

Balty Anything you require, Brother Samuel.

Pepys Good! I require that you to go to France and gather all information possible about this Colonel John Scott. You know of the false charges he has made against Sir Anthony and myself, ...

Balty To be sure.

- Pepys ... charges that could send us to the gallows. [*Becomes quite angry*] Scott is a BLOODY LIAR. No innocent man was ever dishonored as I have been from the VILLAINY of any man of no acquaintance with myself. He must be repudiated! Where the charge is treason, the accused is presumed GUILTY. We must offer the strongest defense to prove otherwise. That is *my* task; *yours* is to assist me in bringing this DAMNABLE Scott to ruin.
- Balty Yes, Yes, I will.
- Pepys [*Brief pause as he regains his composure*] As we have surmised, Scott may well have been a party to the murder of Godfrey. We must now learn of any other crimes and foul deeds he has committed, anything that will discredit him before the King' Bench. Through our friend John Brisbane, secretary to our embassy in Paris, I have contacted our Envoy, Harry Savile. Savile is an unpleasant man of debauched reputation where women are concerned, but he knows France well and can be of help to us. These two will investigate Scott through their channels as you make your own enquiries. With the three of you at the hunt, no shred of Scott's base character and past dealings should remain hidden.
- Balty Of course.
- Pepys [*Picks up a paper from his table*] I have prepared this list of the persons you are to contact and the questions to be asked. [*Hands Balty the list*] Houblon was here earlier and assures me that he can help through his many business contacts on the continent. I have also written to the Duke, who is still in Flanders, to solicit any aid he might provide in learning of Scott's time in Holland. That blackguard reportedly served in their army but fled in some disgrace.
- Balty [*Studies the list*] This is of great help, Samuel. You are as thorough as ever.
- Pepys Now Balty, I must caution you to avoid any offhand hearsay. You must strive to get a written, factual statement from each witness. Above all, avoid any possible hint of bribery or other attempts to suborn a witness. Any such action would not only destroy *their* credibility, it would also cast a heavy cloud over our honest case.
- Balty To be sure. I certainly will do as you instruct, Samuel. Yet, before I leave for Paris I must make arrangements for Esther and the children while I am to be in Tangier,
- Pepys I have foreseen that. Tangier is a vile city, no place for a gentlewoman or children. My house in Brampton has been vacant since father died. I am offering this to Esther and the children while you are away. I will also provide her with one pound per week for the upkeep of the house and family.
- Balty Oh Samuel, that is most generous of you. I truly thank you. I will instruct Esther to write her thanks to you as well.



- Pepys           And Balty, you will also instruct Esther that she *must* manage her finances judiciously. She cannot live beyond her means. Your income from Tangier will not support a profligate wife.
- Balty            Aye, I will do this to be sure.
- Pepys           Now, Brother Balty, before you depart for France, learn of me this one lesson: Be most slow to believe what you most wish to be true. We cannot offer any single jot of evidence that might later be shown to be false. Consider that the consequences of such a blunder would blemish every other part of our evidence. I fear 'twould be a *hanging* blunder.
- Balty            Aye, Samuel. I promise to follow this wisdom most diligently.
- Pepys            Excellent!
- Balty            Ah, ... Samuel, there is one more bit of news I would you to know.
- Pepys            Yes?
- Balty            Esther is again with child.
- Pepys            [*Surprised and distressed*] Oh, Balty, not another. How many does this make?
- Balty            'Twill be the seventh ... I believe.
- Pepys            [*Astonished*] You BELIEVE! Sir, you *do* know how these things happen, do you not?
- Balty            Yes, Samuel. Of course, Samuel.
- Pepys            I would surely hope so. You two *must* learn to curb your appetites! It would somewhat lessen the pleasure of *getting* children if you would only think on the cost of maintaining them.
- Balty            Yes, to be sure, Samuel. [*Hangs his head*] Again, you are wise as always.
- Pepys            Then, about your business, Balty, and God speed.
- Pepys smiles and shakes his head as Balty exits. He puts on his spectacles and resumes writing. After a moment there is another knock on the cell door and the sound of unlocking it.*
- Pepys            [*Annoyed at another interruption*] What is it now?
- Guard enters ahead of Mary Skinner.*
- Guard            Miss Mary Skinner is come, Mr. Pepys.
- Pepys            [*Abruptly changes his tone as he removes his spectacles and rises to greet her*] Wonderful!
- Guard exits.*
- Pepys            Mary my dear, come in. [*Takes her hand to guide her to a chair at the table*] Please take a chair.

- Skinner [Before she sits, she initiates an embrace that lasts for quite a few moments] Oh, Samuel, I am so worried for you. How are you faring?
- Pepys Do not fret, Mary dear, my stock of patient endurance is still good.  
*Finally Pepys gently parts them, she sits and he takes the other chair.*
- Pepys But what of *your* spirits? You must also maintain yourself. I have faith we shall eventually prevail. So must *you*.
- Skinner But can you be sure? After a month you are still imprisoned.
- Pepys I can. Our barrister, Saunders, is confident that the court will allow us release on bail. That is but the first step. Once free to move about, I will be better able to work for our eventual acquittal.
- Skinner Oh, I do pray so.
- Pepys Your concern is most gratifying but no more than I would expect. Now Mary dear, let us speak of a happier prospect. As you know, Will has offered that I should make my home in his house at the York Buildings.
- Skinner Yes, that is most generous of him. Yet I am not surprised, he so respects you and views you almost as a second father.
- Pepys And for this I am most grateful. He gives me all the care and kindness and faithfulness of a true son, for which God will reward him, even if I cannot. ... Now, I wish to discuss this move in regards to how it bears on the two of us.  
*Mary looks puzzled but is silent.*
- Pepys When I dwelt in Derby House it was only at the sufferance of the Privy Council. I could not treat those chambers as my own.
- Skinner Of course not.
- Pepys Therefore, I was not at liberty to ask you to live there. Such an act would have been viewed as presumptuous. [*Now joyfully*] But I am now a private citizen—if not a free one! That being so, I can offer the prospect for us to reside together. [*Becomes more serious*] But ...
- Skinner [*Gleefully*] Oh Samuel.
- Pepys ... I hasten to add that this is not a proposal of marriage.
- Skinner [*With slight mocking seriousness*] And surely, I did not take it as such.
- Pepys Mary, you are still young. Who can say what the future may bring for you, for us? The difference in our ages puts a hurdle between us. You should retain your freedom. I would not wish to bind you by anything other than our mutual affection.
- Skinner [*Slight laugh*] And I know that you would not wish to bind *yourself* in any other way.

