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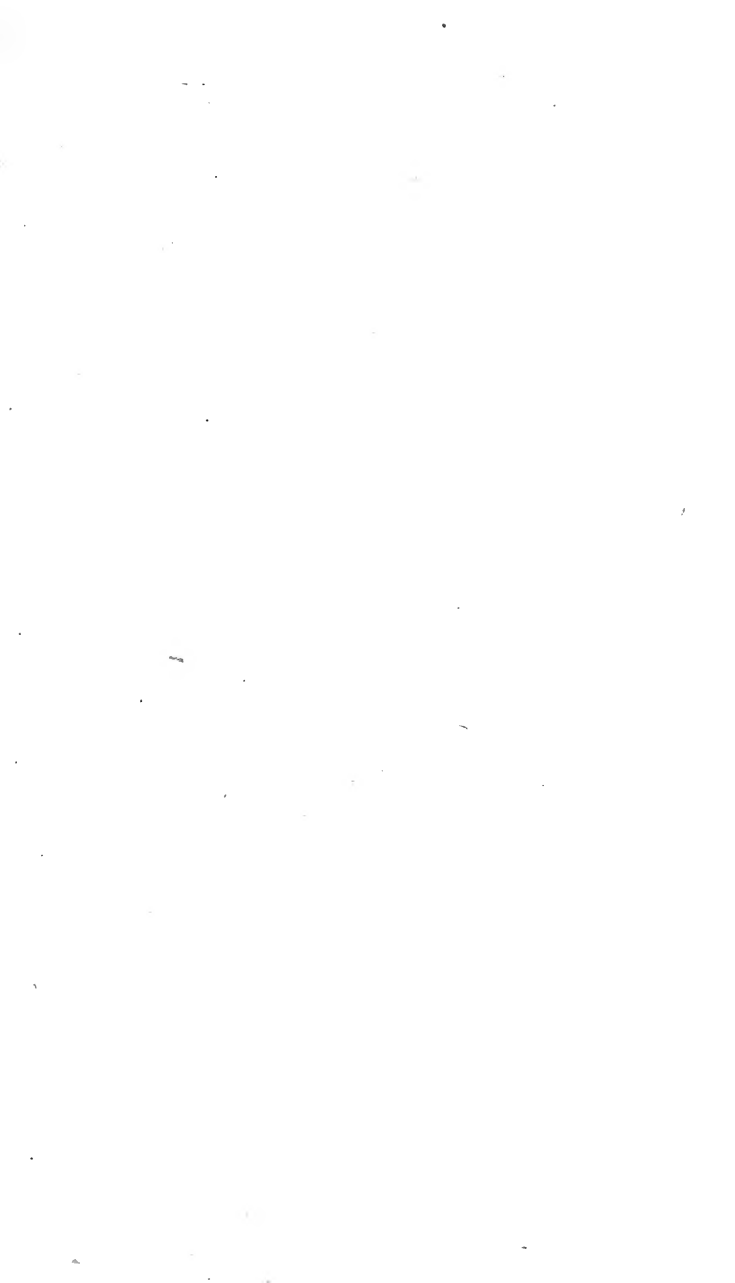
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THE  
HISTORY OF ENGLAND,

FROM THE FIRST

INVASION BY THE ROMANS

TO THE

ACCESSION OF WILLIAM AND MARY

IN 1688.

BY JOHN LINGARD, D.D.

The Sixth Edition, Revised and considerably Enlarged.

IN TEN VOLUMES.

VOL. VII.

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# CONTENTS

OF

## THE SEVENTH VOLUME.

### CHAPTER I.

#### JAMES I.

*Arrival of James in England—Embassies from Foreign Courts—Conspiracy—Conference at Hampton Court—Proceedings in Parliament—In Convocation—Severities against the Catholics—Origin and Progress of the Gunpowder Plot—Its Failure, and the Fate of the Conspirators—Trial and Execution of Garnet—Meeting of Parliament—New Penal Laws—Controversy respecting the Oath of Allegiance.*

James proclaimed .. .. 4	Conference at Hampton Court .. 16
He enters England .. .. <i>ib.</i>	A parliament .. .. 18
His popularity decreases .. .. <i>ib.</i>	Proceedings of Convocation .. 20
Distribution of honours .. .. 5	Persecution of the Puritans .. 21
Embassies .. .. 6	Of the Catholics .. .. 22
From Holland .. .. <i>ib.</i>	Catesby's plot .. .. 23
From the archduke .. .. <i>ib.</i>	His associate Winter .. .. <i>ib.</i>
From the king of France .. .. <i>ib.</i>	Other accomplices .. .. 24
Politics of the Spanish court .. 7	James rejects the intercession of the Spanish king .. .. 25
Conspiracy in England .. .. <i>ib.</i>	The conspirators work at the mine .. .. 26
"The Bye" .. .. 8	Catesby proposes a case to Gar- net .. .. <i>ib.</i>
Apprehension of the conspira- tors .. .. 9	Percy hires a cellar under the parliament-house .. .. 27
King's coronation .. .. 11	Severity of the persecution .. 28
Trials .. .. <i>ib.</i>	Catesby receives more associates His object suspected .. .. <i>ib.</i>
Of Raleigh .. .. 12	Parliament prorogued .. .. 30
Of Cobham and Grey .. .. 13	Sir Everard Digby .. .. <i>ib.</i>
Executions .. .. <i>ib.</i>	Francis Tresham .. .. 31
Pardon of Cobham, Grey, and Markham .. .. 14	
King's conduct to the Catholics To the Puritans .. .. <i>ib.</i>	

Plan of the conspirators ..	31	His examination .. ..	39
The plot revealed to Garnet ..	32	His trial .. ..	40
Tresham hesitates .. ..	33	Subsequent examinations ..	42
Letter to Lord Mouteagle ..	34	And execution .. ..	43
Doubts of the conspirators ..	35	Punishment of Catholic lords ..	44
They resolve to persevere ..	<i>ib.</i>	Proceedings in parliament ..	45
Apprehension of Faukes ..	36	Expostulation of Henry IV. ..	<i>ib.</i>
His resolution .. ..	<i>ib.</i>	New penal code .. ..	46
His accomplices flee .. ..	<i>ib.</i>	Oath of allegiance .. ..	47
Are all slain or taken .. ..	37	Condemned by the pope .. ..	49
Prisoners examined .. ..	<i>ib.</i>	Approved by the arch-priest ..	<i>ib.</i>
Trials .. ..	38	James writes in favour of the	
And execution .. ..	<i>ib.</i>	oath .. ..	50
Apprehension of Garnet ..	39	Controversy respecting it ..	51

---

## CHAPTER II.

*James and his Consort, Anne of Denmark—Insurrection—Union of England and Scotland—King's Expenses—Proceedings of Parliament—Marriage, Imprisonment, and Death of Arabella Stuart—Death of Prince Henry—Rise of Carr, Earl of Somerset—Divorce of Earl and Countess of Essex—Rise of George Villiers, Duke of Buckingham—Arrest and Trial of Earl and Countess of Somerset—Disgrace of Coke—Transactions with Holland—Errors of Vorstius—Synod of Dort—Introduction of Episcopacy into Scotland—Visit of James to Edinburgh—Commission of Graces in Ireland—Flight of Tyrone—Plantation of Ulster—Proceedings of Irish Parliament—New Plantations.*

Occupations of the king ..	52	Marriage of Somerset .. ..	68
Of the queen .. ..	<i>ib.</i>	New parliament .. ..	69
Insurrection .. ..	53	Rise of George Villiers .. ..	70
Salisbury and Northampton ..	55	Arrest of Somerset .. ..	71
Union of England and Scot-		Inquiry into the death of Over-	
land .. ..	<i>ib.</i>	bury .. ..	<i>ib.</i>
Naturalization of British sub-		Execution of the murderers ..	72
jects .. ..	56	Conduct of Somerset .. ..	73
King's expenses .. ..	57	Conviction of the countess ..	74
New plan of finance .. ..	58	And of the earl .. ..	<i>ib.</i>
Impositions .. ..	59	Disgrace of Coke .. ..	76
Feudal burthens .. ..	60	Rise of Bacon .. ..	<i>ib.</i>
Grievances .. ..	<i>ib.</i>	Transactions with Holland ..	77
Death of Cecil .. ..	62	Respecting the succession to	
Arabella Stuart .. ..	<i>ib.</i>	Cleves .. ..	78
Death of Prince Henry .. ..	64	The errors of Vorstius .. ..	79
Marriage of Princess Elizabeth	65	The synod of Dort .. ..	<i>ib.</i>
King's favourites .. ..	<i>ib.</i>	The church of Scotland .. ..	80
Carr, earl of Somerset .. ..	<i>ib.</i>	Restoration of episcopacy ..	<i>ib.</i>
Sir Thomas Overbury .. ..	66	King's visit to Scotland ..	83
Cause of his imprisonment ..	67	The five articles .. ..	84
Divorce of the earl and countess		Ireland .. ..	85
of Essex .. ..	<i>ib.</i>	Public tranquillity .. ..	86

Religious discontent .. ..	86	Disputes in parliament .. ..	92
Commission of graces .. ..	87	Remonstrance of Catholics .. ..	<i>ib.</i>
Sufferings of his friends .. ..	89	King judges between the parties .. ..	93
Revolt of O'Dogherty .. ..	90	Conclusion of parliament .. ..	<i>ib.</i>
Plantation of Ulster .. ..	<i>ib.</i>	New plantations .. ..	94
Institution of baronets .. ..	91		

## CHAPTER III.

*Persecution of the Catholics, Puritans, and Unitarians—Bacon—Buckingham—The family of the Lakes—Sir Walter Raleigh—The Palatine elected King of Bohemia—Proceedings of Parliament—Impeachments—Disgrace of Bacon—Williams made Lord Keeper—Homicide by Archbishop Abbot—Dissension between the King and the Commons—Marriage Treaty with Spain—The Prince at Madrid—The Match broken off—Parliament—Supply—Impeachment of the Lord Treasurer—Intrigue against Buckingham—Preparations for War with Spain—Marriage Treaty with France—Death of the King.*

Archbishop Abbot .. ..	95	He is absolved from irregularity .. ..	116
Sufferings of the Catholics .. ..	96	Treaties in favour of the palatine .. ..	<i>ib.</i>
Burning of Unitarians .. ..	97	Second session of parliament .. ..	<i>ib.</i>
Bacon in disgrace .. ..	98	Quarrel between the king and the Commons .. ..	117
Power of Buckingham .. ..	<i>ib.</i>	Dissolution of parliament .. ..	119
Trial of the earl of Suffolk .. ..	99	Punishment of the members .. ..	<i>ib.</i>
Of the Lakes .. ..	100	Treaty of marriage with Spain .. ..	120
Sir Walter Raleigh .. ..	<i>ib.</i>	Indulgences granted to the Catholics .. ..	<i>ib.</i>
His discharge from the Tower .. ..	102	Progress of the treaty .. ..	121
His previous voyage to Guiana .. ..	<i>ib.</i>	Journey of the prince to Spain .. ..	122
Obtains leave to make another voyage .. ..	<i>ib.</i>	Delays of the Spaniards .. ..	123
His unfortunate attack on the town of St. Thomas .. ..	103	Dissatisfaction of Buckingham .. ..	124
His return to England .. ..	104	Artifice to break off the match .. ..	125
His apprehension .. ..	<i>ib.</i>	Recall of Bristol .. ..	127
His confinement .. ..	<i>ib.</i>	Regret of James .. ..	128
His death .. ..	106	Parliament called .. ..	129
Death of the queen .. ..	<i>ib.</i>	Vote of money .. ..	131
Insurrection in Bohemia .. ..	107	Proceedings against Catholics .. ..	132
The palatine elected king .. ..	<i>ib.</i>	Grievances .. ..	<i>ib.</i>
Embarrassment of James .. ..	108	Prosecution of the earl of Middlesex .. ..	133
A parliament .. ..	109	Intrigue against Buckingham .. ..	134
Its proceedings .. ..	<i>ib.</i>	Defeated by Williams .. ..	135
Impeachment of patentees .. ..	110	Preparations for war .. ..	136
Of the lord chancellor .. ..	111	Treaty of marriage with a French princess .. ..	137
His judgment .. ..	<i>ib.</i>	It is concluded .. ..	138
Other impeachments .. ..	112	Death of James .. ..	139
Close of the session .. ..	113	His character .. ..	140
Williams lord keeper .. ..	114		
Homicide by Archbishop Abbot .. ..	115		

## CHAPTER IV.

## CHARLES I.

*The King's Marriage—His First Parliament—Unsuccessful Expedition against Cadiz—Second Parliament—Impeachments of Bristol and Buckingham—War with France—Disgraceful Expedition to the Isle of Rhé—Third Parliament—Petition of Right—Assassination of Buckingham—Ministers—Laud, Bishop of London—Expedients to raise Money—Peace with France and Spain—Proceedings in favour of the Palatine.*

The king's marriage .. ..	142	Buckingham appears before Ro-	159
He calls a parliament .. ..	143	chelle .. ..	160
State of parties .. ..	<i>ib.</i>	Descent on the Isle of Rhé ..	162
Proceedings of parliament at		Revolt of the Protestants ..	162
Westminster .. ..	145	Retreat from Rhé .. ..	<i>ib.</i>
At Oxford .. ..	<i>ib.</i>	A parliament called .. ..	163
Expedition against Cadiz ..	146	Its proceedings .. ..	164
Foreign treaties .. ..	147	Petition of right .. ..	165
Preparations for the meeting of		The king dissembles .. ..	166
parliament .. ..	148	And passes it .. ..	<i>ib.</i>
Complaints by the Commons ..	149	Prorogation of parliament ..	167
Question of privilege .. ..	150	Advantages gained by the country	
Bristol accused of treason ..	151	party .. ..	<i>ib.</i>
He accuses the duke .. ..	<i>ib.</i>	Political apostacy .. ..	168
Bristol's answer .. ..	152	Assassination of the duke ..	170
The duke is impeached by the		Punishment of the assassin ..	171
Commons .. ..	<i>ib.</i>	Loss of Rochelle .. ..	<i>ib.</i>
Two of the managers imprisoned	<i>ib.</i>	Religious grievances .. ..	172
The duke made chancellor of		Petition of right .. ..	173
Cambridge .. ..	<i>ib.</i>	Tumults in the lower house ..	<i>ib.</i>
His defence .. ..	153	Members imprisoned .. ..	174
Expedients to raise money ..	154	Plan to govern without parlia-	
A forced loan .. ..	155	ment .. ..	175
Punishment of the refractory ..	<i>ib.</i>	Members of the council .. ..	176
Causes of war with France ..	<i>ib.</i>	Bishop Laud .. ..	177
The duke's passion for Anne of		Peace with France .. ..	178
Austria .. ..	156	With Spain .. ..	<i>ib.</i>
Dismissal of the queen's household	157	Intrigues with the States of Flan-	
Of the causes of dissension ..	<i>ib.</i>	ders .. ..	179
Intrigues with the French Pro-		New sources of revenue .. ..	<i>ib.</i>
testants .. ..	158	Treatment of the Catholics ..	182



## CHAPTER V.

*The King in Scotland—Discontent in England—In Ireland—Oppressive Conduct of Wentworth—In Scotland—New Service Book—Covenant—Riots—King marches against the Covenanters—Pacification of Berwick—Scottish and English Parliaments—A Second War—Scots obtain Possession of Northumberland and Durham—Great Council at York—Treaty transferred to London.*

Transactions in Scotland ..	184	Tumult .. .. .	207
Coronation in Edinburgh ..	<i>ib.</i>	Establishment of the "Tables" ..	209
Scottish parliament .. .. .	<i>ib.</i>	Petitions .. .. .	<i>ib.</i>
Conduct of Laud .. .. .	185	A new covenant .. .. .	<i>ib.</i>
Envoys from the pope .. .. .	<i>ib.</i>	Hamilton commissioner .. .. .	210
Trials in the Star-chamber ..	188	Concessions refused .. .. .	211
Trial of the bishop of Lincoln ..	189	Assembly at Glasgow .. .. .	212
Of Prynne .. .. .	190	Preparations for war .. .. .	213
Of Bastwick and Burton .. .. .	191	Backwardness of the English ..	214
Their punishment .. .. .	192	Scots begin hostilities .. .. .	215
High Commission court .. .. .	193	The armies meet .. .. .	216
New treasurer .. .. .	194	Pacification of Berwick .. .. .	217
Encroachments on the forests ..	195	Assembly at Edinburgh .. .. .	<i>ib.</i>
Ship-money .. .. .	196	Parliament .. .. .	218
Hampden .. .. .	197	Destruction of a Spanish fleet ..	<i>ib.</i>
Proceedings in Ireland .. .. .	198	Irish parliament .. .. .	219
Wentworth lord deputy .. .. .	199	English parliament .. .. .	<i>ib.</i>
Irish parliament .. .. .	200	Dissolution .. .. .	221
Convocation .. .. .	201	Riots .. .. .	222
Irish Court of Wards .. .. .	202	Convocation .. .. .	223
New plantations projected .. ..	<i>ib.</i>	Scottish parliament .. .. .	224
Prosecutions .. .. .	203	Warlike preparations .. .. .	<i>ib.</i>
Trial of Mountnorris .. .. .	204	Scots pass the Tyne .. .. .	225
Wentworth's apology .. .. .	<i>ib.</i>	Negotiation .. .. .	226
Scotland .. .. .	205	Great council of peers .. .. .	<i>ib.</i>
Trial of Balmerino .. .. .	<i>ib.</i>	Partial agreement with the Scots .. .. .	227
New service-book .. .. .	206	Treaty transferred to London ..	<i>ib.</i>
It is opposed .. .. .	207		