- Pepys [A bit taken aback] You are probably right in that. Though I had not thought in that way 'til you now say it. With or without marriage, we are a pleasant pair. Agreed?
- Skinner Oh yes!
- Pepys We enjoy so much together. Our friends admire and respect you. They accept us for what we are.
- Skinner Yes. I know that, Samuel, and I appreciate their affections.
- Pepys We could live together in happy harmony if you will consent.
- Skinner I know that, Samuel. And do not trouble yourself about marriage. As the years have passed, I have learned your manners and your mind. I have loved you for what you are and for what we are together. I may once have pondered marriage, but it was a mere fantasy of youth. I was then quite naive. Perhaps I am not so clear-sighted even now, but at least I have grown more mindful of the realities of life. Whether living apart or under the same roof, we share a love and take delight in each other's company.
- Pepys Well spoken! ... Your life need not change, you know. You will still have your friends, your painting, your music. And with Katherine to assist, you can manage our household as you see fit. [*He rises and takes both her hands in his*] And so, my dearest Mary Skinner, do you agree to make your home with me at number 14 the York Buildings?
- Skinner Of course I do!

*Blackout*

## SCENE TWO

*Time:* Evening, July 8, 1679

*Setting:* The private room of the Green Ribbon Club in the King's Head Tavern. At the table Shaftesbury is in quiet conversation with two other men over their tankards of ale. Buckingham enters, tankard in hand. Conversation ceases abruptly. Shaftesbury turns to greet him.

Shaftesbury Buckingham. So you have returned. ...

Buckingham Greetings to you all.

Shaftesbury ... How went your sojourn in France? [*Before he can reply, Shaftesbury dismisses the other two men with a wave of his hand.*] Gentlemen, I am sure you will forgive us, Lord Buckingham and I have much to discuss. We shall continue at another time.

*Exit the two. Buckingham waves casually to the departing men and takes one of the seats. They wait until the door is closed to speak.*

- Buckingham Friend Shaftesbury, tell me how goes our cause?
- Shaftesbury You return at a fortuitous time, Buckingham. Tomorrow Pepys and Deane are to be in court once more. While you were away, they have been back and forth between the Tower and Westminster on various maneuvers seeking *habeas corpus* and on other petty points of the law. But now the court is to hear the full charges under guidance of Attorney General Jones.
- Buckingham And Scott will testify?
- Shaftesbury To be sure! He has a bitterness against Pepys for, as he sees it, Pepys hounded him out of the country after Godfrey's murder.
- Buckingham That should put fire in his tongue. And has the King made any move to assist them?
- Shaftesbury Not directly. He has admonished Jones for not moving the case along. He told him that the matter should be settled at this session of the court or Pepys and Deane must be released.
- Buckingham I know that Charles has adjourned Parliament, so it can be of no assistance in the case against them.
- Shaftesbury True, but we may assume if Scott and Jones do their work, nothing further will be needed of that body for them to be convicted.
- Buckingham And they will hang!
- Shaftesbury God willing. However, it remains for Scott to produce a second witness to his charges. He has approached a few men he thought to have good reason to join in the ploy, but they have refused. Thus, he leaves us still in the dark.
- Buckingham Most frustrating. [*Pauses to mull this over as he takes another drink*]  
And the Exclusion Bill never proceeded to the Lords?
- Shaftesbury No. The King's adjournment came before they could act.
- Buckingham But Charles can't leave Parliament idle for long. He is in need of funds, is he not?
- Shaftesbury As far as we know. But he is a clever and secretive fellow. We can only wait to see what his next move might be.

*Blackout*

### **SCENE THREE**

*Time: Morning, July 9, 1679*

*Setting: The Court of the King's Bench in Westminster Hall. The Attorney General Jones stands before the judges' bench. Pepys, in his best garb and formal wig, and Deane are in the prisoners' dock; their barrister Mr. Edmund*

*Saunders is seated close in front of them where he can converse quietly with them.*

Bailiff [Raps his staff of office on the floor] On this the ninth day of July in the year of our Lord, 1679, the Trinity Session of the Court of the King's Bench is now in session; Lord Chief Justice William Scroggs presiding. All be upstanding.

*Prisoners and all others stand as Scroggs and his two accompanying judges enter in their official wigs and robes. As they sit all others also sit except for Attorney General Jones.*

Jones My Lords, [Turns to the theatre audience] members of the jury, we present to this court the case of the accused, Samuel Pepys and Sir Anthony Deane, here charged of various specific crimes, which our witnesses shall specify. It shall become clear that these charges, taken together, encompass treason against his Majesty, his government and this kingdom. To wit, we shall show that in the year 1673, during hostilities with the Dutch, together, these two men [Waves dramatically at them] did fraudulently come into possession of a sloop, the *Hunter*, and with this vessel did commit piracy on the high seas against English merchant shipping. We shall also show that Mr. Pepys, as Secretary of the Admiralty, has proved through his favoritism and preferential treatment toward Papist officers of the Navy that he is either a Papist *himself* or a remarkable *lover* of that religion. Finally, to the most heinous act of treason, we shall show that in 1675 these two accused did pass to a member of the French government naval secrets sorely injurious to the defense of this realm.

Scroggs Thank you, Sir William. You may call your first witness.

Jones We call Colonel John Scott.

*Scott takes the witness box. He is dressed in his best finery, but without his sword.*

Bailiff [Holds a Bible for Scott] Do you swear by Almighty God and under the threat of eternal damnation, to here speak only the truth?

Scott [With his right hand on the Bible and his left hand raised] I do hereby swear.

*Bailiff withdraws with the Bible.*

Jones Colonel Scott, will you please repeat the charges that you previously made before the House of Commons on the twentieth day of May last. Begin, please, by telling the court where you were in August of 1675.

Scott At that time I was in Paris where I was visiting the home of the late Georges Pellissary, then Treasurer General of the French Navy. [Takes a casual tone] While there I happened to be strolling in the garden of his chateau when I chanced by an open window. There I did hear Monsieur Pellissary and Sir Anthony Deane talking of naval matters. Out of curiosity, I looked in and saw Sir Anthony hand Pellissary a large packet of papers.

Jones And did you ever ascertain the character of those papers?

Scott I did, my Lord. Later that evening Monsieur Pellissary showed them to me. There were five large maps of the major English ports showing in detail their fortifications. There was also a letter of some fourteen sheets in English written in a close hand. This listed the ships of the English Navy and detailed their guns, their condition, and where they were harbored. These sheets bore the signature of Samuel Pepys.

*As Jones pauses to consult his notes, Saunders leans back and speaks to Pepys.*

Saunders Do you know of these documents?

Pepys Indeed! They would be copies of the confidential report I gave the Commons in May of '78. The report was to be held in secret. However, William Harbord, as head of the Committee for Enquiry into the Admiralty, released them to the whole of the members of Parliament. *Anyone* could have obtained a copy. When Scott's room was searched after the death of Godfrey, copies of all these were found in his trunk. Of course, they could *not* have been given to anyone in 1675 since they did not then even exist.

Scroggs [*Growing impatient with Jones' delay takes over the questioning*] Colonel Scott, did Monsieur Pellissary tell you *why* he was given these papers?

Scott Yes, my Lord. He said that Pepys and Deane had offered to sell such information to him as an official of the French Navy for the sum of 40,000 pounds.

Jones [*Astonished*] Forty thousand pounds sterling?

Scott Yes, my lord.

Scroggs Colonel Scott, you say that the documents bore the signature of Mr. Pepys. How did you *know* it was his signature? Were you familiar with his hand?

Scott Not then. I knew it to be his by the many things I have recently seen signed by him.

Scroggs So in the four years since you say you saw those papers and their signature, you had never seen Mr. Pepys' signature. However, you can *now* recall with a certainty that it was the signature of Mr. Samuel Pepys. [*Sarcastically*] You would have us believe that you have such a remarkable memory.

Scott [*Flustered*] My Lord, the court is mistaken in thinking that I have said that I had never seen his hand before I saw that letter. I never said any such thing.

*Scroggs and the other judges look amazed at this, and there are moans of disbelief from others.*

Scroggs Colonel Scott, would you have us disbelieve our own ears?

*Scott has no answer. He looks at the Attorney General for help, but Jones has looked away in embarrassment. Scott abruptly turns on his heels and leaves the court. Scroggs leans over to speak to his fellow judges. They nod in agreement.*

- Scroggs Sir William, you are well aware, are you not, that according to the laws concerning a charge of treason, you must have a *reliable* second corroborating witness to the charge or you will have no case.
- Jones Yes, my Lord.
- Scroggs And do you have such a witness?
- Jones [*Hesitates*] Ah ... not as yet, my Lord.
- Scroggs [*Frowns*] I see. And when do you intend to produce your second witness?
- Jones We hope to be able to bring such a witness to the court before the end of this Session of the court.
- Scroggs And as to the other two charges you have made against the accused, are you prepared to proceed today? And do you have your witnesses to these charges?
- Jones Not at this time, my Lord.
- Scroggs [*Disdainfully*] I see. [*Turns to Saunders*] Mr. Saunders, do you have anything to say to the court?
- Saunders Yes, my Lord, I certainly do. Attorney General Jones seems uncertain about his ability to close out this matter in this Session of the court. [*Chuckles*] It does seem unfortunate, that is to say inconvenient, that his *best* witness, Monsieur Pellissary, is longer among the living, and that his other witnesses seem to be elsewhere detained. My Lord, these defendants are not common rogues; they were both steadfast servants of his Majesty's government and elected members of Parliament. They are worthy of a degree of consideration due to such individuals. Therefore, we request that until such time—if *ever*—*competent* witnesses against them can be produced, they now be released under bail.
- Jones Objection. Bail should never be granted in a case of treason.
- Scroggs My Lord Attorney General, as I am sure you well know, that is an opinion, not a point of the law. Objection overruled.
- Jones [*Scooping up his papers, he addresses the bench*] My Lords, I have had this matter thrust upon me by Parliament. I am sure the court will do whatever it sees proper. [*He does not await a reply; turns abruptly to exit*]
- Scroggs [*To the departing Jones*] Sir William, you have come to this court ill prepared and sought to impose these vague stories on us and fox us with muddled information. For my part I am ashamed of it.
- Scroggs pauses to consult with the other judges who nod their heads in agreement to whatever Scroggs is saying.*
- Pepys [*Aside to Saunders as the judges confer*] You have done well, my friend.
- Saunders I spoke only the truth.
- Scroggs [*To the defendants in a conciliatory tone*] You are Englishmen and servants of the Crown. God forbid you should not have the rights of all

Englishmen. The court rules that the defendants each be granted bail in the amount of thirty thousand pounds.