## CHAPTER VI.

*Proceedings in Parliament—Impeachments of Strafford and Laud—Vote against the Legislative and Judicial Powers of Bishops—Trial and Execution of Strafford—Triennial Parliaments—The King holds a Parliament in Scotland—Rebellion in Ireland—Remonstrance of the Commons—Protest and Impeachment of Twelve Bishops—King impeaches Six Members—Bishops deprived of Seats in Parliament—Progress of the Rebellion in Ireland—King retires to York—He is refused Entrance into Hull—The Houses levy an Army—Charles sets up his Standard at Nottingham.*

Opening of parliament .. .. .	227	The incident .. .. .	248
State of parties .. .. .	228	Irish rebellion .. .. .	250
Proceedings in parliament .. .. .	229	Its origin.. .. .	251
Impeachment of Strafford .. .. .	230	Secret intrigue by the king .. .. .	252
Of Windebank .. .. .	<i>ib.</i>	Plot discovered .. .. .	253
Of Laud .. .. .	231	Rebels in Ulster .. .. .	<i>ib.</i>
Of Finch.. .. .	<i>ib.</i>	Their apology .. .. .	254
Treaty with the Scots .. .. .	232	Charles returns to London .. .. .	<i>ib.</i>
Vote of the Commons .. .. .	<i>ib.</i>	The remonstrance .. .. .	255
Petitions against bishops .. .. .	233	Proceedings of parliament .. .. .	<i>ib.</i>
Change of ministers .. .. .	<i>ib.</i>	Commitment of twelve bishops.. .. .	257
Trial of Strafford .. .. .	235	Six members impeached by the	
Charges made against him .. .. .	<i>ib.</i>	king .. .. .	<i>ib.</i>
The Lords favourable to him .. .. .	237	Triumph of his opponents .. .. .	258
The Commons pass a bill of at-		Intrigues in court and the two	
tainer.. .. .	239	houses .. .. .	259
Strafford's defence .. .. .	<i>ib.</i>	Dispute about command of forces	260
The king's efforts to save him .. .. .	240	King retires to York .. .. .	261
Protestation of the houses .. .. .	241	Progress of rebellion in Ireland.. .. .	<i>ib.</i>
Bill passed .. .. .	242	Rising of the pale .. .. .	<i>ib.</i>
Strafford's letter to the king .. .. .	<i>ib.</i>	Their vindication .. .. .	262
Distress of Charles .. .. .	243	Cruelties .. .. .	263
He yields .. .. .	<i>ib.</i>	Measures of relief .. .. .	<i>ib.</i>
Death of Strafford .. .. .	<i>ib.</i>	Fruitless attempt on Hull .. .. .	264
Strafford's guilt .. .. .	244	Both parties raise men .. .. .	265
More impeachments .. .. .	<i>ib.</i>	Their demands .. .. .	<i>ib.</i>
Queen's terrors .. .. .	245	Commencement of hostilities .. .. .	266
Jealousy between the houses .. .. .	246	King raises his standard .. .. .	267
King in Scotland .. .. .	247	Reflections .. .. .	<i>ib.</i>

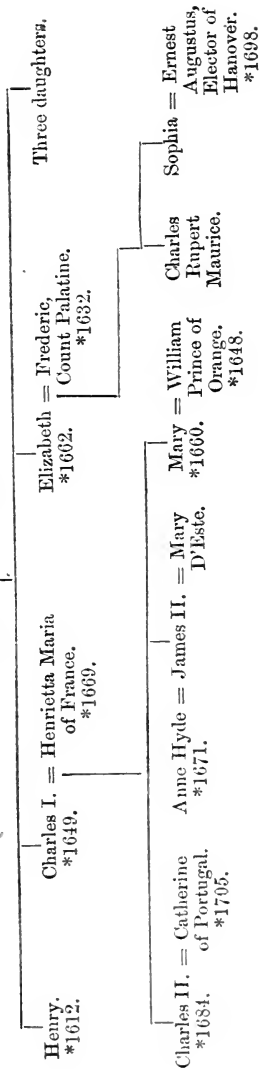
THE  
HISTORY OF ENGLAND.

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VOL. VII.

## GENEALOGICAL TABLE.

James I. = Anne of Denmark.  
\*1625. | \*1619.



# HISTORY

OF

# ENGLAND.

## CHAPTER I.

### JAMES I.

#### CONTEMPORARY PRINCES.

<i>Emperors.</i>	<i>K. of France.</i>	<i>K. of Spain.</i>	<i>Popes.</i>
Rodolph .....1612	Henry IV. ....1610	Philip III.....1621	Clement VIII....1605
Matthias .....1619	Louis XIII.	Philip IV.	Leo XI.....1605
Ferdinand II.			Paul V.....1621
			Gregory XV. ....1624
			Urban VIII.

ARRIVAL OF JAMES IN ENGLAND—EMBASSIES FROM FOREIGN COURTS—CONSPIRACY—CONFERENCE AT HAMPTON COURT—PROCEEDINGS IN PARLIAMENT—IN CONVOCATION—SEVERITIES AGAINST THE CATHOLICS—ORIGIN AND PROGRESS OF THE GUNPOWDER PLOT—ITS FAILURE AND THE FATE OF THE CONSPIRATORS—TRIAL AND EXECUTION OF GARNET—MEETING OF PARLIAMENT—NEW PENAL LAWS—CONTROVERSY RESPECTING THE OATH OF ALLEGIANCE.

THE narrow and selfish policy of the late queen had left the succession to the crown in suspense and uncertainty. James VI. of Scotland was by descent the next heir; but the exclusion of the Scottish line in the will of Henry VIII. had thrown some doubt on his right, and it was generally believed that his pretensions would meet with opposition from the fears of the noblemen whose hands had been stained with the blood of his unfortunate mother: from the jealousy of the churchmen, who must fear the accession of a prince educated in the principles of Calvin; and from the intrigues of the Catholics, whose interest it was to seek

relief from the penal laws by supporting a Catholic successor. For years the public mind had been agitated with predictions of the fearful consequences to be apprehended on the death of Elizabeth; predictions which the event proved to have been no better than the dreams of timid or designing politicians. Not a voice was raised in favour of any other claimant. The supposed enemies of James had long ago made their peace with their future sovereign; the clergy gave credit to his assurances that he loathed a form of religion which led to the depression, if not the extinction, of the royal authority;<sup>1</sup> and the Catholics, flattered by the

<sup>1</sup> It was probably to encourage this belief that his work entitled *Basilicon Doron*,

which he had completed in 1599, was now printed. It was so universally read, that

reports of their agents, hailed with joy the succession of a prince who was said to have promised the toleration of their worship, in return for the attachment which they had so often displayed for the house of Stuart.

By the address of Cecil the accession of the Scottish king was proclaimed, before the death of the late queen had become publicly known. At his invitation, thirty-five individuals, councillors, prelates, peers, and officers of state, met him at Whitehall, and, with the name of the lord mayor at the head, subscribed a declaration that James of Scotland was the lawful and undoubted heir to the English crown. Not a moment was lost. The whole body assembled in front of the palace, and proceeded thence to the cross in Cheapside: at both places the king of Scots was proclaimed by the voice of Cecil himself; and the citizens, by their acclamations, bonfires, and the ringing of bells, testified their satisfaction at the accession of the new monarch.<sup>1</sup>

James, who was in his thirty-seventh year, received the intelligence with transports of joy. He had long been weary of a throne on which his darling propensities were continually checked by the want of money, and his high notions of the royal dignity were combated by the levelling principles of the clergy, and the factious spirit of the nobles. He lost not a moment to take possession of his new inheritance: visions of wealth and power and enjoyment floated before his imagination; and his expectations were confirmed during his progress by the cheers of the multitudes who assembled to greet their sovereign, and by the sumptuous entertainments which he received in the houses of the nobility and gentry. To

it went through three editions in the course of the year 1603.

<sup>1</sup> Strype, iv. 370. Rym. xvi. 493, 494.

<sup>2</sup> See Somers, ii. 147; Stowe, 821.

his Scottish followers he remarked with exultation, that they had at last arrived in the Land of Promise.

But as he proceeded, the enthusiasm of the English began to cool. The gait of the new monarch was ungraceful, his countenance repulsive. A tongue, apparently too bulky for the mouth which contained it, eyes that rolled their large and vacant orbs on the surrounding objects, and a scanty beard, scarcely indicative of manhood, were not calculated to inspire awe, or to beget affection; and the king's unwillingness to be seen by the crowds that came to meet him, the haste with which he ordered an offender to be executed without trial or defence, and the partiality which he betrayed on all occasions for his own countrymen, provoked from some expressions of dislike, and awakened in others the fear of a despotic and unpopular reign.<sup>2</sup>

In many his marked antipathy to his predecessor excited the most painful emotions. So keenly did he feel the injuries which she had inflicted on his mother and himself, that he could not bear the mention of her name without showing signs of uneasiness and displeasure.<sup>3</sup> Of her talents he affected to speak with disparagement, of her morals with reproach. It might have been expected that he should honour her funeral with his presence; but he was spared this mortification by an order of the council, that the body of the late queen should be interred before the arrival of her successor. The absence of the king was, however, supplied by the voluntary attendance of fifteen hundred persons in deep mourning, who, in testimony of their respect for the memory of Elizabeth, followed her remains to Westminster Abbey,

<sup>3</sup> When the French ambassador ordered his suite to dress in mourning for Elizabeth, it was considered by James as an insult, and he was compelled to revoke the order.—Sully's Memoirs, l. xiv. xv.

where they were deposited in the chapel of Henry VII.<sup>1</sup>

From Edinburgh James had invited the earl of Southampton, still a prisoner in the Tower, to meet his friend and sovereign at York. This act of kindness to the associate of Essex alarmed all those who had been instrumental in the death of that nobleman. They were now divided into two factions, mortal enemies to each other; the secretary, with his colleagues of the council, and the earl of Northumberland, with Lord Grey, Lord Cobham, and Sir Walter Raleigh. All hastened to meet the new monarch, that they might remind him of their past, and tender to him their future services. But James had already made his election. If the secretary had more deeply offended, he was yet the more likely to prove useful. Him he confirmed in office; a share of the royal favour was also promised to Northumberland; but Cobham and Grey were left to complain of ingratitude and neglect; and Raleigh lost not only the honourable post of captain of the guard, but the more valuable office of warden of the Stanneries.<sup>2</sup>

James had accepted the invitation of Cecil to spend a few days at his house of Theobalds, where he was entertained with extraordinary magnificence. Of late years, under Elizabeth, the secretary had guided without control the councils of the nation; but to retain the same pre-eminence under the new monarch was a matter of doubt and difficulty. He had to study the tastes of the sovereign, and to win the friendship of his foreign favourites. He spent his time, as he

informs us, "in trouble, hurrying, feigning, suing, and such like matters, knowing not where the winds and waves of the court might bear him." A new council was formed, into which, by his advice, or at least with his approbation, six Scotsmen were admitted,—the duke of Lennox, the earl of Marr, the lord Hume, Sir George Hume, Bruce of Kinloss, and secretary Elphinstone; but, at the same time, to balance the account between the nations, six English noblemen,—the earls of Northumberland and Cumberland, the lords Henry and Thomas Howard, and the barons Zouch and Burrough, received the same honour.<sup>3</sup>

As the king entered London, proclamation was made to suspend all grants of licenses and monopolies till they had been examined by the council, to revoke all royal protections for the purpose of delay in the courts of law, and to prohibit the abuses of purveyors, of the makers of saltpetre, and of the officers of the household. Honours were afterwards bestowed with a most lavish hand. The earl of Southampton and the young earl of Essex recovered their titles and estates; Mountjoy and three of the Howards were raised to the rank of earl; nine new barons were created, among whom was Cecil, the secretary; and in the course of three months the honour of knighthood was conferred on seven hundred individuals. This profusion provoked murmurs; and a pasquinade was seen fixed on the door of St. Paul's, offering to teach weak memories the art of recollecting the titles of the new nobility.<sup>4</sup>

The accession of the Scottish prince

<sup>1</sup> James, however, had previously declared to the council that he would attend, if they deemed it proper for the honour of the queen.—Ellis, *Original Letters*, &c. iii. 65.

<sup>2</sup> He still retained the government of Jersey, and, as some compensation, obtained a remission of the rent of three

hundred pounds per annum, which he had contracted to pay out of the income.—Ellis, *Original Letters*, iii. 82.

<sup>3</sup> *Nugæ Ant.* i. 345. See Stowe for the king's progress from Edinburgh to Theobalds, 816—822.

<sup>4</sup> Stowe, 824—827: See a catalogue of the monopolies in Lodge, iii. 159—162.

was calculated to produce an important change in the political relations of England. He felt nothing of that animosity against the king of Spain which had so long festered in the breast of his predecessor; nor did he know how to reconcile with his high notions of the royal authority the wisdom of lending aid to men in arms against their legitimate sovereign. Aware of his disposition, the states of Holland sent to him a splendid and honourable embassy, at the head of which was Frederic prince of Nassau, aided by the sagacity and experience of three able statesmen, Valck, Barnevelt, and Brederode. But James stood on his guard against their entreaties and flattery; he invented pretexts to elude every demand of an audience; and over his cups he hesitated not to brand the deputies and their masters with the ignominious designation of traitors. On the other hand, the conduct of the archduke gave him the highest pleasure. That prince, in compliment to the king, discharged all his English prisoners, as the subjects of a friendly monarch; and then solicited and obtained permission to send an ambassador to the English court. For this office he chose one of the first noblemen in his dominions, the count of Aremberg. Aremberg, however, came not to negotiate, but to protract the time till instructions could be obtained from Spain; he employed the interval in studying the temper of the court, and in purchasing, by presents, an interest in the council.

Two days after Aremberg, landed a rival statesman, the celebrated Rosny, better known as duke of Sully.<sup>1</sup> The king of France had

hitherto aided the Hollanders in conjunction with the queen of England; the succession of the new monarch taught him to fear that the whole burthen must devolve upon himself, or the Spanish king would recover the dominion of the revolted provinces. Under this impression Rosny was despatched to oppose the intrigues of Aremberg; by the distribution of presents to the amount of sixty thousand crowns, he secured the favour of the queen and of the courtiers; and the elegance of his manners, the delicacy of his flattery, and his insinuating eloquence, soon gave him a temporary ascendancy over the mind of James. He taught the king to mistrust the fidelity of his own counsellors. Cecil was openly charged with duplicity; and the royal signature was subscribed to a treaty drawn up by the Frenchman. It bound the kings of England and France to aid the States with men and money, but clandestinely, and without any manifest breach of amity with Spain; and if Philip should resent such practices, then to join in open hostilities against that monarch. The ambassador departed exulting in the success of his mission; it soon appeared that his influence depended on his presence. The treaty was indeed ratified; but it bound the king to little which could divert him from the pursuit of his great object, peace with all the nations of Christendom.<sup>2</sup>

While the French court negotiated in England, the Spanish cabinet, with its characteristic slowness, consumed the time at home in endless consultations. To solicit a peace from the new king appeared to Philip equi-

<sup>1</sup> Rosny embarked with his suite on board of two vessels offered by the English vice-admiral; and on his passage he was met by the French vice-admiral bearing his flag on his main-top-gallant-mast. The English immediately poured a broadside into the French ship, and would have

repeated it, had not the flag been taken down at the instance of the ambassador. The bearing of the flag was the cause of offence.—Sully's Memoirs, l. xiv.