*Saunders, Pepys and Deane are astonished at the amount.*

Pepys            Good Lord!

Saunders        [*Saunders turns to them*] Can you cover such a huge sum? Or should I try to bargain? Methinks I would not succeed.

Deane            Forsooth, I cannot.

Pepys            [*To Deane*] Do not fret, I have had assurances from James Houblon and our other friends that they will assist us even to such a large amount. [*To Saunders*] We will accept bail.

Saunders        [*To the judges*] The defendants accept the court's decision.

*Blackout*

## SCENE FOUR

*Time:        Return to 1948*

*Setting:     The study of Sir O'Bryan. O'Bryan and Toussaint, as they were at the close of Act One, Scene One, are continuing their conversation.*

O'Bryan        [*Takes a long puff on his pipe and another sip of sherry*] Thus, Pepys and Deane were released from the Tower on bail to await their final trial. Would you care to hazard a guess, Michael, as to the outcome?

Toussaint      Hmm ... I would say that there are only a few alternatives—most not good for Pepys. If the past record of the Scroggs' court was any measure, it seems that things were stacked against him and his friend, Deane. In any case, even if acquitted of the worst charges, he had lost his position as Secretary. Given the political climate and the Popish Plot, he was unlikely to regain it, and he would permanently remain *persona non grata*.

O'Bryan        Precisely! You state the case just as Pepys saw it. That period from the summer of 1679 and for the next four years was the darkest time in his life. He could not see any light at the end of that darkness.

Toussaint      But I think you said that he did not die until 1703. I presume that there must have been more of interest to fill those years.

O'Bryan        Yes, there was. I will explain, but first, could I refresh your glass?

Toussaint      Yes, please.

*Pause as O'Bryan rises and goes to a sideboard to fetch the sherry. He resumes speaking as he takes the bottle to serve Toussaint and refresh his own glass, then sits again.*



- O'Bryan So having been released on bail, Pepys moved, with Mary Skinner, into the apartment in Will Hewer's house. There, with the help of Brother Balty, James Houblon, and several others—even the Duke of York—he concentrated on discrediting Scott. If he could do that, even if a second witness were to turn up, the case against them would fail. He was amassed a vast amount of material against Scott. We know this because he had it leather-bound into two fat volumes of some thirteen hundred pages. These we can still read today at his Cambridge library. These volumes speak to Pepys' fascination with such an extravagant braggart and blackguard as Scott.
- Toussaint So did all this material help Pepys win the case for himself and Deane?
- O'Bryan No, not really. Here is the true irony of their legal plight. Several times he and Deane were brought back to court, but each time Attorney General Jones failed to produce the necessary second witness. Finally, in the summer of 1680, Scroggs grew weary of the delays and confronted Jones. He asked him if had anything to say against releasing the two men unconditionally. Jones replied with only one word, "Nothing." Thus, on a technicality, they were discharged from bail, and their money returned. They were free men.
- Toussaint But they had been declared neither innocent *nor* guilty. Like a verdict of "not proven".
- O'Bryan True. That was how it stood. After all they had gone through and all Pepys' struggles to discredit Scott, they were never given the chance to prove their innocence. They were left in limbo. It was very frustrating. In the eyes of Parliament and the public, they were still suspected of treason. Their reputations were in shambles.
- Toussaint So what could they do about it?
- O'Bryan Nothing! Pepys was resigned to keeping what we might call a "low profile." He was still wealthy, therefore he needed no employment. He had always wanted to write a history of the English Navy, so he devoted much of his time to gathering material for that, an effort he never completed. He entertained his small circle of devoted friends, went to the theatre, and attended meetings of the Royal Society. There he had stimulating interaction with the likes of Isaac Newton and Edmund Halley. And later he would be elected President of that illustrious body. As for Deane, he was still sought after as a skilled shipwright. Trade of the London merchants was burgeoning, and they needed ships. Deane became a wealthy man. As to the ever-faithful Will Hewer, he had managed to avoid the disgrace of his master and he thrived. He soon gained the first of a series of influential government posts.
- Toussaint And what was happening with the other principal players in this drama?
- O'Bryan This is Pepys' story and those men no longer dominated his life. Nonetheless, we should summarize what happened with them: Let's start

with Colonel Scott. No longer of use to Shaftesbury and the Green Ribbon Club, he was left to shift for himself. For a time he strutted about London looking for other money-making schemes but with little success. Eventually he fell back on his old ways: drinking heavily, boasting and brawling. In a petty argument with a hackney coachman named Butler he drew his sword and killed the man. Indicted for murder, he disappeared. Pepys wrote, “I hope that God has been pleased to take him out of *our* hands and into his own for justice.” Little was heard of Scott for some time, but we can come back to him in a moment.

Toussaint

And the other villains of the story: Buckingham and Shaftesbury?

O’Bryan

Buckingham ran afoul of financial troubles and failing health; so, he retired from the London scene to his country estate. As for Shaftesbury, he would not give up his obsession against Charles and the Duke. Charles had an illegitimate son, Lord Monmouth, who had been raised Protestant. Shaftesbury thought he could prove Monmouth was, in fact, legitimate. This would make him lawful heir to the crown, thus cutting James out of the succession. Supposedly, there was somewhere a hidden Black Box containing a marriage document to prove that Charles had secretly married Monmouth’s mother. Although this box was never found, Shaftesbury hatched a plot to raise a band of about 100 armed radicals to kill Charles and put the Protestant Monmouth on the throne. However, his plot was thwarted and Shaftesbury was charged with treason. Somehow he managed to escape the executioner’s block and fled to Holland. There, two years later, he died.