<sup>2</sup> Sully's Memoirs, l. xiv. xv. xvi. Some of the presents were continued annually as pensions.—Id. l. xvi. Lodge, iii. 166.



valent to a confession of weakness; to continue the war was to remove every probability of reducing his revolted subjects. During this struggle between pride and interest, two Englishmen arrived at Madrid, the envoys of that expiring faction which has been called the Spanish party among the English Catholics. In the preceding year, Thomas Winter, as its representative, had arranged with the ministers of Philip a plan for the invasion of England. The death of Elizabeth disconcerted the project. The Catholics almost unanimously supported the right of James; and Garnet had thought it prudent to burn the breves in favour of a Catholic successor. Still a few discontented individuals remained; and Wright was despatched from England, Fawkes from Flanders, to discover the real disposition of the Spanish council. The duke of Lerma thanked them for their offers, and assured them of the gratitude of his sovereign; but added that Philip had no cause of hostility against James; he looked on the king as his friend and ally; and had appointed the Conde de Villa Mediana his ambassador to the English court.<sup>1</sup>

At this moment, when the enmity between the two crowns seemed on the point of expiring, it was in some measure revived by the detection of a dark and unintelligible conspiracy in England. The earl of Northumberland was sensible that he held the royal favour by a very precarious tenure, as long as his adversary Cecil possessed the first place in the cabinet, and his associates, Cobham and Ra-

leigh, disgraced by the king, shunned by the courtiers, gradually abandoned themselves to the suggestions of revenge and despair. At first all three attempted to intrigue with the French council. They transmitted their offers through La Fontaine, and applied personally to Beaumont the resident, and Rosny the extraordinary ambassador. But no countenance was given to the overture: Henry wisely preferred the docility with which James listened to his envoys, before the wild and impracticable schemes of three discontented courtiers. Here Northumberland had the prudence to desist. The other two persevered in their dangerous course, and Cobham personally, Raleigh through Cobham, made proposals to Aremberg, the ambassador of the archduke, who, ignorant of the sentiments of the king of Spain, consulted the court of Brussels, and was ordered to encourage the correspondence. That they asked for money in return for their future services can hardly be doubted; but what those services were to be, is uncertain, perhaps was never determined. The character of Raleigh forbids us to attribute to him any other object than the overthrow of his political enemies by the support of the Spanish interest against that of France; but Aremberg may have had other more important results in view,—the establishment of a party in favour of the claim of the Infanta, or, as was pretended, of Arabella Stuart, under the protection of Spain.<sup>2</sup>

This, in the language of the initiated, was termed "the Main:" "the

<sup>1</sup> See statute 3 James I. c. 2; Gunpowder Treason, 92—94, 162. The substance of this charge is acknowledged by Garnet and his advocates, though they object to many particulars.—Gunpowder Treason, 186, 187. Eudæmon Joannes, 295, 306—310.

<sup>2</sup> Raleigh's trial furnishes sufficient proof of the secret dealing with Aremberg. There is, according to Carte, still stronger proof

in the despatches of Beaumont, who, on October 20th and December 6th, informed the king of France that he was fully convinced of the guilt of Cobham and Raleigh, both of his own knowledge, and from the two intercepted letters of the ambassador, which he had perused; and that the object of the conspiracy was to support the claim of the Spanish Infanta.—Carte, iii. 718, 721.

Bye," or "the surprising treason," a subordinate and equally mysterious plot, was under the direction of Sir Griffin Markham and of George Brooke, the latter of whom, being the brother of Lord Cobham, was the connecting link between the two parties.<sup>1</sup> Discontent made them conspirators, and the successful attempt of the Scottish lords on a former occasion suggested to them the forcible seizure of the royal person. With the king in their possession, they would be able to remodel the government, to wreak their vengeance on their enemies, Cecil and Sir George Hume, and to secure to themselves and their friends the principal offices in the state. It was not, however, pretended, that with the conduct of this plot Cobham and Raleigh had any concern. They were satisfied to know of its existence, and to cherish a hope that, "if one sped not, the other might."<sup>2</sup>

But how were Markham and Brooke, men without money or influence, to accomplish their purpose? They sought for co-operators among the Puritans and the Catholics; who, though enemies to each other, were

equally dissatisfied with the penal code which oppressed them, and might easily be led to approve of an enterprise which had for its object religious toleration.

Among the Catholics they connected themselves with the missionary Watson, who, during the late reign, had been distinguished by his opposition to the Spanish party. To James he had rendered the most important services, but in return had been treated by the monarch with neglect and ingratitude.<sup>3</sup> Whether he really sought to further the object of the conspirators, or to make their efforts subservient to his own plans, may perhaps be doubted; but he called together his confidential friends, and began with administering an oath, which bound them to watch over the safety of the king, to procure by all lawful means the restoration of their religion, and never to betray without permission from the heads, the secret plans of the society.<sup>4</sup> He next proposed a resolution that they should assemble in a numerous body, should throw themselves on their knees before the king, as he went out to hunt, and representing the services which

<sup>1</sup> Much of what appeared mysterious in the history of these conspiracies has been cleared up by the diligence and discernment of Mr. Tierney, in the fourth volume of his new edition of Dodd's Church History. He has, moreover, published at length the confessions of the conspirators from the originals in the State Paper Office.

<sup>2</sup> Cecil's letter to Parry, apud Cayley, *Life of Raleigh*, ii. 8. In it he expressly attributes the conspiracy to Markham and Brooke; and adds, as was afterwards inserted in the indictment from the confession of Watson, that it was intended to make Watson lord chancellor, Brooke lord treasurer, Markham secretary, and Grey earl marshal. But is it possible to believe that such a distribution of offices could be seriously contemplated? The absurdity of the thing is its own refutation.—N.B. Mr. Jardine (i. 393) supposes that by these words I deny the existence of the plot. I intended merely to intimate my disbelief that any such distribution of offices was ever settled among the conspirators. Cecil's account of this

distribution differs from that by Watson; and Watson says that it was nothing more than "random" talk. When he spoke of himself as keeper of the great seal, he was severely rebuked for his folly by Copley.—See Watson's confession of Aug. 10, in Tierney.

<sup>3</sup> Watson had written in favour of James against the pretensions of the Infanta; and before the death of Elizabeth he repaired to Scotland, where he received the most cheering welcome from the king. On his return he laboured among his Catholic brethren to support the succession of the Scottish monarch; but finding afterwards that James granted no toleration, and even exacted the fine of twenty pounds per lunar month from recusants, he waited on the king, and reminded him in vain of his former promises. On his leaving the royal presence, James observed to one of his attendants, "that since Protestants had so generally received and proclaimed him king, he had now no need of Papists." This was the origin of Watson's discontent.

<sup>4</sup> See it in Tierney, iv. App. xxix. note.

they had done at his accession, should beg in return the toleration of their religion. More than this was not divulged openly; to a few he disclosed his mind with less reserve. The Puritans, he told them, had formed a plan to obtain possession of the royal person. It was therefore his plan, that they should meet in the neighbourhood, under the pretence of presenting a petition; should improve the opportunity to liberate the sovereign from his captors, should conduct him to a place of security, and there solicit from him liberty of conscience. James could never refuse so small a boon to the liberators of his person.<sup>1</sup>

Among the Puritans, Brooke and Markham had applied to Lord Grey, a young nobleman of enthusiastic zeal and determined courage. He thought his merit overlooked by the king: his enemy, Southampton, was established in the royal favour; and his brethren in religion loudly complained of penalties and disabilities. On these accounts he entered with cheerfulness into the plot, and promised to bring to the "surprise" one hundred men on horseback.

The conspirators had originally intended to effect their purpose at Greenwich during the darkness of the night; but when it was considered that three hundred armed gentlemen lay within the palace, they preferred to make the attempt at Hanworth, where James, in his hunting-parties, was accustomed to call for refreshment at the house of a private gentleman. But when the appointed day, the 24th of June, approached, the lord Grey, to the surprise of his associates, proposed

to defer the enterprise for some months. He was in reality jealous of the reported number of the Catholics, and hoped to strengthen his own party in the interval, under the pretext of collecting forces for the service of the States. Within a day or two Watson's friends arrived. They were, however, few and without followers: the leaders saw that their force was unequal to their object: much altercation ensued; and the design was at last abandoned as impracticable.<sup>2</sup>

About two months before this, Markham and Watson had sought to bring about, not only a reconciliation, but even a coalition, between their own party and their former opponents of the Spanish faction. Conferences were held, and a long correspondence was continued, during which the Jesuits Darcy, Holtby, and Gerard, the negotiators, acquired some knowledge of the surprisal of the royal person projected by the conspirators of the Bye. Blackwall, the arch-priest, and Garnet, the provincial of the society, insisted that the information should instantly be laid before the government. For this purpose Gerard came to London; but he had been forestalled by John Gage of Haling, whose wife was the sister of Copley. On the preceding day, Gage had conveyed the intelligence to the bishop of London, and was probably imitated by others anxious to ward off the penalties to which they had rendered themselves liable by having become privy to the intended treason. A proclamation was issued, describing the names and persons of several of the conspirators. In a few days these were in the hands of the pursuivants, and then subjected to the most search-

<sup>1</sup> See the same, and Sir Edward Parham's examination of September 1, and that of Bartholomew Brookesby, of September 14, in the same office. Also their speeches at their trials. Copley pretends that to his confidants Watson occasionally betrayed

more criminal designs; but too much credit ought not to be given to the man who accuses another, that he may be spared himself. I shall add the extract from his confession in Appendix, EEE.

<sup>2</sup> Copley's confession.

ing examinations before certain commissioners. They seem to have used no disguise, but to have rested their hopes of mercy, if they entertained such hopes, on the candour and plentitude of their confessions. Watson alone advanced a most singular plea: his object was the king's safety; he sought to frustrate the designs of the Spanish faction, for he knew that at the very time the Jesuits were intriguing with Aremberg, and had collected a large sum of money, and bought up horses to aid a Spanish army about to land at Milford Haven, and to proclaim the lady Arabella. This plea did not avail him: he complains that it drew upon him reproof and insult from the commissioners, and especially from his adversary the lord Cecil.<sup>1</sup>

It may be that Cecil had other secret information: he asserts that the mere fact of Brooke being among the conspirators, led him to suspect Cobham, and Cobham's friends Northumberland and Raleigh. The earl was already in custody on another account; but, nothing appearing to criminate him, he was shortly set at liberty. Raleigh also by his answers satisfied the council, and was accordingly dismissed. But his dismissal did not lull his misgivings; and to eschew the danger which he foresaw, he wrote to Cecil that he had reason to suspect Cobham of secret dealings with Aremberg, and therefore advised the apprehension and examination of La Rensie, the agent of Aremberg.<sup>2</sup>

<sup>1</sup> See the several confessions at length in Tierney's *Dodd*; also *Rym.* xvi. 522, and *Abbot, Antilogia*, 130, 136.

<sup>2</sup> *Jardine, Criminal Trials*, 412, 416. Raleigh says that Cecil willed him not to speak of this, because the king, at the first coming of Count Aremberg, would not give him occasion of suspicion. Wherefore, he adds, I wrote to the lord Cecil that, if La Rensie were not secured, the matter would not be discovered, for he would fly; yet, if he were then apprehended, it would give matter of suspicion to the lord Cobham.—*Ibid.*

A few days later both Cobham and La Rensie were committed to the Tower. Raleigh's apprehensions revived; as he had betrayed Cobham, it was also possible that Cobham might betray him. Under this impression he sent to the latter a hypocritical letter in praise of his own fidelity. Many questions, he stated, had been put to him respecting Cobham; but to all he had returned answers which exculpated his friend. Let Cobham pursue the same conduct with respect to him. Then there could be no danger; for the testimony of one witness—La Rensie was probably meant—could not legally procure a conviction. The whole statement was false. At his examination no mention had been made of Cobham: his denunciation of that nobleman was subsequent and voluntary.<sup>3</sup>

Cobham underwent two examinations, and persisted in the denial of the offence imputed to him. He was then called before commissioners to answer interrogatories administered in writing. On the repetition of his denial, Raleigh's letter to Cecil was put into his hands. His eyes were now opened to his danger. "That wretch," he exclaimed, "that traitor Raleigh! hath he used me thus? Nay, then, I will tell you all." He then confessed that at the instigation of Raleigh, and under the persuasion that the existing tranquillity could not long continue, he had made application to Aremberg, with whom it was arranged that he should pro-

<sup>3</sup> *Jardine*, 432. If Raleigh's first letter to Cecil seemed to proceed from an innocent man, his second to Cobham betrayed a consciousness of guilt. Cecil declared both at the trial, and in his letter to Winwood (*Jardine*, 416, 459), that when Raleigh wrote it, he had not been asked a single question respecting Cobham; whence it was inferred by indifferent persons, that "it was written rather to arm Cobham for that which might be to come, than to instruct him for that which was passed."—*Letter in Jardine*, 463.

eed to Spain to receive a large sum of money, and on his return should visit Raleigh in his government of Jersey, to consult with him respecting the distribution of it. Thus each accused the other; and each was committed to the Tower, to abide his trial.<sup>1</sup>

Raleigh was now fully aware of his danger. He knew the power of his enemies in the cabinet, and, as he expresses it, the cruelty of the law of England, which in trials for treason made it difficult for the most innocent man to escape conviction. One afternoon, while the lords of the council were employed in the Tower, he made an attempt, probably a feigned attempt, to commit suicide, by stabbing himself under the right breast. By his opponents this desperate act was attributed to consciousness of guilt; by himself to the persuasion that he was doomed to fall a victim to the arts and malice of the secretary. Cecil is said to have given too much countenance to the charge, by his indecent triumph over an unfortunate and prostrate enemy.<sup>2</sup>

The apprehension of the conspirators was followed by the king's coronation. He had long ago appointed for this purpose his saint's day, the festival of St. James; and though a dangerous mortality raged in the city, he would not allow of any postponement. This haste was imputed to the alarm excited in his mind by the doctrine of Watson, that, since the succession had not been settled by act of parliament, James could not, till his

coronation, be considered as the actual possessor, but only as claimant of the regal dignity. The ceremony was hastily performed by the archbishop of Canterbury, without the usual parade, and in the presence of those only who had been summoned to attend.<sup>3</sup>

From Westminster the king fled into the country; but the infection pursued him wherever he went; and for several months the judges with their suitors followed the sudden and uncertain migrations of the court. To this was attributed the long delay in bringing the conspirators to trial; but there was another and more secret cause—the presence of Aremberg, who was deeply implicated in that part of the plot denominated “the Main.” Soon after his departure, the commoners accused of participating in “the Bye” were arraigned in the castle of Winchester. Their confessions, in which they had been careful to accuse not only themselves, but also each other, furnished the proofs of their guilt; and one only, Sir Edward Parham, was acquitted, who pleaded that a design to rescue the king from the hands of those who might detain him in captivity could not in justice be considered treason.<sup>4</sup>

The conviction of Raleigh offered a more serious difficulty. He had made no confession; and the real evidence of his guilt, certain intercepted letters between Aremberg and the ministers of the archduke, could not with decency be made public.<sup>5</sup>

<sup>1</sup> Jardine, 411, 415.

<sup>2</sup> Cayley, ii. 8. Cecil, however, has found an able advocate in the author of his life (in the Cabinet Cyclop. 112); and it was probably by Cecil's direction, though for what reason we know not, that Coke at the trial “urged not the least word against Raleigh by reason of the guilty blow which he gave himself in the Tower.”—Letter in Jardine, 464.

<sup>3</sup> See the proclamations to prevent attendance, in Rymer, xvi, 521, 527. Accord-

ing to Camden, the number of deaths in London from the plague amounted to 30,578.

<sup>4</sup> Howell's State Trials, ii. 61; and a letter from Francis Aungier in the Loseley MSS. 374.

<sup>5</sup> This was asserted by Beaumont in his despatches (Carte, iii. 721), and is confirmed by the remark of Cecil to Raleigh, in p. 13, note; by the apology which he compelled Coke to make to Aremberg for expressions which had escaped him at the trial; and

There remained only one mean of connecting him with the conspiracy,—the declaration of Cobham. But if Cobham had at first in his passion accused him, he afterwards retracted the chief points in his accusation; and his subsequent depositions were so wavering and contradictory, that they appeared to be suggested by hope or terror, without any attention to truth. Aware of the weakness of his case, the attorney-general, Sir Edward Coke, had recourse to invective and abuse;<sup>1</sup> but Raleigh controlled his feelings, and replied with a moderation which placed in a stronger light the indecorous and violent conduct of his adversary. He demanded that Cobham should be confronted with him; he appealed to the statute law, and to the law of God, which required two witnesses; he even offered to abandon his defence if his accuser would dare to assert in his presence that he had ever advised any dealing whatever with the Spanish monarch. But he was told that the statutes which he cited were not in force; that the law would not allow an accusing accomplice to be brought into court, lest he might take the opportunity to give false evidence for his friend; and that the trial of treason was as satisfactory by jury and written depositions as by jury and witnesses. He replied that his, however, was a singular case; for the charges against him had been retracted by the man who originally made them; let then his accuser stand forth; and if Cobham dared to reaffirm a single charge before his face, he would submit to his doom, he would not add a

by his instructions to the ambassadors at foreign courts, who were to say that Aremberg had no notion that the money was wanted for anything but "the advancement of peace." Nov. 30.—Cayley, ii. 64.