Toussaint

So what became of the Popish Plot and Titus Oates?

O’Bryan

Gradually the Oates’ story began to unravel, and the Popish Plot fizzled out. He had gone too far in accusing the Queen and her physician, George Wakeman, of planning to poison Charles. When Wakeman was tried and acquitted, the court and Scroggs—and even public opinion—began finally, to note the numerous inconsistencies in the accusations of Oates. In the end he was convicted of perjury and given a long prison sentence with repeated bouts in the pillory. But unfortunately, that was *not* before more than a dozen innocent men had been executed on the false charges of this vile scoundrel.

Toussaint

What about King Charles, did he ever stop feuding with Parliament?

O’Bryan

Yes and no. As we have said, he had always depended on Parliament to replenish his government’s coffers. But in 1681, Charles struck a deal with King Louis of France. Charles agreed *not* to take sides against France in its continental wars in exchange for an annual pension from Louis of 100,000 pounds. With this money in hand, Charles dissolved the Parliament he no longer needed, and for the rest of his life he ruled without them. Nonetheless, his enemies, including members of the Green Ribbon Club, still found ways to beleaguer him. But he prevailed and avoided any major crisis.

- Toussaint That brings us back to Mr. Pepys. What was happening with him?
- O'Bryan It turned out that Charles had *not* forsaken him. As the Plot fizzled, public ire cooled, and the dissolved Parliament was no longer able to attack Pepys. The King could again call him back into his service. In the summer of 1683 Charles decided his naval base at Tangier was an unneeded financial drain. He assembled a team of prominent men and sent them to Tangier to reclaim all English assets and to destroy the harbor so that it could not be used by any foe. Both Pepys and Will Hewer were called to be among this team. Pepys was back on the road to redemption.
- Toussaint So did the revitalized Pepys ever serve the Navy again?
- O'Bryan Oh yes! When he resigned as Secretary in '79, he had left a fleet of seventy-six ships in charge of that Admiralty Board that had so vexed him. This band of political appointees, selected only to keep peace with the Whigs, knew little of the needs of the Navy. They left much of the fleet untended to rot at their moorings. By 1684, of those seventy-six vessels, no more than a third were fit for sea duty, *and* the Navy was over 400,000 pounds in debt. Pepys was appalled. He gave Charles a report on these failings in the care of the Navy. Dismayed, Charles dissolved the old Admiralty Board and restored Pepys as Secretary of the Admiralty at the handsome salary of 2000 pounds per year. Pepys now firmly held the reins of naval power. He was among the highest paid and most influential men in the kingdom.
- Toussaint Bravo for Mr. Pepys! The real “come-back kid!” So, although he had never been a seaman, he rose to run the whole English Navy.
- O'Bryan Indeed!
- Toussaint He reminds me of that song from “HMS Pinafore,” where the Admiral is giving advice to young men. Remember? [*Sings these few verses*]
- Now landsmen all, whoever you may be,  
If you want to rise to the top of the tree,  
If your soul isn't fettered to an office stool,  
Be careful to be guided by this golden rule.  
Stick close to your desks, and *never* go to sea,  
And you all may be the rulers of the Queen's Navee.
- O'Bryan [*Laughs heartily*] Yes, Michael, in writing those lines Gilbert might well have had Pepys in mind as the prototypical English civil servant. And being the conscientious civil servant that Pepys was, he immediately began a precise appraisal of the Navy. He concluded the Navy no longer offered adequate protection against potential enemies nor against the Barbary pirates of the Mediterranean. He carefully wrote up his appraisal in considerable detail. By January of 1685 he was ready to present this to Charles. However, the King never got around to reading it. On February second, Charles suffered a severe stroke. Four days later he was dead.

- Toussaint      Ah Hah! So Pepys was now serving a new king, the Catholic James the Second.
- O'Bryan        Indeed. But James knew both the Navy and the worth of Pepys, so he left him in full charge. Pepys set to work in restoring it to its former vigor. He persuaded James to name a Special Commission of hand-picked, naval experts to assist him. Chief among them were Deane, as master shipwright, and Hewer in control of financial accounts. And James left them to it. He was too preoccupied with his constant conflicts with Parliament and the general populace. He was pressing relentlessly in his intention to place Catholics in high places and to make tolerance of all Catholics the law of the land. He was utterly arrogant and blind to any public hostility. He ignored the warnings of his political advisors, listening only to the palace priests. Nonetheless, for a time the resistance of Parliament and the people was muted. As James had no male heir, the next in line to the throne was his Protestant daughter, Mary Stuart. People trusted that the ascension of Mary would again restore Protestantism and the Church of England to their proper eminence. However, in June of 1688 the situation changed drastically. James' young second wife delivered to James, a male heir. There was then widespread fear that, with a Catholic heir, eventually any thought of religious tolerance would disappear, and there would be a purge of all Protestants. The Inquisition would come to England. The fires of Smithfield would burn once more.

*Blackout*

**SCENE FIVE**

*Time:*        *October 1688*

*Setting:*    *Pepys' Office at No. 14 York Buildings. Pepys is at his desk. Deane is seated opposite.*

- Pepys        I have asked you and Will here today to discuss the status of our work under the King's Special Commission.
- Deane        I believe it is going well. But first, I have today received news that will beguile you.
- Pepys        Pray tell.
- Deane        A friend of mine in the shipping trade, John Gelson, has sent me word from Norway of an old adversary of ours.
- Pepys        Egads! You don't mean that damnable villain Scott!
- Deane        The same.
- Pepys        Tell me more.