<sup>1</sup> He called Raleigh a damnable atheist, a spider of hell, the most vile and execrable of traitors. *Raleigh*.—You speak indiscreetly, barbarously, and uncivilly. *Coke*.—I want words sufficient to express thy vipe-

word in his own defence. It was a bold challenge, but made with perfect confidence; for he had brought with him a letter, written to him by that nobleman about a fortnight before, in which was the following passage: "To free myself from the cry of blood, I protest, upon my soul and before God and his angels, I never had conference with you in any treason; nor was ever moved by you to the things heretofore accused you of; and, for any thing I know, you are as innocent and as clear from any treason against the king, as is subject living. And God so deal with me, and have mercy on my soul, as this is true."

To meet this challenge, Coke produced what he deemed equivalent to the presence of the accuser, a letter written by Cobham to the lords only the evening before. In it he stated that being convinced of the design on Raleigh to clear himself by betraying *him*, he had resolved to set down the truth, and to retract what had cunningly been drawn from him. The truth was, that Raleigh had been the cause of his discontent, and of his dealings with Aremberg; had solicited through him a pension of 1,500*l.* for intelligence, and had sent to Aremberg, as a sample of his services information of the secret agreement between the king and the States. During the reading of this letter the unfortunate prisoner could not disguise his astonishment and perturbation. When he had recovered himself, he admitted that there had indeed been some talk, but talk only of such a pension; denied that he had

rous treasons. *Raleigh*.—You want words indeed, for you have spoken the one thing half a dozen times.—*State Trials*, ii. 26.

<sup>2</sup> See the copy of this letter in *Jardine* 445. In this letter Cobham says nothing of his former charges whether they were true or false; he merely recalls his protestation that Raleigh was, as far as he knew innocent of treason, and then assigns new instances never before mentioned.

employed any artifice to procure the retraction of Cobham, and putting the letter to himself into the hands of Cecil, insisted that it should be read, as an antidote to that which had been written to the lords. Of the two, the former, from its solemn appeal to the knowledge and justice of God, deserved the greater credit, if credit could be due to anything coming from such a man. But it was now too late. Raleigh's inability to deny the charge of the pension, had made a deep and unfavourable impression on the minds of the jury, who returned, though with visible reluctance, a verdict of guilty. By the great mass of the spectators it was received with disapprobation. They had at first looked upon the prisoner with abhorrence, as a base and revengeful traitor; but his defence had changed their sentiments: many pronounced him innocent; most acknowledged that he had been condemned without legal or sufficient proof.<sup>1</sup>

Cobham and Grey were arraigned before their peers. The shuffling and meanness of the one opposed a striking contrast to the spirit and eloquence of the other. Cobham appeared unworthy of the pardon which he claimed as the reward of his confession; Grey won the esteem of the very judges by whom he was condemned.

<sup>1</sup> Jardine, 445—449. State Trials, ii. 27—30. The proceedings on this trial will justify the presumption that there was something criminal in the dealings of the two friends with Aremberg, but do not supply sufficient evidence that Raleigh had been guilty of treason. Such evidence was, in the opinion of James and of Beaumont, the French ambassador, supplied by the intercepted letters of Aremberg; but of the correctness of that opinion we have no opportunity of judging. The letter or dissertation in Raleigh's Works, viii. 756 (Oxf. edit.), was certainly written by Lord Henry Howard, and probably to Cecil; but I cannot persuade myself that it betrays any design in those noblemen of getting up a false charge of treason against Cobham and Raleigh.

The two priests were the first who suffered. For them no one ventured to solicit the royal mercy; it was even whispered that James had no objection to rid himself of Watson, as one of the individuals whom he had formerly authorized to promise toleration to the Catholics. The day before his execution, the earl of Northampton visited him in prison, and, as he afterwards asserted, obtained from him an avowal that no such promise had been made.<sup>2</sup> At the gallows, Watson abstained from any allusion to the subject. "Both he and his fellow-sufferer were very bloodily handled; for they were both cut down alive; and Clarke, to whom more favour was intended, had the worse luck: for he both strove to help himself, and spake, after he was cut down. They died boldly, both, and Watson (as he would have it seem) willingly, wishing he had more lives to spend, and one to lose for every man he had by his treachery drawn into this treason. Clarke stood somewhat on his justification, and thought he had hard measure; but imputed it to his function, and therefore thought his death meritorious, as a kind of martyrdom. Their quarters were set on Winchester gates, and their heads on the first tower of the castle."<sup>3</sup>

Of the lay conspirators, Brooke

<sup>2</sup> See the speeches of Northampton at the trials of the gunpowder conspirators, and of Garnet. Watson, at the gallows, alluding to the former disputes between himself and the Jesuits, said, "he forgave and desired to be forgiven of all; namely that the Jesuits would forgive him, if he had written over-eagerly against them; saying also, that it was occasioned by them, whom he forgave if they had cunningly and covertly drawn him into the action for which he suffered."—Stowe, 831. Indeed so great was the hostility between the parties, that Copley in his MS. confession chiefly laments "the occasion of triumph which their failure would give the Jesuits, knowing how much they were their enemies."

<sup>3</sup> Sir Dudley Carleton to Mr. John Chamberlain, in Jardine, i. 470.

alone was executed.<sup>1</sup> With respect to the others, James resolved to surprise his subjects with a specimen of that kingcraft in which he deemed himself so complete a master. At court several of the lords had interceded in their favour; their enemies called aloud for punishment; and Galloway, the minister from Perth, "preached so hotly against remissness and moderation of justice, as if it were one of the seven deadly sins." The king, if he rejected the prayer of the one, equally checked the presumption of the other. Confining his secret within his own breast, he signed on Wednesday the warrants for the execution of Markham, Grey, and Cobham; and the next day despatched a private letter to Tichbourne, the sheriff, by Gibb, a messenger who had just arrived from Scotland, and was consequently unknown. On the morning of Friday Markham was led forth to suffer. He complained that he had been deluded with false promises of life; but though surprised he was not dismayed; and when a napkin was offered him, he refused it, saying that he was still able to "look death in the face without blushing." While he made himself ready for the block, the sheriff was withdrawn by Gibb, and, at his return, addressing Markham, told him that as he was not sufficiently prepared, he should have two hours more for private devotion. As soon as Markham was locked up, Grey made his appearance, preceded by a crowd of young gentlemen, and supported on each side by two of his dearest friends. The minister who attended him prayed aloud: Grey followed with a firm voice, affected language, and a delivery expressive of the most fer-

vent piety. He then arose, confessed his guilt, and falling again on his knees, prayed a full half-hour for the king and the royal family. The moment he stopped, the sheriff informed him that he must leave the scaffold that he had been brought forward by mistake; and that Cobham, according to the warrant, must die before him. His removal made place for that nobleman, who, to the surprise both of his friends and foes, showed nothing of the mean and abject spirit which he had betrayed at his trial. He ascended the ladder with a firm step, surveyed with an undaunted eye the implements of death, and, acknowledging his own guilt, affirmed on his salvation that of his associate Raleigh.

At this moment Markham and Grey separately mounted the scaffold, and each of the three, in the persuasion that his companions were already dead, stared on the other two with looks of the wildest astonishment. The crowd pressed forward in breathless suspense; and the sheriff in a loud voice explained the mystery, by a declaration that the king of his own gracious disposition had granted life to each of the convicts. They were conducted to different prisons, and Raleigh, whose execution had been fixed for the Monday, shared the royal mercy in common with his fellows. James reaped the full fruit of this device. The existence of the plot was proved by the confessions made on the scaffold; the guilt of Raleigh was no longer doubted after the solemn asseveration of Cobham; and the royal ingenuity as well as clemency was universally applauded.<sup>2</sup>

It is plain that this conspiracy, so

<sup>1</sup> He had written to Cecil, who had been married to the sister of Brooke, to inquire "what he might expect after so many promises received, and so much conformity and accepted service performed by him to Cecil."—In App. to Mrs. Thompson's Life of Raleigh. To what services or promises

he alludes, is uncertain. They may have preceded, or have followed, his apprehension.

<sup>2</sup> For these proceedings see the Hardwicke Papers, i. 377—393; Lodge, iii. 215; Winwood, ii. 11; Howell's State Trials, ii. 65—70; Cayley's Life of Raleigh, ii. 5—84;



eterogeneously composed and so easily defeated, offered but little round of alarm; yet it taught the king to distrust more deeply the professions both of the Puritans and the Catholics. From the moment when he crossed the Tweed, the two parties had never ceased to harass him with petitions for religious toleration. To the Catholics he felt inclined to grant some partial indulgence. He owed it to their sufferings in the cause of his unfortunate mother; he had bound himself to it by promises to their envoys, and to the princes of their communion. But his secret wishes were opposed by the wisdom or prejudice of his advisers; and, if he was ashamed to violate his word, he was taught also to dread the offence of his Protestant subjects. At last he compromised the matter in his own mind, by drawing a distinction between the worship and the persons of the petitioners. To every prayer for the exercise of that worship, he returned a prompt and indignant refusal; on more than one occasion he even committed to the Tower the individuals who had presumed to offer such an insult to his orthodoxy. But he invited the Catholics to frequent his court, he conferred on several the honour of knighthood; and he promised to shield them from the penalties of recusancy, as long as by their loyal and peaceable demeanour they should deserve the royal favour. This benefit, though it fell short of their expectations, they accepted with gratitude. By most it was cherished as a pledge of subsequent and more valuable concessions; and the pontiff, Clement VIII., now

that Elizabeth was no more, determined to cultivate the friendship of the new king. By two breves directed to the archpriest and the provincial of the Jesuits, he strictly commanded the missionaries to confine themselves to their spiritual duties, and to discourage, by all the means in their power, every attempt to disturb the tranquillity of the realm. The intelligence that Watson and Clarke had been engaged in the late conspiracy, was received by him with regret. He ordered the nuncio at Paris to assure James of the abhorrence with which he viewed all acts of disloyalty; and he despatched a secret messenger to the English court with an offer to withdraw from the kingdom any missionary who might be an object of suspicion to the council.<sup>1</sup>

The Puritans relied with equal confidence on the good-will of the new monarch. He had been educated from his infancy in the Genevan theology; he had repeatedly expressed his gratitude to God "that he belonged to the purest kirk in the world;" and he had publicly declared that, "as long as he should brook his life, he would maintain its principles." These may have been the sentiments of his more youthful years; but in proportion as the declining age of Elizabeth brought the English sceptre nearer to his grasp, he learned to prefer the submissive discipline of a church which owned the sovereign for its head, to the independent forms of a republican kirk; and, as soon as he saw himself possessed of the English crown, he openly avowed his belief that the hierarchy was the firmest support of the throne,

Stowe, 828—832; and Jardine's Criminal Trials, i. 470. Cecil tells us that the king's object was to see how far the lord Cobham at his death would make good his accusation. Markham, Copley, and Brokesby, were banished for life. Grey expired in the Tower, after a captivity of eleven years; and Cobham being discharged from con-

finement, died in extreme poverty in 1619. With Raleigh the reader will meet again.

<sup>1</sup> "Paratissimum esse.....eos omnes e regno evocare, quos sua majestas rationaliter judicaverit regno et statui suo noxios fore."—From instructions given to Dr. Gifford, dean of Lisle, MS. penes me.

and that, where there was no bishop, there would shortly be no king.<sup>1</sup>

The first petitions of the Puritans were couched in submissive language: gradually they assumed a bolder tone, and demanded a thorough reformation both of the clergy and liturgy. James was irritated, perhaps alarmed; but he preferred conciliation to severity, and invited four of the leading ministers to a conference at Hampton Court. They attended, but were not admitted on the first day, because the king spent it in private consultation with the bishops and his council. Before them he declared that he was a sincere convert to the church of England, and thanked God, who "had brought him to the promised land, to a country where religion was purely professed, and where he sat among grave, reverend, and learned men; not as before, elsewhere, a king without state, without honour, and without order, and braved to his face by beardless boys under the garb of ministers." Yet he knew that everything on earth was subject to imperfection; and, as many complaints had been laid before the throne, he had called them together, that they might beforehand determine how far it would be prudent to concede to the demands of their adversaries. It was not the interest of the bishops to alienate the king by unreasonable opposition. They readily consented that in the Book of Common Prayer, to prevent misapprehension, explanatory words should be added to the general absolution, and the form of confirmation; that the practice of the commissary courts should be reformed by the chancellor and the chief justice; that excommunication should no longer be inflicted for trifling offences; and that the bishops should neither confer ordination, nor pronounce cen-

sure, without the assistance of some grave and learned ecclesiastics. The great subject of debate was private baptism. The king argued against it during three hours; but was at last satisfied with this concession from the bishops, that it should be administered only by clergymen, to the exclusion of laics, and especially of females.

On the second day of the conference, the Puritan ministers were admitted. They reduced their demands to four heads,—purity of doctrine, a learned ministry, the reformation of the ecclesiastical courts, and the correction of the Book of Common Prayer. The first three did no occasion much debate. But the lawfulness of the ceremonies, and the obligation of subscribing to the articles were warmly contested. After the bishops of London and Winchester and some of the deans, had spoken James himself took up the argument and displayed, even in the opinion of his adversaries, considerable ability. If he taunted them with the weakness of their reasoning, he reprimanded the prelates for the asperity of their language. Sometimes he enlivened the discussion by the playfulness of his wit, sometimes he treated with ease the most abstruse questions in theology. He did not, however, dissemble that his determination was a much the result of political reasoning as of religious conviction. "If," he said, "you aim at a Scottish presbytery, it agreeth as well with monarchy as God with the devil. Then Jack and Tom, and Will, and Dick, shall meet, and at their pleasure censure me and my council, and all our proceedings. Then Will shall stand up and say, 'It must be thus:' Then Dick shall reply, 'Nay, marry, but we will have it thus;' and therefore her

<sup>1</sup> Calderwood, 256. In his præmonition to the apology for the oath of allegiance, he

dates his conversion six years before his accession to the English throne (p. 45).

must once more reiterate my former speech and say, *Le roy s'avisera.*" In conclusion, all that the ministers could obtain was, that a national catechism should be framed, and a new translation of the scriptures be published; that the Apocrypha, as read in the church, should be distinguished from the canonical scriptures; and that some doubtful expressions in the articles should be more clearly explained.

The morning of the third day was devoted to an inquiry into the abuses of the High Commission court; and a resolution was taken to limit the number of the judges, and to select them exclusively from the higher classes in the state. The dissenting divines were then called in; the decision of the king was announced; and at their request a certain interval was granted, during which the obligation of conformity should not be enforced.<sup>1</sup> Thus ended the conference; but it produced few of the effects expected from it. The prelates were not in haste to execute those reforms to which they had consented more from the fear of exciting displeasure, than from any persuasion of their necessity. The Puritans were dissatisfied with their divines, who had been selected without their concurrence, and had not displayed in the presence of the sovereign that bold and independent spirit which became ministers of the gospel. They also complained, and not without reason, that James had

acted not as a judge, but as a party; that he substituted authority for argument; and that he insisted on submission, when he should have produced conviction. But the king himself was gratified. Never before had the opportunity been given to him of displaying his theological knowledge on so noble a theatre. In the presence of several distinguished divines, of the first dignitaries of the church, and of the lords of the council, he had expounded the scriptures and the fathers, resolved the most knotty questions, and decided every doubt with infallible accuracy. His adversaries quailed before him; the prelates stood rapt in transports of admiration; and as he spoke in favour of the oath *ex officio*, the primate exclaimed, that "his majesty spoke by the special assistance of God's spirit." The bishop of London added that "his heart melted within him to hear a king, the like of whom had not been since the time of Christ."<sup>2</sup>

Though the result of the conference disappointed the hopes of the non-conformists, they did not despair of bettering their condition; but the king, on the presentation of a petition in their favour, spoke of them in terms of bitterness which showed how little they had to expect from the good-will of the monarch. It was, he said, to a similar petition that the rebellion in the Netherlands owed its origin: both his mother and he had been haunted by Puritan devils from

<sup>1</sup> Compare Fuller, cent. xvi. l. x. 7—24; Howell's State Trials, ii. 70—94, with Dr. Montague's letter in Winwood, ii. 13—16, and the bishop of Durham's letter in Strype's Whitgift, App. 236. It is plain that Barlow has greatly abridged, and often omitted, the arguments of the nonconformists.