- Deane It seems that a few weeks ago Gelson had an encounter with Scott through a mutual acquaintance. While drinking with Gelson, Scott succumbed to his old Achilles heel.
- Pepys How so?
- Deane As you will recall, when he drank too much he usually fell to reckless boasting. This happened again. He told Gelson of being a tool of Shaftesbury and Buckingham who, he said, were using the Popish Plot as a ploy to bring down King Charles. Scott *admitted* that all his charges against the two of us were total fabrications made at the behest of Shaftesbury. Scott told Gelson that he made the charges only because Shaftesbury had promised to make him the Governor of the Isle of Wight with an annual pension of twelve hundred pounds a year.
- Pepys For a usually clever fellow, Scott was very foolish to accept the word of such a mountebank as Shaftesbury.
- Deane Surely, but apparently he did.
- Pepys And any word of Godfrey's murder?
- Deane Yes. Scott told of abducting Godfrey. He hoped to gain information that might benefit the Lords, thus putting Scott in their debt.
- Pepys And the murder?
- Deane It seems Scott did not admit to it outright, but he *did* allow that Godfrey died while captive in his hands.
- Pepys [*Slaps his desk*] Ha! I knew it by damn! Yet, I fear that Scott will never return to these shores; he will remain one murderer that is never brought to justice.
- Deane I agree. But in case his charges against us are ever resurrected, I will have the letter notarized and held in safe keeping.
- Pepys Please do. But I pray to God that this is the last we ever hear of Scott. Thank you, Anthony, for such gratifying news. . . . For now, as we await Will, tell me of the family and your dear wife, Christian. All are well I trust.
- Deane Yes, they are all in fine fettle. My thanks for asking, and Christian sends you her compliments.
- Pepys How fortunate you are to have such a wonderful wife and family.
- Deane How well I know it, Samuel! I am truly blessed.
- Pepys [*Rises and begins to slowly pace pensively*] How I envy you in having your children about you. The cardinal regret of my life is never having children. Oh, how they would have eased the loss of my dear wife, Elizabeth. If only we had children, with her gone, they would have gladdened my life. They would be comfort in my dotage, and carry on my name and memory.

Deane To be sure, that is a foremost role of our children.

Pepys You know well, Anthony, that I treated the dear woman ill at times. I was not as true to her as I should have been—the folly of youth, I suppose—but I *did* love her. I must admit—just between friends—that my love of pleasure has always been such that, at times, my very soul is angry with itself. With this foible in my nature I have felt it prudent never to remarry—this and my inability to beget children. Doctor Sloane surmises that my failure to father a child resulted from being cut for bladder stone in '58. ...

Deane Hmm.

Pepys ... If true, Anthony, it is a great irony: alas, the surgeon's knife saved my life but deprived that life of one of its most particular joys.

*Enter Will Hewer.*

Pepys Will, thank you for coming. [*Gestures him to a chair*] And none too soon. I fear I was becoming rather maudlin, was I not, Anthony?

*Deane shrugs his shoulders noncommittally.*

Hewer I am pleased to see you both again.

Pepys And I you.

Deane I trust all is well with you, Will Hewer?

Hewer It is, Sir Anthony.

Pepys Now, down to business. You are both aware of what we have accomplished in these past two and a half years toward rebuilding our Majesty's Navy.

Deane/Hewer Indeed.

Pepys I am considering it would now be reasonable to ask the King to disband the Special Commission. But I would beg your opinions on the matter.

Hewer I appreciate being asked, but it is your creation, Samuel. Do you really need our opinions?

Pepys I believe I do, Will. I *think* I am right in my judgment, but I am not certain. [*Pauses as he seems to speak as much to himself as to the others*] I seem to have lost that old sense of certainty I once possessed. I once would *not* have said "I think", I *would* have said "I know".

*The two men look knowingly at each other but do not respond to Pepys last comment.*

Deane It seems to me that we have accomplished nearly all that we set out to achieve. What little remains can be finished without the Commission.

Hewer Yes, I agree.

- Pepys            Good. In these unsettled times, in conducting the affairs of this office I would prefer as small a cadre as is efficiently workable. I trust that you two will be willing to stay on with me to manage our few remaining tasks.
- Deane            Yes. We had anticipated a full three years of work. I am committed to fulfilling that agreement.
- Hewer            I will certainly serve as long as you need me.
- Pepys            Thank you both. I will ask the King to dismiss the rest of the Commission.
- Deane            Settled. Does that conclude this day's business?
- Pepys            I believe so.
- Deane            Then. [*Rises to leave*] For now, I must bid you both adieu.
- Pepys            Farewell, friend.
- Hewer            Good day, Sir Anthony.
- Deane exits.*
- Pepys            Now Will, tell me what you hear in the City of the public's grievances against the King. I have of late kept so close to this office that I hear little. Since James dissolved Parliament in July, my mind and time have been engrossed with naval matters.
- Hewer            As he continues to press his Catholic cause, he seems to have *no* conception of how threatening his actions are to his people.
- Pepys            I agree. He has abolished Parliament hoping that another election will seat a Commons more sympathetic to his wishes. This is a futile hope. The Whigs will again dominate.
- Hewer            Some people are saying that anyone who is still a Tory *must* be a Catholic or at least a Catholic sympathizer.
- Pepys            As *I* am nominally a Tory, I suppose I am under in that opinion. ...
- Hewer            No doubt.
- Pepys            ... So my old yoke of being falsely deemed Popish may yet come back to plague me simply because I serve King James and his Navy.
- Hewer            I believe so. There are many who think perhaps you do serve King *too* well.
- Pepys            I dare say. This Popish epithet will no doubt diminish my chances in the coming election. ... Oh how these religious conflicts grow wearying. I recall that it was Queen Elizabeth who declared, "There is but one Jesus Christ; the rest is dispute over trifles." I must agree with her on that.