<sup>2</sup> Howell, ii. 86, 87. "The king talked much Latin, and disputed with Dr. Reynolds at Hampton; but he rather used upbraiding than argument, and told the petitioners that they wanted to strip Christ again, and bid them away with their snivelling..... The bishops seemed much pleased, and said,

his majesty spoke by the power of inspiration. I wist not what they mean; but the spirit was rather foul-mouthed."—Nugæ Antiquæ, i. 181. But James seems to have thought differently. "I peppered them," says he, "as soundlie as ye have done the Papists.....They fled me from argument to argument. I was forced at last to say unto them, that if any of them had been in a college disputing with their scholars, if any of their disciples had answered them in that sort, they would have fetched him up in place of a reply, and so should the rod have plied," &c.—Strype's Whitgift, App. 239.

their cradles; but he would hazard his very crown to suppress such malicious spirits; and not Puritans only, but also Papists, whom he hated so cordially that, if he thought it possible for his son and heir to grant them toleration in the time to come, he should fairly wish to see the young prince at that moment lying in his grave. Nor were the dependants of the court slow to act in conformity with the words of the sovereign. In the Star-chamber it was decided that the gathering of hands to move his majesty in matters of religion was an act tending to sedition and rebellion; and orders were issued to the judges and magistrates to enforce with all their power the penal laws against nonconformists, whether Protestants or Catholics.<sup>1</sup>

In the mean time the archbishop with his colleagues had put into proper form the improvements which had been suggested for the Book of Common Prayer in the conference at Hampton Court. James, having found that they had performed the task in perfect conformity with his directions, gave to it the sanction of his "supreme authority and prerogative royal;" not that these improvements were doctrinal changes, but merely enlargements in the way of explication. The most important occur in the rubrics concerning private baptism, the administration of which is confined as far as is possible to the minister; and concerning confirmation or the laying on of hands, which are to be laid on those only who can render an account of their faith. To enable the young to do this, a new catechism on the sacraments of baptism and the Lord's supper was compiled by Dean Overall, and appended to the form of confirmation itself; a place which it still continues to occupy.<sup>2</sup>

A few days later James met his first parliament with the most flattering anticipations; and opened the session with a gracious and eloquent speech from the throne. But, instead of the return which he expected, he found himself entangled in disputes, from which he could not extricate himself with satisfaction or credit. In the lower house a formidable party was marshalled against him, composed of the men who, about the close of the last reign, had dared to advocate the rights of the subject against the abuse of the prerogative. Their notions of civil liberty had been shocked by a recent proclamation,<sup>3</sup> in which James by his own authority pretended to lay down rules to be observed in the election of the members; and their religious feelings had been wounded by the unfavourable result of the conference at Hampton Court. Their numbers and talents gave them courage and importance: they had formerly wrung concessions from the despotism of Elizabeth; they doubted not to triumph over the pretensions and the rhetoric of her Scottish successor. The speaker, in his first address to the king, was careful to inform him that "new laws could not be instituted, nor imperfect laws reformed, nor inconvenient laws abrogated, by any other power than that of the high court of parliament, that is, by the agreement of the Commons, the accord of the Lords, and the assent of the sovereign: that to him belonged the right either negatively to frustrate, or affirmatively to ratify, but that he could not institute; every bill must pass the two houses before it could be submitted to his pleasure." Such doctrines were not very palatable to the monarch; but to detail the rise, and progress, and issue of the altercations between him and the Commons, would weary and ex-

<sup>1</sup> Ellis, 2nd ser. iii. 216.

<sup>2</sup> Rymer, xvi. 565.

<sup>3</sup> See it in Rymer, xvi. 561.

haust the patience of the reader. James complained of their presumption; *they* attributed the complaint to ignorance or misinformation; he contended that the privileges of the house were matters of royal favour; they, that they were the birthright of Englishmen; he assigned the decision of contested elections to his court of Chancery; they claimed it for themselves, as essential to the government of their own estate:<sup>1</sup> he upbraided them with the invasion of his prerogative by making assarts, wardships, marriages, and purveyance the subjects of their debates; they repelled the charge by declaring that their only object was to relieve the nation from an intolerable burthen, and to give to the crown more than an equivalent in annual revenue. These bickerings continued during a long and stormy session; and if the king, by his interest in the upper house, succeeded in averting every blow aimed by the Puritans at the discipline of the church, he was yet unable to carry in the lower any of the measures which he had contemplated, or to obtain a supply of money in addition to the accustomed vote of tonnage and poundage.<sup>2</sup> On one question only were all parties agreed. Fanaticism urged the Puritans to persecute the Catholics; and the hope of conciliation induced the friends of

the crown to add their support. The oppressive and sanguinary code, framed in the reign of Elizabeth, was re-enacted to its full extent; it was even improved with additional severities. To send any child or other person beyond the seas, to the intent that he should reside or be educated in a Catholic college or seminary, was made an offence punishable by fine to the king of not less than 100*l.*; every individual who had already resided or studied, or should hereafter reside or study, in any such college or seminary, was rendered incapable of inheriting, or purchasing, or enjoying lands, annuities, chattels, debts, or sums of money within the realm, unless, at his return to England, he should conform to the established church; and severe penalties were enacted against the owners and masters of ships who should presume to take beyond the seas any woman or any person under the age of twenty-one years, without a permission in writing with the signatures of six privy councillors. Moreover, as missionaries sometimes eluded detection under the disguise of tutors in gentlemen's houses, it was provided that no man should teach even the rudiments of grammar without a license from the diocesan, under the penalty of forty shillings per day, to be levied on the tutor himself, and the same sum on his employer.<sup>3</sup>

<sup>1</sup> Sir Francis Goodwin had been chosen knight of the shire for the county of Buckingham; but the clerk of the crown had refused to receive the return, on pretence that Goodwin had been outlawed, and Sir John Fortescue, a member of the council, was elected in virtue of a second writ. The Commons voted that Goodwin was duly elected; a vote which displeased both James, who by proclamation had forbidden the choice of outlaws, and the lords of the council, who maintained the election of Fortescue. But the Commons were obstinate; they refused to confer on the subject with the Lords, or to submit to the contrary decision of the judges. James at length ordered them to debate the question with the judges in his presence: they obeyed,

and at his suggestion agreed to a compromise, that both elections should be declared void, and a new writ issued. The victory was in reality obtained by the Commons; for the speaker, by order of the house, issued his warrant for the new writ, and they have continued ever since to exercise the right which they then claimed, of deciding on the merits of contested elections.—*Journals of Commons*, 149, 151, 156, 158, 161, 162, 171. Cecil's explanation of this matter, to be adopted by the ambassadors at foreign courts, is in *Winwood*, ii. 10.

<sup>2</sup> See the *Journals of the Lords and Commons* for the session, *passim*.

<sup>3</sup> *Stat. of the Realm*, vol. iv. part ii. p. 1019, 1020. In this parliament an act was passed to disable bishops from alie-

The convocation sat at the same time with the parliament; and the result of its deliberations was a code of ecclesiastical canons, amounting to one hundred and forty-one. By them the sentence of excommunication *ipso facto* was pronounced, 1. against all persons who should deny the supremacy of the king, or the orthodoxy of the English church; 2. against all who should affirm that the Book of Common Prayer was superstitious or unlawful, or that any one of the thirty-nine articles was in any part erroneous; or that the ordinal was repugnant to the word of God; and 3. against all those who should separate themselves from the church, or establish conventicles, or assert that ecclesiastical regulations might be made or imposed without the royal consent. Then followed the laws for the celebration of the divine worship, the administration of the sacraments, the duties and residence of incumbents, and the practice of the ecclesiastical courts.<sup>1</sup> This new code was afterwards confirmed by letters patent under the great seal; but its authority was fiercely disputed both by the dissenters and by the lay members of the establishment. It was contended that the clergy had no power to create offences which should subject the delinquent to the civil punishment consequent on the sentence of excommunication; and in the next session of parliament a bill passed the Commons, declaring that no canon or constitution ecclesiastical, made within the last ten years, or to be made thereafter, should be of force to impeach or hurt any person in his life, liberty, lands, or goods, unless it were first confirmed by an act of the legislature. The bishops united in

opposing this bill, as derogatory from the authority of the convocation, and of the king, the head of the church. Several conferences took place between the two houses; but the parliament was dissolved before the third reading, and the decision of the question fell to the judges in Westminster Hall, who have often declared that, though the canons of 1604 bind the clergy by whom they were framed, they have no power to bind the people, as long as they have not been sanctioned by the approbation of the legislature.<sup>2</sup>

When the canons were published, Bancroft, who had lately succeeded Whitgift in the see of Canterbury, called on the officiating clergy to conform. The greater part submitted; the dissidents were silenced or deprived. The Puritans, however, did not tamely yield to the storm. They assembled and consulted; they solicited the protection of the council, and of the favourites; they poured in petitions and remonstrances from every quarter. But James proved inexorable; and of the petitioners several were punished with the loss of office, or the erasure of their names from the commission of peace; others were called before the council, and admonished that their obstinacy in opposing a measure which had been finally determined, amounted to an offence little short of high treason. The distress of the ejected ministers and of their families, the imprisonment of a few, and the voluntary exile of several, have been feelingly deplored by the Puritan writers, who describe this as the most violent of persecutions. But while they make the deprived clergy amount to three hundred individuals, their adversaries

nating the possessions of their sees to the crown, that they might more easily "maintain true religion, keep hospitality, and avoid dilapidations."—*Ibid.*

<sup>1</sup> Wilk. Con. iv. 380—405, 489, 584, 637.

<sup>2</sup> Lords' Journals, ii. 425. Dalrymple's Memorials, i. 22—25. Somers's Tracts, ii. 14.

reduce the number to fifty, exaggerate the obstinacy and unreasonableness of the sufferers, and claim for the prelates the praise of moderation and forbearance. The representations of both are probably too highly coloured. It must have been, that on such an occasion many cases of individual hardship, perhaps some of unjustifiable rigour, would occur; yet it will remain a difficult task to show on what just ground men could expect to retain their livings while they refused to submit to the doctrine or to conform to the discipline of that church by which they were employed.<sup>1</sup>

The Puritans in their discontent had accused the king of papistry. He prosecuted, they said, the disciples, while he favoured the enemies of the gospel. James hastened to rescue himself from the charge. Another proclamation was published, enjoining the banishment of all Catholic missionaries; regulations were adopted for the discovery and presentment of recusants; and orders were sent to the magistrates to put the penal laws into immediate execution. He even deemed it expedient to deliver his sentiments in the Star-chamber, to declare his detestation of popery, and to repeat his wish that none of his children might succeed him, if they were ever to depart from the established church. These proceedings afforded some consolation. If one opening were closed, another was offered to the exertions of the zealots. If they were not suffered to purge the church from the dregs of superstition, they might still advance the glory of

God by hunting down the idolatrous papist.<sup>2</sup>

The execution of the penal laws enabled the king, by an ingenious comment, to derive considerable profit from his past forbearance. It was pretended that he had never *forgiven* the penalties of recusancy: he had merely forbidden them to be exacted for a time, in the hope that this indulgence would lead to conformity; but his expectations had been deceived; the obstinacy of the Catholics had grown with the lenity of the sovereign; and, as they were unworthy of further favour, they should now be left to the severity of the law. To their dismay the legal fine of 20*l.* per lunar month was again demanded; and not only for the time to come, but for the whole period of the suspension; a demand which, by crowding thirteen separate payments into one of 260*l.*, exhausted the whole annual income of men in respectable but moderate circumstances. Nor was this all. By law, the least default in these payments subjected the recusant to the forfeiture of all his goods and chattels, and of two-thirds of his lands, tenements, hereditaments, farms, and leases. The execution of this severe punishment was intrusted to the judges at the assizes, the magistrates at the sessions, and the commissioners for causes ecclesiastical at their meetings. By them warrants of distress were issued to constables and pursuivants; all the cattle on the lands of the delinquent, his household furniture, and his wearing apparel, were seized and sold; and if on some pre-

<sup>1</sup> Neal, part ii. c. i. Collier, ii. 637. Winwood, ii. 40.

<sup>2</sup> Before I proceed to the history of the gunpowder plot, I should inform the reader that I am indebted for many of the following particulars to two manuscript narratives in the handwriting of their respective authors; the one in English, by Father John Gerard; the other an Italian translation, but enriched with much addi-

tional information, by Father Oswald Greenway. Both were Jesuit missionaries, the familiar acquaintance of the conspirators, and on that account suspected by the government of having been privy to the plot. They evidently write with feelings of compassion for the fate of their former friends; but they disclose many important particulars which must have been otherwise unknown.

text or other he was not thrown into prison, he found himself and family left without a change of apparel or a bed to lie upon, unless he had been enabled by the charity of his friends to redeem them after the sale, or to purchase with bribes the forbearance of the officers. Within six months the payment was again demanded, and the same depauperizing process was repeated.<sup>1</sup> The sums thus extorted from the sufferers formed, most opportunely for James, a fund, out of which he could relieve himself from the claims and clamours of the needy Scotsmen who had pursued him from their own country, and now importuned him for a share in the good things of the land of promise. Of the moneys thus extorted, a considerable portion was known to be appropriated to these adventurers. Nor was this appropriation thought of itself a small grievance at a time when the jealousies between the two nations had grown to a height of which we can form but a very inadequate notion at the present day. The sufferers bitterly complained that they were reduced to beggary for the support of a crowd of foreign beggars; that the last remnant of their property was wrung from them to satisfy the rapacity of the Scottish harpies that followed the court. But they complained in vain. The exaction of

the penalties was too profitable to James and his minions to admit of redress by the king; and among the magistrates in every locality were found persons eager to prove their orthodoxy by tormenting the idolatrous papist, or to benefit their dependants and officials, by delivering him up to the tender mercies of men, who were careful to charge the highest price for the most trifling indulgence.<sup>2</sup>

Among the sufferers was Robert Catesby, descended from an ancient and opulent family, which had been settled during several generations at Ashby St. Legers, in Northamptonshire, and was also possessed of considerable property in the county of Warwick. His father, Sir William Catesby, more than once had been imprisoned for recusancy; but the son, as soon as he became his own master, abandoned the ancient worship, indulged in all the licentiousness of youth, and impaired his fortune by his follies and extravagance. In 1598 he returned to the religion of his more early years; and from that moment it became the chief subject of his thoughts to liberate himself and his brethren from the iron yoke under which they groaned. With this view, having previously stipulated for liberty of conscience, he joined, together with several of his friends, the earl of Essex; and in the ill-

<sup>1</sup> See Garnet's letter in Appendix, FFF. "Every six weeks is a several court, juries appointed to indite, present, find the goods of Catholicks, prize them, yea, in many places to drive away whatever they find. If these courses hold, every man must be fayne to redeeme once in six moneths the very bed that he lyeth on: and hereof, that is of twice redeeminge, besides other presidents, I find one in these lodgings where nowe I am."

<sup>2</sup> "It is both odious and grievous that true and free-born subjects should be given as in prey to others."—Gerard, MS. p. 35. "Leurs biens sont departis et assignés en don, à des particuliers courtisans, avec lesquelles ils sont contrainds de composer: dont ils sont au desespoir."—Beaumont et Villeroi, 1 June, 1605, in Jardine, ii, 23.