- Hewer I share your view. Nonetheless, in the present clime, the dispute has grown lethal. The great bulk of people are in dire fright over what James' new heir will mean for the Protestants. Some cling to the rumor of the infant being *not* his true issue.
- Pepys Oh, I know. We have all heard the rumor that the child was *not born* of the Queen; that it is only a foundling smuggled into the palace in a *bed warming pan*. Sheer folly! Such rumors are but a feeble straw to cling to. James declares the child as his own and can muster a bevy of witnesses to the birth. If the child survives he will be raised Catholic and one day will claim the crown as a Catholic.
- Hewer This being so, many would now welcome an invasion from Holland by Prince William of Orange to claim the throne for his protestant wife, Mary Stuart.
- Pepys From all information this office has received, they will surely get the invasion they crave. William's fleet is prepared. He appears to have made the decision and awaits only a favorable wind to cross the channel.

*Blackout*

## SCENE SIX

- Time:* Late evening, February 19, 1689
- Setting:* Pepys' sitting room at No. 14 York Buildings. Pepys, Hewer and Deane are seated drinking wine while in conversation reviewing recent events. Mary Skinner is doing needlework as she listens.
- Deane What a tumultuous eight months this Kingdom has seen. [*Turns to Pepys*] Samuel, when do you judge that the tide turned against James?
- Pepys That is difficult to discern. There were several events that might be considered turning points. However, in my opinion, the crucial one was when he charged the seven Bishops with sedition in petitioning him for restraint in freeing Catholics from the restrictions of the old laws. When the Bishops were acquitted, great rejoicing by the people and their burning of the Pope in effigy left no doubt as to their extreme anger against the King.
- Hewer I agree. Within days of the Bishops' acquittal, the Lords, seeing the populace was with them, conveyed their plea to William for his invasion. That letter was decisive. It gave William legitimate justification to claim the throne for Mary.



- Deane True. Although we did not know it at the time, from that day the die was cast. Once William landed in Devon without a shot being fired, the forces of support for James began to fall away like tenpins. Soon the desertions became a flood that eventually included even our veteran naval officers.
- Pepys Nonetheless, we saw great vacillation. Nobody knew what James would do. His attempts to placate the people were much too little, too late. And his hesitation in confronting William's force in battle certainly left open the window for the defections to begin. Yet, his intent remained uncertain.
- Hewer When his own younger daughter, Anne, joined those opposed to him, it must have been a terrible blow to James.
- Pepys Yes, but I fear that it was more a political blow than a personal one. Though bereft of a male heir, he was never close to either of his daughters.
- Skinner That is sad. It is not their fault they are women.
- Pepys He left them in the care of others to be raised Protestant.
- Deane And now one is poised to become our Protestant queen.
- Pepys Indeed! But James does not accept this. When I was with him to witness his will, he seemed concerned only with thoughts of safety for his new son. He said, " 'Tis my son they aim at and 'tis my son I must endeavor to preserve, whatsoever becomes of me." He knows that Parliament would have insisted that the boy be reared and educated as a Protestant.
- Skinner So now he has fled with wife and son into exile in France?
- Pepys I believe he had little choice. The mood of the country was so volatile. Yet, eventually, he may have begun to see something of his errors in pushing so hard for the Catholic cause.
- Deane How so?
- Pepys He seemed quite contrite when he said to me, "I was ruler of England, Scotland and Ireland. Now I have given up three kingdoms for a Catholic Mass."
- Skinner Did his flight leave us in anarchy without a government?
- Pepys Fortunately no. A large assembly of Lords, both temporal and spiritual, met at Guildhall as a Council of Peers. They proclaimed themselves as a Provisional Government under the Archbishop of Canterbury, and they called for Parliament to meet to affirm Mary as monarch.
- Skinner Does this Council of Peers consider James' flight to France an abdication of his throne?
- Pepys Yes *they* do. But that is *not* James' view. From all I can learn, he intends to fight to regain control. *How* is not clear. He has no army. And it is not likely that Louis in France will offer assistance, his own forces being engaged in conflicts on the Continent. I believe James will never admit

defeat, and will raise his son to believe he has a righteous claim to the crown

Deane Be that as it may, the Council of Peers and Parliament have offered the throne to Mary and William of Orange as joint rulers—though I expect *he* will carry the greater sway.

Pepys That agreed, we are now under a new monarchy and a new government.

Hewer This is none too soon. Mobs have thronged the streets attacking, burning, and plundering the Catholic chapels. Thousands are waving oranges stuck on pikes indicating acceptance of the Prince of Orange.

Skinner Thanks be to God that it was accomplished without bloodshed.

*The others mumble quiet words of agreement.*

Hewer [*To Pepys*] What now for the Admiralty, Samuel, and your post as Secretary?

Pepys Uncertainty I fear. William has asked me to stay on as Secretary, but I have no notion of how long. I must carefully consider what my future may hold under these new rulers.

Hewer So must we all.

Pepys [*Rises to depart*] My friends, the hour grows late, and I must retire for tomorrow is a decisive day for me. Although the election did not sustain my seat in the Commons, as Secretary of the Admiralty I still must answer to Parliament. But I beg you please remain. Finish your wine and keep Mary company a while longer.

Deane Thank you for the fine supper, Samuel. All was excellent.

Hewer I wholly agree. Good night, Samuel.

Pepys I bid you all a good night.

*Pepys exits. The men remain quite for a moment sipping their wine.*

Hewer Mary, our Mr. Pepys does not seem his usual vibrant self.