From the Book of Free Gifts it appears that James gave out of the goods of recusants, in his first year, one hundred and fifty pounds to Sir Richard Person; in his third, three thousand pounds to John Gibb; in his fourth, two thousand pounds to John Murray, and one thousand five hundred pounds to Sir James Sandilands, &c. &c.—See Abstract of his Majesty's Revenue, p. 17—39. But from the letter of Beaumont just quoted, it appears that he had not been more than a year in England, before he began to make over his claims upon recusants to his favourites, enabling the latter to proceed at law in his name against their victims, unless these should submit to purchase their forbearance by composition.—On this head consult Tierney, iv. App. ix. p. lxxv.



directed attempt of that nobleman was wounded, taken, and committed to prison. He had, indeed, the good fortune to escape the block, but was compelled to purchase his liberty with the sum of three thousand pounds. After his discharge, he attached himself, through the same motive, to the Spanish party among the Catholics, and bore a considerable share in their intrigues to prevent the succession of the Scottish monarch. When these had proved fruitless, he acquiesced in the general opinion of his brethren, and cherished with them the pleasing hope of indulgence and toleration. But the delusion soon vanished; in every quarter it was easy to discern the gathering of the storm which afterwards burst upon their heads; and Catesby, reverting to his original pursuit, revolved in his mind every possible means of relief. To succeed by insurrection he saw was hopeless; the Catholics were the weaker party, and disunited among themselves; to look for sufficient aid from the princes abroad was equally visionary; the king of France, the king of Spain, and even the pontiff, all professed themselves the friends of James. At length there suggested itself to his mind a plan which required not the help of foreigners, nor the co-operation of many associates, but a plan so atrocious in principle, and so sanguinary in execution, that it is difficult to conceive how it could be harboured in the mind of any human being—the plan of blowing up the parliament-house with gunpowder, and involving in one common destruction, the king, the lords, and the commons, all those who framed, with the chief of those who executed,

the penal laws against the English Catholics.<sup>1</sup>

The person to whom Catesby first opened his mind was an intimate friend, Thomas, the younger brother of Robert Winter, of Huddington in Worcestershire. In his youth he had served as a volunteer in the army of the States; afterwards he had been repeatedly employed at the court of Madrid, as agent for the Spanish party in England. Winter was struck with horror at the communication; he hesitated not to pronounce the project most wicked and inhuman. But Catesby attempted its justification. He sought not, he observed, any private revenge or personal emolument. His sole object was to suppress a most unjust and barbarous persecution by the only expedient which offered the prospect of success. There could be no doubt that it was lawful, since God had given to every man the right of repelling force by force. If his friend thought it cruel, let him compare it with the cruelties exercised during so many years against the Catholics; let him reckon the numbers that had been butchered by the knife of the executioner; the hundreds who had perished in the solitude of their prisons; and the thousands that had been reduced from affluence or ease to a state of want or beggary. He would then be able to judge where the charge of cruelty could with justice be applied.<sup>2</sup>

This was at the time when Velasco, the constable of Castile, had arrived in Flanders, to conclude a peace between England and Spain. The two friends, after a long discussion, resolved to postpone their direful purpose till they had solicited the

<sup>1</sup> Persons, however, observes, that this was not the first gunpowder plot. "There be recounted in histories many attempts of the same kynds, and some also by Protestants in our dayes: as that of them who at Antwerp placed a whole barke of powder in the great street of that citty, where the

prince of Parma with his nobility was to passe: and that of him in the Hague that would have blown up the whole council of Hollande upon private revenge."—Letter touching the New Oath of Allegiance, sect. i. v. apud Butler, Historical Memoirs, i. 266, first edition. <sup>2</sup> Greenway's MS. p. 30.

mediation of the Spaniard with their sovereign. With this view Winter repaired to Bergen, near Dunkirk, where a private conference with the ambassador convinced him, that though he might speak in favour of the English Catholics, he would make no sacrifice to purchase for them the benefit of toleration. From Bergen, Winter hastened to Ostend, where he met with Guy Faukes, a native of Yorkshire, and a soldier of fortune. Faukes had long served in the Netherlands, had borne an important command under Sir Thomas Stanley, and had visited Madrid in the company of Winter, as agent for the exiles of the Spanish party. His courage, fidelity, and military experience pointed him out as a valuable auxiliary. He consented to return with Winter to England, but was kept for some time in ignorance of the part which he was designed to act.<sup>1</sup>

Before their arrival, Catesby had communicated the plan to two others, Percy and Wright. Thomas Percy was a distant relation and steward to the earl of Northumberland. He had embraced the Catholic faith about the same time as Catesby, and had shared with him in the disastrous enterprise of Essex; but afterwards,

<sup>1</sup> See Winter's confession in "The Gunpowder Treason, with a Discourse of the Manner of its Discovery," 1679, pp. 48—50; Greenway's MS. 36. I observe that Faukes always writes his name with *u*.

<sup>2</sup> There can be no doubt that Percy thus represented the answer of James, though the king afterwards denied that he had any authority for it. When the earl of Northumberland was examined whether he had ever affirmed that he could dispose of the Catholics of England, he answered thus: "He denieth that he ever affirmed any such matter, but sayeth, that when Percy came out of Scotland from the king (his lo. having written to the king, where his advice was to give good hopes to the Catholics, that he might the more easilie, without impediment come to the crown), then returning from the king, he sayd, that the king's pleasure was, that his lordship should give the Catholics hopes that they should

he opposed Catesby's associates of the Spanish faction, visited James in Edinburgh, and, in consequence of his promises, laboured with success to attach the leading Catholics to the cause of the Scottish monarch.<sup>2</sup> Subsequent events induced Percy to look on himself as the dupe of royal insincerity; he presented a remonstrance to the king, but received no answer; and, while his mind was agitated by resentment on the one hand, and by shame on the other, Catesby seized the favourable moment to inveigle him into the conspiracy. At first he demanded time to deliberate; but the desire of revenge, and the hope of averting the evils which he had unintentionally contributed to bring on his brethren, won his consent, and he offered as a useful associate, his brother-in-law John Wright, formerly a follower of Essex, and noted as the best swordsman of his time, who had lately become a Catholic, and on that account had been harassed with prosecutions and imprisonment. The conspirators were now four; after a short trial Faukes was added to the number; and all five having previously sworn each other to secrecy, received in confirmation of their oath the sacrament from the hand of the Jesuit missionary, Father Gerard.<sup>3</sup>

be well dealt withal, or to that effect: and it may be he hath told as much as the king said."—Interrogatories of the 23rd of November, in the State Paper Office. The letter to which the earl alludes has been published by Miss Aikin, in her Court of James I. p. 253; and in it occurs the following passage: "I will dare to say no more, but it were pity to lose so good a kingdom for not tolerating mass in a corner, if upon that it resteth." As for the denial of James, it is undeserving of credit. There are too many instances on record in which he has denied his own words.

<sup>3</sup> This fact was brought to light by the confessions of Winter and Faukes, who out of the five were the only two then living. But they both acquit Gerard of having been privy to their secret. Winter says, that "they five administered the oath to each other in a chamber, in which no other body was," and then went into another

But though they had thus pledged themselves to adopt the sanguinary project suggested by Catesby, its execution was still considered as distant and uncertain. They cherished a hope that James might listen to the prayers of Velasco, that his eagerness to conclude a peace with the Catholic king might induce him to grant at least the liberty of private worship to his Catholic subjects. The English and Spanish commissioners had already assembled; and though both assumed a tone of indifference—though they brought forward the most irreconcilable pretensions, it was well known that their respective sovereigns had determined to put an end to the war, whatever sacrifices it might cost. After repeated conferences for the space of two months, the treaty was concluded. It restored the relations of amity between the English and Spanish crowns; revived the commercial intercourse which had formerly subsisted between the nations; and left to the equity of James the disposal of the cautionary towns in Holland, if the States did not redeem them within a reasonable time.<sup>1</sup> The constable now interposed the solicitations of his sovereign in behalf of the English Catholics, and assured James that Philip would take every indulgence granted to them as a favour done to himself. At the same time, to second his endeavours, the Catholics made to the king the voluntary offer of a yearly

sum in lieu of the penalties payable by law; and attempted to move the pity of the archbishop and of the council, by lay laying before them a faithful representation of the distress to which numbers of respectable families had been reduced, by their conscientious adherence to the faith of their fathers. But the king, under the advice of his ministers, was inexorable; he assured Velasco, that even if he were willing, he dared not make a concession so offensive to the religious feelings of his Protestant subjects. The judges and magistrates were ordered by proclamation to enforce the immediate execution of the penal laws; measures were adopted for the more certain detection of recusants; and commissioners were appointed, by whom twenty-three priests and three laymen were arbitrarily selected from the Catholic prisoners, and sent into banishment for life.<sup>2</sup> These proceedings, following in rapid succession, extinguished the last ray of hope in the breasts of the conspirators. They exhorted each other to hazard their lives, like the Maccabees, for the liberation of their brethren: they hastened to execute that plan which appeared to be their only resource; and they pronounced it a lawful retribution to bury the authors of their wrongs amidst the ruins of the edifice in which laws so cruel and oppressive had been devised and enacted.<sup>3</sup>

room to receive the sacrament.—Winter's Confession, p. 50. Faukes, that "the five did meet at a house in the fields beyond St. Clement's Inn, where they did confer and agree upon the plot, and there they took a solemn oath and vows by all their force and power to execute the same, and of secrecy not to reveal it to any of their fellows, but to such as should be thought fit persons to enter into that action; and in the same house they did receive the sacrament of Gerard the Jesuit, to perform their vow and oath of secrecy aforesaid. But that Gerard was not acquainted with their purpose." See the fifth examination of Faukes, taken November 9th, and subscribed by him November 10th, in the State

Paper Office. It was read at the trial, with the exception of the part exculpating Gerard. Before that in the original is drawn a line, with the words *huc usque*, in the handwriting of Sir Edward Coke, who was unwilling to publish to the world a passage which might serve for the justification of one whom he meant to accuse.

<sup>1</sup> Rymer, xvi. 585, 617.

<sup>2</sup> Rymer, xvi. 597. More, 309. Gerard's MS. 36. Greenway's MS. 35. Tierney, iv. App. Nos. x. xxii. In No. xiv. he has published the numbers of the Catholic recusants convict returned at the summer assizes for 1604. They amount to 6,426.

<sup>3</sup> Greenway, 37.

On inquiry they found contiguous to the old palace of Westminster an empty house, with a garden attached to it, exactly adapted to their purpose. It was hired by Percy, under pretence of convenience, because his office of gentleman pensioner occasionally compelled him to reside in the vicinity of the court. For three months he was kept out of possession by the commissioners for a projected union between England and Scotland; but at their departure he secretly introduced his associates, who again swore to be faithful to each other at the risk of their own lives. On one side of the garden stood an old building raised against the wall of the parliament-house. Within this they began to open the mine, allotting two-thirds of the twenty-four hours to labour, and the remaining third to repose; and dividing the task among themselves in such manner, that while one enjoyed his portion of rest, the other three were occupied in the work, which, during the day, consisted in excavating the mine—during the night in concealing the rubbish under the soil of the garden. Faukes had a different employment; as his person was unknown, he assumed the name of Johnson, gave himself out as the servant of Percy, and kept a constant watch round the house. When a fortnight had been thus devoted to uninterrupted labour, Faukes informed his associates that the parliament was prorogued from the 7th of February to the 3rd of October. They immediately separated to spend the Christmas holidays at their respective homes, with an understanding that in the interval they should neither write nor send messages to each other.<sup>1</sup>

Before this, however, Catesby had discovered a disposition in his fellow-

labourers to question the lawfulness of the enterprise. That they had right to destroy those who sought to destroy *them* was admitted, but what, it was asked, could be said in justification of the murder of those friends and Catholics who must be enveloped in the same fate with their enemies? The recurrence of this question produced in him alarm and irritation. If he was able by his vehemence to silence their inquiries he did not convince their consciences; he saw that higher authority was required, and this he sought with the secrecy and cunning which marked the whole of his conduct. The king had granted permission to Sir Charles Percy to raise a regiment of horse for the service of the archduke, and Catesby, through the earl of Salisbury, had obtained the royal license to accept a captain's commission. It served him as a pretence to provide arms and horses for his own use; and it also supplied him with the means of seeking a solution of the difficulty suggested by his friends, without the danger of betraying the secret. To Garnet, the provincial of the Jesuits, he observed, in the presence of a large company, that he was about to engage in the service of the archduke; of the justice of the war he had no doubt; but he might be commanded to partake in actions in which the innocent would necessarily perish with the guilty—unarmed women and children with armed soldiers and rebels. Could he in conscience obey? Would not the fate of the innocent render his conduct unlawful in the sight of the Almighty? Garnet replied that, according to divine law, of every communion, obedience in such cases was lawful; otherwise it would at all times be in the power of an unjust aggressor to prevent the party aggrieved from pursuing his just right. This was sufficient: the new theologian applied the answer to the

<sup>1</sup> Winter's Confession, 51—53. Gerard, 36. Greenway, 38.

attended plot, and boasted to his associates that their objection was now proved to be a weak and unfounded scruple.<sup>1</sup>

During the recess he had imparted his secret to Christopher, the brother of John Wright, and to Robert, the brother of Thomas Winter. The first had lately become a convert to the Catholic faith; both had suffered imprisonment for their religion. With his accession to their number, the conspirators resumed their labour; but their progress was retarded, and their hope checked by unexpected difficulties. The influx of water at a certain depth rendered it impossible to carry the mine under the foundation; and to pierce through a wall three yards thick, and composed of large stones, was no easy task to men unaccustomed to manual labour. Still they persevered, and the perforation daily proceeded till they were alarmed one morning by a considerable noise, which appeared to come from a room almost over their heads. Faukes, on inquiry, learned that it was a vaulted cellar, which lay under

the house of Lords, and would in a few days be unoccupied. This fortunate discovery filled them with joy: the mine was abandoned; Faukes hired the cellar in the name of his pretended master; and into it were conveyed, under the cover of the night, several barrels of gunpowder, which had been collected in a house at Lambeth. To elude suspicion, these were concealed under stones, billets of wood, and different articles of household furniture, and the conspirators having completed their preparations, separated to meet again in September, a few days before the opening of parliament.<sup>2</sup>

In the mean time the persecution, which had commenced in the preceding year, had daily increased in severity. Nocturnal searches for the discovery of priests were resumed with all that train of injuries, insults, and vexations which characterized them in the reign of Elizabeth.<sup>3</sup> The jails were crowded with prisoners; and some missionaries and laymen suffered, more were condemned to suffer, death for religious offences.<sup>4</sup>

<sup>1</sup> According to Sir Edward Coke, whose object it was to connect Garnet with the conspiracy, the question was proposed in these terms: "whether for the good and promotion of the Catholic cause against heretics, it be lawful or not among many innocents to destroy some innocents also?"—Gunpowder Treason, p. 165. But of this assertion he never attempted to adduce any proof; and not only Garnet, but also Greenway, who was present, declare, that the case proposed was that which I have mentioned above.—Greenway, 40—42.

<sup>2</sup> Winter's Confession, 55. Gerard, 42. Greenway, 45.

<sup>3</sup> "For then, not only in the shires and provinces abroad, but even in London itself, and in the eyes of the court, the violence and insolency of continual searches grew to be such as was intolerable; no night passing commonly, but that soldiours and catchpoles brake into quiet men's houses, when they were asleepe; and not only carried away their persons unto prisons at their pleasure, except they would brybe excessively, but whatsoever liked them best besydes in the house. And these searches were made with such violence and insolency, as divers gentlewomen were drawne

or forced out of their beds, to see whether they had any sacred thing or matter belonging to the use of Catholic religion, either about them or under their bedds."—Person's Judgment of a Catholic Englishman. Svo. 1608.

<sup>4</sup> Sugar, a priest, Grissold, Baily, Wilbourne, Fulthering, and Brown, laymen, were executed. Hill, Green, Tichbourne, Smith, and Briscow, priests, and Skitel, a layman, received sentence of death, but were reprieved at the solicitation of the French and Spanish ambassadors, and afterwards sent into banishment. Skitel had been condemned by Serjeant Philips for having only received a Jesuit into his house. The sentence was thought illegal; and Pound, a Catholic gentleman, complained to the council. Instead of redress, he was called before the lords in the Star-chamber, who "declared the condemnation to be lawfull, condemned Pound to lose one of his ears here in London, and the other in the country where he dwelleth; to fine one thousand pounds, and to endure perpetual imprisonment, if he impeach not those that advised him to commence his suite; and if he would confess, this sentence should be revoked, and their lordships

The officiating clergy were bound under ecclesiastical penalties to denounce all recusants living within their respective parishes; and courts were held every six weeks to receive informations, and to convict offenders. The usual penalties were enforced with a rigour of which former persecutions furnished no precedent; and the recusants, in the middle classes of life, were ground to the dust by the repeated forfeiture of all their personal estates, with two-thirds of their lands and leases.<sup>2</sup> To reduce the higher ranks to an equality with their more indigent brethren, the bishops received orders, at the suggestion of the chancellor, to excommunicate the more opulent or more zealous Catholics within their dioceses, to certify the names into the Chancery, and to sue for writs de excommunicato capiendo, by which the delinquents would become liable to imprisonment and outlawry; incapable of recovering debts, or rents, or damages for injuries; of making sales

or purchases; or of conveying their estates by deed or will.<sup>3</sup> To add to their terrors, a report was spread that in the next parliament measure would be adopted to insure the total extirpation of the ancient faith; and the report seemed to be confirmed by the injurious epithets which the king in his daily conversation bestowed on the Catholics, by the menacing directions of the chancellor in the Star chamber, and by the hostile language of the bishop of London in his sermon at St. Paul's Cross.

It was with secret satisfaction that Catesby viewed these proceedings. He considered his victims as running blindly to their own destruction, and argued that the more the Catholic suffered, the more readily they would join his standard after the explosion. As the time approached, he judged it necessary to add four more to the number of his accomplices. These were Bates, his confidential servant whom he employed to convey arms and ammunition into Warwickshire

would otherwise determine according to reason. In the mean time Pound layeth a close prisoner in the Tower."—Winwood, ii. p. 36. The queen interceded for Pound, but James forbade her evermore to open her mouth in favour of a Catholic. Some time afterwards the French and Venetian ambassadors remonstrated on the severity of the sentence, and Pound, having stood a whole day in the pillory in London, was allowed to depart to his own house at Belmont in Hampshire.—Bartoli, 64. Eudæmon Joannes, 238.

<sup>1</sup> Wilk. Con. iv. 400, can. cxiv. 411.

<sup>2</sup> These penalties were exacted with such rigour by the bishops of Hereford and Llandaff, that in the sole county of Hereford 409 families suddenly found themselves reduced to a state of beggary. It required but little additional provocation to goad men in such extremity to acts of violence. The curate of Allenmoor, near Hereford, had refused to allow the interment of Alice Wellington, a Catholic woman, in the churchyard, under pretence that she was excommunicated. Her friends buried her by force; they repelled the civil officers by help of other Catholics: their numbers rapidly increased, and the two persecuting prelates were compelled to flee for their lives: the earl of Worcester, a Catholic,

hastened from court to appease the tumult and his efforts were aided by messengers from the missionaries, and other Catholics in the neighbouring counties.—Lodge, ii. 293. Bartoli, 476. See also Garnet's letter note FFF; Eudæmon Joannes, 135.—D. Abbot denies the provocation, and gives different colouring to the riot; but owns that Morgan, one of the leaders, who was set up a prisoner to London, was discharged by order of the council.—Antilogia, 131.

<sup>3</sup> Wilk. Con. iv. 411. "Our gracious king hitherto forbears to draw blood of the Catholiques [this was not exactly true], nor civil practise tending to conspiracy or treason having yet appeared either by their doctrine or their dispensations; but whosoever they shall hault in dutie, the king means (as he hath cause) to proceed to justice. In the mean time they pay the two parts more roundly than ever they did in the time of the late queen, not any one as I think being left out, or like to be left out before Michaelmas; and beside like to fall into church censures of excommunication, with the penalties thereunto belonging, which were not felt formerly."—Northampton's letter, July, 1605, in Winwood, ii. 95. The length of these quotations must be excused, because it has been pretended that at this period the Catholic were not persecuted, but favoured.

eyes, an intimate friend, irritated the forfeiture of his property, and distinguished by his boldness and resolution; Grant, whose house at Norook, in Warwickshire, was conveniently situated for the subsequent operations of the conspirators; and Ambrose Rookwood, of Coldham Hall, Suffolk, who could furnish a stud of valuable horses. Faukes, as his services were not immediately wanted, repaired during the interval to Flanders. He was instructed to procure secretly a supply of military stores; and (which was of still greater importance) to intrigue with the officers of the English regiment in the pay of the archduke. Several of these, bold and needy adventurers, owed their commissions to the influence of Catesby. To them he sent advice that the English Catholics, if they could not obtain redress by petition, would seek it by the sword; and he conjured them in that case to hasten to the aid of their brethren, with as many associates as they could procure. The proceedings of Faukes, though conducted with caution, did not entirely escape notice; and Cecil was repeatedly warned from France and Flanders that the exiles had some clandestine enterprise in hand, though the object and names of the conspirators had not been discovered.<sup>1</sup>

At home Catesby had been indefatigable in the prosecution of his design. But, though he might rely with confidence on the fidelity of his accomplices, he knew not how to elude the scrutinizing eyes of his more intimate friends. They noticed the excited tone of his conversation, his frequent and mysterious absence from home, and his unaccountable

delay to join the army in Flanders. Suspicion was awakened, and Garnet, the provincial or superior of the Jesuits, having received some general hint of a conspiracy, seized an opportunity to inculcate at the table of Catesby the obligation of submitting to the pressure of persecution, and of leaving the redress of wrongs to the justice of heaven. Catesby did not restrain his feelings. "It is to you, and such as you," he exclaimed, "that we owe our present calamities. This doctrine of non-resistance makes us slaves. No authority of priest or pontiff can deprive man of his right to repel injustice." This sally converted the suspicion of Garnet into certainty. He resolved to inform his superiors in Rome;<sup>2</sup> and received in return two letters of similar import, one written in the name of the pope, the other from the general of the order, commanding him to keep aloof from all political intrigue, and to discourage all attempts against the state.

Catesby, notwithstanding the bold tone which he assumed, could not silence the misgivings of his own conscience; perhaps he feared also the impression which the authority of the provincial might make on the minds of his associates. He repeatedly sought the company of Garnet, maintained his opinion that the wrongs of the Catholics were such as to justify recourse to open violence, and at last acknowledged that a plot was in agitation, the particulars of which he was ready to intrust to the fidelity of his friend. The Jesuit refused to hear a word on that head; and in the long and earnest altercation which followed, the conspirator

<sup>1</sup> Winter's Confession, 56. Greenway, 53—56. Winwood, ii. 172. Birch's Negotiations, 233, 248, 251, 255.

<sup>2</sup> In this letter he says: "All are desperate; diverse Catholics are offended with Jesuits; they say that Jesuits doe impugn and hinder all forcible enterprizes. I dare

not informe myself of their affaires, because of prohibition of F. Generall for meddling in such affaires." So far in cipher: he then proceeds in ordinary characters, "and so I can not give you exact accompt. This I knowe by meare chance."—Gerard's MS. c. v.

founded his vindication on the two breves of Clement VIII. for the exclusion of the Scottish king from the succession. "If," he argued, "it were lawful to prevent James from coming in after his promise of toleration, it could not be wrong to drive him out after his breach of that promise." To this reasoning Garnet opposed the two letters which he had lately received; but they had no influence on Catesby, who replied that they had been procured by misinformation. In conclusion a sort of compromise was accepted; that a special messenger should be despatched to Rome, with a correct account of the state of the English Catholics, and that nothing should be done on the part of the conspirators till an answer had been received from the pontiff. The messenger was accordingly sent, with a request secretly added by Garnet, that the pope would prohibit under censure all recourse to arms. Thus each party sought to overreach the other. Catesby's object was to silence Garnet, and to provide an agent at Rome, whom he might employ as soon as the explosion had taken place. Garnet persuaded himself that he had secured the public tranquillity for a certain period, before the expiration of which he might receive the papal prohibition.<sup>1</sup>

Faukes, having completed his arrangements in Flanders, returned to England in September; but immediately afterwards it was announced that the parliament would again be prorogued from October to the fifth of November. This disappointment alarmed the conspirators: it was possible that their project had been

discovered; and, to ascertain the fact Winter was employed to attend in the parliament-house, and to watch the countenances and actions of the commissioners during the ceremony of prorogation. He observed that they betrayed no sign of suspicion or uneasiness; that they walked and conversed in apparent security on the very surface of the volcano prepared for their destruction. Hence it was inferred that they must be still ignorant of its existence.<sup>2</sup>

It is, however, to these successive postponements that the failure of the plot must be attributed. None of the conspirators, if we except Catesby, were rich. Many of them, for the last twelve months, had depended on his bounty for the support of their families; the military stores had been purchased, and every preparation had been made at his expense. But his resources were now exhausted; and the necessity of having a large sum of money at his disposal against the day of the explosion compelled him to trust his secret to two Catholic gentlemen of considerable opulence. The first was a young man of five-and-twenty, Sir Everard Digby, of Gotehurst in Buckinghamshire. At an early age he was left by the death of his father a ward of the crown, and had in consequence been educated in the Protestant faith. From the university he repaired to the court, where he attracted the notice of Elizabeth, but the year before her death he turned his back to the bright prospect which opened before him, and, retiring to his estates in the country embraced the religion of his fathers. It was with difficulty that he could be induced to join in the conspiracy

<sup>1</sup> Sir Edward Coke at the trial gave a different account of this transaction; but he made no attempt to bring forward any proof of his statement. I write from the manuscript relation of Greenway (p. 42), who was present. Eudæmon Joannes asserts the same from the mouths of the

persons concerned.—*Apologia*, 251. Garnet on his trial explained it in the same manner and his explanation is fully confirmed by the letter which he wrote to his superior in Rome on July 24, after his last conference with Catesby. See App. note GGG.

<sup>2</sup> Greenway's MS. p. 60.



Catesby made use of his accustomed arguments, showed him a passage in a printed book, from which he inferred that the attempt was lawful, and assured him that the fathers of the society had approved of it in general, though they knew not the particulars.<sup>1</sup> By degrees the doubts and misgivings of the unfortunate young man were silenced; he suffered himself to be persuaded, promised to contribute a sum of one thousand five hundred pounds, and undertook to invite, about the time of the opening of parliament, most of his Catholic friends to hunt with him on Dunmoor, in Warwickshire.

The second was Francis Tresham, who, on the death of his father in September last, had succeeded to a large property at Rushton, in Northamptonshire. He had formerly been the associate of Catesby and Percy in the attempt of the earl of Essex, had on its failure escaped trial and execution by the judicious distribution of two or three thousand pounds among the queen's favourites, and had since that time borne his share of persecution on account of his religion. His character was fully known. He had nothing of that daring spirit, that invincible fidelity, which alone could have fitted him to be an accomplice in such an enterprise. He was by nature cold and reserved—selfish and changeable. But his pecuniary resources offered a temptation not to be

resisted; and the conspirators, having administered the usual oath, confided to him their secret, and extorted from him a promise of aiding them with two thousand pounds. But from that moment Catesby began to feel apprehensions to which he had hitherto been a stranger. His mind was harassed with doubts of the fidelity of his new colleague, and his rest was broken by dreams of the most fearful and ominous import.<sup>2</sup>

At this time their plan of operations was finally arranged. 1. A list was made of all the peers and commoners whom it was thought desirable to save on account of their religion, or of their previous opposition to the penal enactments, or of the favour which they had hitherto shown to the Catholics. It was resolved that each of these, if he were in London, should receive on the very morning a most urgent message, which might withdraw him to a distance from Westminster, and at so late an hour that the artifice should not be discovered till the blow had been struck.<sup>3</sup>

2. To Guy Faukes was allotted the desperate office of firing the mine. A ship in the river had been provided at the expense of Tresham to convey him immediately to Flanders, where he was instructed to publish a manifesto in defence of the act, and to despatch letters invoking the aid of all the Catholic powers. It was also hoped that, in consequence of his

<sup>1</sup> See Digby's letter at the end of the Gunpowder Treason, p. 249, 251. "I saw," he says, "the principal point of the case judged in a Latin book of M. D., my brother's (Gerard's) father-in-law" (p. 249). (Perhaps it should be N. D., the initials under which Persons, Gerard's superior, had published several works.) Garnet, in an intercepted letter, furtively written to a friend from the Tower, says: "Master Catesby did me much wrong. He told them [his accomplices] that he asked me a question in Q. Elizabeth's time of the powder action, and that I said it was lawful: all which is most untrue. He did it to draw in others."—Original in the State Paper Office.

<sup>2</sup> Winter's Confession, 56. Greenway's MS. 57, 58. Besides the money promised by these gentlemen, Percy engaged to advance the earl of Northumberland's rents, about four thousand pounds.—Winter's Confession, 56.

<sup>3</sup> Greenway, 39. Winter's Confession, 54. "Divers were to have been brought out of danger, which now would rather hurt them than otherwise. I do not think there would have been three worth saving that should have been lost. You may guess that I had some friends that were in danger which I prevented; but they shall never know it."—Digby's letter to his wife, at the end of the Gunpowder Treason, p. 251.

previous purchases, he would be able to send back by the same vessel a valuable supply of ammunition and volunteers.

3. To Percy, as one of the gentlemen pensioners, it would be easy to enter the palace without exciting suspicion. His task was to obtain possession of the young prince Charles, to take him, under pretext of greater security, to a carriage in waiting, and thence to conduct him to the general rendezvous of the conspirators.

4. That rendezvous was Dunchurch; whence Digby, Tresham, Grant, and their associates, were to proceed to the house of Lord Harrington, and to possess themselves of the infant princess Elizabeth.

5. Catesby undertook to proclaim the heir apparent at Charing Cross, and, on his arrival in Warwickshire, to issue a declaration abolishing the three great national grievances of monopolies, purveyance, and wardships.

6. It was agreed that a protector (his name was never suffered to transpire) should be appointed to exercise the royal authority during the nonage of the new sovereign.

But what, the reader will ask, was to follow from the execution of this plan? Could twelve private individuals, without rank or influence, and stained as they would be with the blood of so many illustrious victims, rationally expect to control the feelings of an exasperated people, to establish a regency, to procure a parliament devoted to their purposes, and to overturn that religious establishment which had now existed half a century? To a sober reasoner, the object would have appeared visionary and unattainable; but *their* passions

were inflamed—their imaginations excited; revenge, interest, enthusiasm, urged them forward; they smiled at the most appalling obstacles, and, in defiance of all probability, persuaded themselves that the presence of the royal infants would give a sanction to their cause; that many Protestants, and most Catholics; that disbanded officers and military adventurers; that all to whom a revolution offered the prospect of wealth and honour, would hasten to their standard; and that of their enemies the most formidable would have perished in the explosion—the rest, overwhelmed with terror and uncertainty, would rather seek to escape notice, than to provoke destruction by acts of hostility.<sup>1</sup>

Garnet, ignorant of these proceedings, still cherished a hope that by his conference with Catesby he had induced that conspirator to suspend, if not to abandon, his criminal intention.<sup>2</sup> He was quickly undeceived. Catesby, whatever he might pretend to his associates, still felt occasional misgivings of conscience, and on that account resolved to open the whole matter in confession to Greenway. That Jesuit, if we may believe his solemn asseveration, condemned the design in the most pointed terms. But Catesby was not to be convinced: to every objection he had prepared an answer; and in conclusion he solicited Greenway to procure the opinion of his provincial under the secrecy of confession. With this view the Jesuit applied to Garnet, and received in return a severe reprimand. He had done wrong to entertain any mention of so dangerous a project; he had done worse in imparting it to his superior. Nothing now remained but to divert the conspirator from his

<sup>1</sup> Digby's Letters, 249, 250. Greenway's MS. 58, 59.

<sup>2</sup> Thus as late as the 23th of August he wrote to Persons: "For any thing we can see, Catholics are quiet, and likely to

continew their oulde patience, and to truste to the kynge and his sone for to rimidie al in tyme."—Gerard, 46. He repeatedly asserted the same at his trial. See Appendix, IIIH.

sanguinary purpose. Let him therefore employ every argument, every expedient in his power; but, at the same time, let him be careful to keep the present conversation secret from every man living, even from Catesby himself.<sup>1</sup>

This communication, however, plunged the unfortunate provincial into the deepest anxiety. Against his will, and in defiance of the precautions which he had taken, he was become privy to the particulars of the plot; and that plot he found to exceed in atrocity whatever the most fearful mind could have anticipated. The explosion, with its consequences, perpetually presented itself to his imagination; it disabled him from performing his missionary duties by day—it haunted his slumbers by night. In this distressing state of mind he left Harrowden, the seat of Lord Vaux, where it is probable that he had received the information, and proceeded to Coughton, where his presence was expected by several Catholic families, to celebrate the festival of All Saints. Catesby had engaged to be of the party. But he never came; he was detained by an unforeseen occurrence in the neighbourhood of the metropolis.<sup>2</sup>

With Faukes in his company, Catesby had gone to White Webbs, a house near Enfield Chase; where, while he was engaged in consultation with Winter, he received an unex-

pected visit from Tresham. There was an embarrassment in the manner of this new associate, a visible effort at concealment, which alarmed his two friends. He pleaded most earnestly that warning of the danger should be given to Lord Mounteagle, who had married his sister. In addition, he suggested a further delay. He could not, he said, furnish money, unless he were allowed time to accomplish certain sales to the amount of sixteen thousand pounds; but the explosion might take place with as much effect at the close as at the opening of parliament; and the conspirators for greater security might make use of his ship, which lay in the Thames, and spend the interval in Flanders, where he would supply them with money for their subsistence. The proposal confirmed the suspicions of Catesby; but he deemed it prudent to dissemble, and, after some objections, pretended to acquiesce. Whether Tresham was deceived by him or not, is uncertain; but Tresham's real object was, if we may believe himself, to break up the conspiracy without revealing the names of his associates.<sup>3</sup>

In the course of a few days, Lord Mounteagle ordered a supper to be prepared, not at his residence in town, but at a house belonging to him at Hoxton—a circumstance so unusual, that it excited much surprise in his family.<sup>4</sup> While he sat at table a

<sup>1</sup> I take these particulars from Greenway, who asserts their truth, "on his salvation," MS. 109, and from his oral account to Eudæmon Joannes, *Apologia*, 259, 260, 290.

<sup>2</sup> See Appendix, HHH.