Skinner No, he is not. He has been having some of his old pains again. Doctor Sloane believes that they are due to a revival of his past ailment of bladder stone.

Deane He has been working excessively hard. Though he sometimes admits to being tired, he has said nothing of pains.

Hewer Nor to me.

Skinner You are both such dear friends, but it is not his nature to complain.

Deane Nonetheless, we must strive to ease some of his burdens.

Hewer Indeed!

Skinner            Thank you both, but please do not tell him that I mentioned the pains.  
                          [*Begins to lay her needlework aside*] I too am feeling fatigued. My eyes  
                          are no longer suited to my sewing.

*Both men rise to leave.*

Hewer             We will take our leave then.

Deane             Yes. We will depart, Mary. You should see to Samuel's needs.

Skinner            Thank you both. We will meet again anon.

*Blackout*

## SCENE SEVEN

*Time:*            Afternoon, February 20, 1689

*Setting:*        House of Commons in joint session with the House of Lords. The Speaker of the House in robe and wig is seated stage center. Cast members are seated on either side of the stage as members of the Commons. Low mumbling among the members as a few late-comers take their seats. The theatre audience is addressed as though they are also members of Parliament. After the previous scene, Pepys has quietly taken a seat among the audience. He is dressed in his finest and wears his large formal brown wig.

Speaker            [*Raps his gavel three times*] The Houses will come to order. ...

*Members become silent.*

Speaker            ... The chair calls on the Secretary of the Admiralty, Mr. Samuel Pepys.

Pepys             [*Stands*] Present, Mister Speaker.

Speaker            Mr. Pepys, you are no longer a member of this body, but you have been called to give this day to this joint session of Parliament a report on the present status of their Majesties' Navy. Are you prepared to present such a report?

Pepys             I am.

Speaker            Then please come forward and address the assembly.

Pepys             [*Moves to center stage. To the speaker*] Mr. Speaker. [*Turns to the theatre audience*] My Lords and Members of this pre-eminent body that I have, until of late, also been honored to serve. I have been requested by King William and this body to make a *detailed* appraisal ...

An MP             Do you know any other sort!

*Low laughter from the members.*

Pepys             ... detailed appraisal of their Majesties' Navy. I am pleased to do so. This account has been prepared with great care by the office of the Admiralty over which I have presided these past five years. This report is

extensive; however, today I will *not* burden your time with its full contents. ...

Another MP Bravo!

*More mild laughter from the members*

Pepys ... Those who wish, may read it as they please in the document I have presented to the Speaker. For today, I will only summarize the accomplishments of the Special Commission appointed by King James in April of 1686 and disbanded October last. As you well know, this Commission was called to address the sorry state of the Navy that had resulted from five years of neglect in the last years of the reign of King Charles the Second. Years in which *I* was *not* in service to the Admiralty, but nonetheless, was keeping a close eye upon the affairs of our Navy. The King's Special Commission was comprised of men who knew well our Navy and its needs. They were chosen for their experience and expertise. To those members, I acknowledge their excellent service and give my heartfelt thanks. I can now report that the Commission completed in full its inventory of assigned tasks *both* ahead of schedule and under the allotted budget. The Commission built three new ships of the line, fully rebuilt twenty more, and repaired sixty-nine others. *All* ninety-two of these vessels are now fit for sea duty. The Navy has laid up eight month's supply of stores for every ship—such a treasure of stores as England was never before been mistress of. All debts, past and present, have been paid in full. The ships' crews are better trained, better disciplined, better equipped, better victualed, and better paid than at any time past. Their morale, from cabin boy to captain, is at its highest. England now possesses the finest Navy that ever it has possessed. It is the finest in the world.

*Low rumbling of approval as Pepys pauses briefly to compose himself.*

Pepys I will now take this opportunity to acknowledge my humble appreciation for the three decades I have been allowed to serve the Admiralty under our gracious monarchs, Charles the Second and James the Second. Throughout these years I have devoted myself exclusively to the welfare of their naval forces. I have learned much and striven to apply that knowledge to the strength and betterment of their Majesties' Navy. To each of these monarchs in turn, I have sworn my exclusive duty and fealty. Now England has *new* monarchs in the persons of their royal highnesses, Queen Mary and King William. May our blessed Lord grant them boundless success in furthering the prosperity of this kingdom. However, present conditions place me in an awkward conflict of allegiances. It is now generally accepted that, with his departure to France, King James abdicated his throne. Nonetheless, *he* has not acknowledged this. Nor has he released *me* of my pledge of loyalty to him. Until such time as he might discharge me from my pledge, that pledge endures. I cannot serve nor pledge allegiance to two masters. To resolve this conflict, I must now

retire from public service. Therefore, this day I hereby resign and relinquish all claims to the position of Secretary of the Admiralty. Henceforth, I will devote myself to a life of such private pursuits as my pate and purse will allow. With this resignation I hereby place their Majesties Navy in the trust of Parliament. The Navy's present robust state, which I have here recited, can persevere only if Parliament recognizes and supports the critical importance of *sustaining* the Navy in its present strength and *increasing* that strength as this nation's demands may dictate. Your Navy must never again fall into a state of neglect and disrepair.

A few MPs     Hear! Hear!

Pepys     If this advice, here humbly proffered, is heeded, in the decades to come the combined strength of England's Navy and its merchant fleet will expand this kingdom's prestige and dominion throughout the world. Together they will support this nation in forging allegiances and foiling adversaries. In times of peace, England's Navy protects its merchants and projects its economic interests across the globe. In times of war, the ships of England's Navy form a '*wooden wall*' that safeguards these shores. [*Slight pause*] Therefore, esteemed members, with these words I leave our Navy in your charge and bid you farewell.

*Gives a small, brief bow, slowly exits as lights fade to black*

## The End

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