<sup>3</sup> The date of this interview is uncertain. It must have happened between the 14th and the 26th of October. I have obtained the particulars from Greenway's MS. 67, who writes on the authority of Catesby, from the sixth examination of Faukes on the 16th, and from that of Tresham on the 13th of November. The latter declares that his real object was to put an end to the plot. "This was the only way that I could

resolve on to overthrow the action, to save their lives, and to preserve my own fortunes, lyffe, and reputation." Both examinations are in the State Paper Office.

<sup>4</sup> Mr. Jardine has shown that Lord Mounteagle had been engaged in the Spanish treason, that he had written to Rome by Baynham, and that he was probably acquainted with the existence of a plot; but he had lately obtained the confidence of the king and council, and was one of the royal commissioners at the late prorogation of parliament. Much ingenuity was employed at the trial of the conspirators to prevent his name from being called in question.—Jardine, 67, 70.

letter was delivered to him by one of his pages. It had been received from a tall man, whose features were not discernible in the dark. Mounteagle opened the letter, and seeing that it was without date or signature, and written in a disguised hand, ordered Thomas Ward, a gentleman in his service, to read it aloud. It was as follows:—

“my lord out of the love i heave to some of your friends i have a caer of your preservacion therefor i would advyse youe as youe tender your lyf to devyse some excuse to shift of your attendance at this parlement for god and man hath concurred to punishe the wickednes of this tyme and thinke not slightlye of this advertisment but retyere youre self into your contri wheare youe maye expect the event in safti for thowghe there be no apparance of anni stir yet i saye they shall receive a terribel blowe this parlement and yet they shall not seie who hurts them this councel is not to be contemned because it may do youe good and can do youe no harme for the danger is passed as soon as youe have burnt the letter and i hope god will give youe the grace to mak good use of it to whose holy protection i comend youe.”<sup>1</sup>

The following evening the very individual who had been requested to read the letter, called on Thomas

Winter, one of the conspirators. He related to him the occurrence of the preceding evening; added that his lord had laid the mysterious paper before the secretary of state; and ended, by conjuring him, if he were a party to the supposed plot, to provide for his safety by immediate flight. It was a trying moment to Winter: he endeavoured to master his feelings, assumed a tone of levity, and ridiculed the affair as a hoax on the credulity of Lord Mounteagle. But early in the morning he hastened to White Webbs and communicated the alarming intelligence to his colleague. Catesby, however, was unwilling to despair. He agreed with Winter that Tresham was the writer of the letter. But had he done anything more? Had he revealed the particulars of the plot, or the names of the conspirators? Till that were ascertained, he would hope for the best, and continue to defy the policy and the conjectures of the secretary.

Three days later, in consequence of a most urgent message, Tresham ventured to meet Catesby and Winter in Enfield Chase. Their resolve was fixed; had he faltered or changed countenance, that moment would have been his last. But he repelled the charge of perfidy with spirit; and maintained his innocence with so many oaths and protestations,

<sup>1</sup> *Archæologia*, xii. 200. It may be asked, who was the writer of this letter? Instead of enumerating the different conjectures of others, I will relate what seems, from Greenway's manuscript, to have been the opinion of the conspirators themselves. They attributed it to Tresham, and suspected a secret understanding between him and Lord Mounteagle;—and that such understanding existed between the writer and Lord Mounteagle can be doubted by no one who attends to the particulars. They were convinced that Tresham had no sooner given his consent, than he repented of it, and sought to break up the plot without betraying his associates. His first expedient was to persuade them to retire to Flanders in the ship which he had hired in the river. He next wrote the letter; and took care to inform

them on the following evening that it had been carried to the secretary, in hope that the danger of discovery would induce them to make use of the opportunity of escape. In this he would undoubtedly have succeeded, had not his cunning been defeated by the superior cunning of Cecil, who allowed no search to be made in the cellar. From that moment Tresham avoided all participation in their counsels; and when they fled, he remained in London, showing himself openly, and even offered in person his services to the council. He was not apprehended till the 12th of November; nor sent to the Tower till the 15th. On the 23rd of December he died: nor will the reader be surprised that a death so unexpected, but opportune, should be attributed by his friends to poison.

that they hesitated to take his life on no better ground than bare suspicion.

On their return they despatched Faukes to examine the cellar. He found every secret mark as he had left it. It was plain that no search had yet been made, and hence it was inferred that no information of the mine had been given. They now for the first time imparted to him the intelligence. He complained of their previous silence as arguing a distrust of his courage; and, to prove that he felt no apprehensions, engaged to revisit the cellar once every day till the fifth of November.<sup>1</sup>

The king, who had been hunting at Royston, at last returned. The next day the letter was laid before him. He perused it repeatedly, and spent two hours in consultation with his ministers.<sup>2</sup> This information, but nothing more, was conveyed to Winter by the same attendant on Lord Mounteagle. Winter sought a second interview with Tresham at his house in Lincoln's Inn Walks, and returned to Catesby with the following answer; that the existence of the mine had been communicated to the ministers. This Tresham said he knew; but by whom the discovery had been made, he knew not. A council of the conspirators was held. Some proposed to flee immediately to Flanders—others refused to give credit to Tresham. They oscillated from one opinion to

another, and finally determined to await the arrival of Percy.

Percy exerted all his powers to confirm the resolution of his associates. He reminded them of the pains which they had taken, of the difficulties which they had overcome. They were now on the point of reaping the fruit of their labour: would they forfeit it on a mere conjecture—on the credit of a recreant colleague, who, to extricate himself from danger, had probably feigned that which he only feared? Let them wait at least one day longer, and then come to a final resolution. His arguments or his authority prevailed. But a change was made in their former arrangements. Faukes undertook to keep guard within the cellar; Percy and Winter to superintend the operations in London; Catesby and John Wright departed the next day for the general rendezvous in Warwickshire.<sup>3</sup>

Towards evening the lord chamberlain, whose duty it was to ascertain that the necessary preparations had been made for the opening of the session, visited the parliament-house, and in company with Lord Mounteagle entered the cellar. Casting around an apparently careless glance, he inquired by whom it was occupied; and then fixing his eye upon Faukes, who was present under the designation of Percy's servant, observed that his master had laid in an abundant provision of fuel. This warning was

<sup>1</sup> I am indebted for all these particulars to the narration of Greenway, p. 62, who learned them from the conspirators themselves, whom he visited on the sixth of November.—See also Winter's Confession, 57, 58.

<sup>2</sup> James, in his speech to the parliament on November 9 (Lords' Journals, ii. 358), and in his own works, published by Bishop Montague, takes to himself the merit of being the first to discover the true meaning of the letter to Lord Mounteagle (see Howell, ii. 198), and his flatterers attributed it to a certain "divine illumination" (Coke, Gunpowder Treason, 118): the parliament to "a miraculous discovery, through the

divine spirit imparted to him by God" (Stat. iv. 1067): but the contrary is evident from the circular of the earl of Salisbury. "We [the earls of Salisbury and Suffolk] both conceived that it could not by any other way be like to be attempted than with powder, while the king was sitting in that assembly; of which the lord chamberlain conceived more probability because there was a great vault under the said chamber ..... we all thought fit to forbear to impart it to the king until some three or four days before the sessions."—Winwood, ii. 171.

<sup>3</sup> Greenway, 64. Winter's Confession, 58.

lost on the determined mind of the conspirator. Though he saw and heard all that passed, he was so fixed on his ruthless purpose, that he resolved to remain to the last moment; and having acquainted Percy with the circumstance, returned to his post, with a determination on the first appearance of danger to fire the mine, and perish in the company of his enemies.

A little after midnight (the reader will observe that it was now the fifth of November, the day appointed for the commencement of the session) Faukes had occasion to open the door of the vault; and at the very moment was seized by Sir Thomas Knevett and a party of soldiers. He was dressed and booted as for a journey—three matches were found in his pockets—and in a corner behind the door was concealed a dark lantern containing a light. The search immediately began; and, on the removal of the fuel, were discovered two hogsheds and above thirty barrels of gunpowder.<sup>1</sup>

By four o'clock the king and council had assembled to interrogate the prisoner. Faukes stood before them collected and undaunted: his replies, though delivered in respectful language, gave no clue to the discovery of his associates. His name, he said, was Johnson—his master, Percy; whether he had or had not accomplices, should never be known from him; his object was to destroy the parliament, as the sole means of putting an end to religious persecution. More than this he refused to disclose, though he was repeatedly

examined in the presence of the king. During the intervals, he bore without shrinking the inquisitive gaze of the courtiers; and answered all their questions in a tone of sarcasm and defiance. A Scottish nobleman asked him for what end he had collected so many barrels of gunpowder? "To blow the Scottish beggars back to their native mountains," was the reply. James pronounced him the English *Sævola*.<sup>2</sup>

In the Tower, though orders were given that he should be racked to extremity, his resolution was not to be subdued; nor did he consent to make any disclosure till his associates had announced themselves by appearing in arms.<sup>3</sup> They, the moment they heard of his apprehension, had mounted their horses, and on the same evening reached the hunting-party at Dunchurch. There was something mysterious in their sudden arrival, in their dejected appearance, and in their long and serious consultation with Sir Everard Digby. Before midnight a whisper of disappointed treason was circulated; the guests gradually took their leave, and three only remained to share the desperate fate of their friends. The seizure of the princess Elizabeth was no longer an object: they traversed in haste the counties of Warwick and Worcester, to Holbeach, the residence of Stephen Littleton, one of their new associates. On their road they took by force arms and horses from two individuals; but to their dismay every Catholic from whom they solicited aid on the road shut his doors against them, and the sheriffs of each county

<sup>1</sup> Winwood, ii. 171, 172. Gunpowder Treason, 32—37.

<sup>2</sup> James's Works, apud Howell, ii. 201. Birch's Negotiations, p. 239.

<sup>3</sup> "The gentler tortures are to be first used unto him, et sic per gradus ad imatendatur."—James's Instructions, Nov. 6, in the State Paper Office. See in Mr. Jar-

dine's Criminal Trials (p. 17, 18) two facsimiles of his signature, the first, in a good bold hand, before torture, the second after torture, exhibiting the word "Guido" in an almost illegible scrawl, and two ill-formed strokes in place of his surname. He appears to have been unable to hold the pen any longer.

followed, though at a respectful distance, with an armed force.<sup>1</sup> At Holbeach House they resolved to turn on their pursuers. Though they could not muster, with the addition of their servants, more than fifty, perhaps forty men, yet well horsed and well armed they believed themselves a match for the tumultuary host of their adversaries, and a victory in such circumstances would probably add to their numbers,—would certainly allow time to provide for their safety. But on the fourth morning after the discovery of the plot, during their preparation for battle, a spark of fire accidentally fell among the powder which they had spread out to dry. Catesby and some of his accomplices were severely burnt; and the majority of their followers took advantage of the confusion to make their escape. Within an hour the house was surrounded. To a summons from the sheriff was returned a haughty defiance, not that the inmates cherished the hope of saving their lives, but they sought to avoid the knife of the executioner by provoking the hostility of their pursuers. With this view Catesby, Percy, and the two Wrights, armed with their swords only, exposed themselves in the court to the shot of their assailants, and were all mortally wounded. Thomas Winter, who had accompanied them, retreated into the house; where, with Rookwood, Grant, and Keyes, who had suffered from the explosion, he was after some resistance made prisoner. Digby, with two of his servants, burst through his opponents, but was pursued to a wood near Dudley, where he was surrounded and taken. Robert Winter and Littleton had effected their escape at a more early hour; but, after a long succession of most dangerous adventures,

were at last betrayed by a servant of Mrs. Littleton, a widow, in whose house, at Hagley, they had been secreted without her knowledge, by her cousin Humphrey Littleton.

More than two months intervened between the apprehension and the trial of the conspirators. The ministers had persuaded themselves, or wished to persuade others, that the Jesuit missionaries were deeply implicated in the plot. On this account the prisoners were subjected to repeated examinations; every artifice which ingenuity could devise, both promises and threats, the sight of the rack, and occasionally the infliction of torture, were employed to draw from them some avowal which might furnish a ground for the charge; and in a proclamation issued for the apprehension of Gerard, Garnet, and Greenway, it was said "to be plain and evident from the examinations that all three had been peculiarly practisers in the plot, and therefore no less pernicious than the actors and counsellors of the treason."<sup>2</sup>

At length the eight prisoners were arraigned. They all pleaded not guilty; not, they wished it to be observed, because they denied their participation in the conspiracy, but because the indictment contained much to which till that day they had been strangers. It was false that the three Jesuits had been the authors of the conspiracy, or had ever held consultations with them on the subject: as far as had come to their knowledge, all three were innocent. With respect to themselves, they had certainly entertained the design laid to their charge; but whatever men might think of the fact, they would maintain that their intention was

<sup>1</sup> Greenway, 70. They took this route in expectation that Mr. Talbot would join them, in which case they had no doubt of beating their pursuers, or of bringing them

to terms. But Talbot refused to see them, or to receive any message from them.—Digby's Letters, 250.

<sup>2</sup> Rymer, xvi. 639.

innocent before God. Some of them had already lost most of their property,—all had suffered severely on account of their religion. The king had broken his promise of toleration, and the malice of their enemies daily aggravated their burdens. No means of liberation was left but that which they had adopted. Their only object was to relieve themselves and their brethren from the cruelty of the persecutors, and to restore a worship which in their consciences they believed to be the true worship of Christ; and for this they had risked, and for this they were ready to sacrifice, their fortunes and lives. In reply, the earls of Salisbury and Northampton strongly asserted that the king had not broken his faith; and that the promises on which the Catholics relied had been the fictions of designing men in their own body. The prisoners received judgment, and suffered the punishment of traitors, having on the scaffold repeated the same sentiments which they had before uttered at their trials.<sup>1</sup>

Of the three Jesuits mentioned in the proclamation, Gerard and Greenway, after many adventures, escaped to the continent. Garnet, having previously sent to the council a protestation of his innocence, secreted himself at Hendlip, near Worcester, in the house of Thomas Abingdon, who had married the sister of Lord Mounteagle. The place of his concealment was known to Humphrey Littleton, who had not yet been brought to trial; and the hope of saving his

own life induced him to communicate the intelligence to the council. Sir Henry Bromley, a neighbouring magistrate, received a commission to proceed to Hendlip with an armed force. Mrs. Abingdon, in the absence of her husband, delivered to him her keys with an air of cheerfulness; every apartment was rigorously and repeatedly searched, and guards were stationed by day and night in each passage, and at all the outlets. Thus three days passed, and no discovery was made; but on the fourth two strange men suddenly appeared in a gallery, and were instantly apprehended. They proved to be Owen, the servant of Garnet, and Chambers, the servant of Oldcorne, another Jesuit, whom hunger had compelled to leave their hiding-place. This success stimulated the efforts of the pursuivants. The search proceeded; nine other secret chambers were discovered; and on the eighth day an opening was found into that in which the two priests lay concealed. All four, with the master of the house, who had returned during the interval, were conducted to London, and committed to the Tower.<sup>2</sup>

A bill to attain the conspirators who died at Holbeach, or had already been convicted, was brought into the house of lords; but into it were introduced, in imitation of the odious practice during the reign of Henry VIII., the names of several individuals, some of whom had not yet been apprehended—none had been arraigned. The lords hesitated; they

<sup>1</sup> See "A true and perfect relation of the whole proceedings, 1606;" also Harleian Miscellany, iii. 127. Gerard in his MS. account (107—121) frequently contradicts this writer. So does Stowe's Chronicle, 831.

<sup>2</sup> Gerard, 87—89. Greenway, 95—97. "A true discovery of the service performed at Hendlip," in the appendix to the second volume of Mr. Butler's Memoirs of British Catholics, third edition, p. 442. The opening was from an upper room through the

fire-place. The wooden border of the hearth was made to take up and put down like a trap-door, and the bricks were taken out and replaced in their courses whenever it was used.—Fowles, 608. Mr. Hallam mentions "the damning circumstance against Garnet, that he was taken at Hendlip in concealment along with the other conspirators."—Const. Hist. i. 554. This must be an unintentional mistake. His only companion was Oldcorne, Abingdon's chaplain, and not one of the conspirators.



required to be put in possession of the evidence against the latter; and, when they had heard the attorney-general, resolved not to proceed with the bill till more satisfactory information could be procured.<sup>1</sup> Day after day the commissioners proceeded to the Tower. They interrogated the prisoners; they placed the two servants on the rack; they threatened Garnet with torture, and received for answer, *Minare ista pueris*. Nothing of importance could be elicited, when the Jesuit, though on his guard against his professed enemies, allowed his simplicity to be deceived by pretensions of friendship. His warder, by order of the lieutenant, spoke to him in a tone of pity; affected to venerate him as a martyr for religion; and offered to him every indulgence which could be granted, consistently with his own safety. Garnet eagerly accepted his services, and through the medium of this unexpected friend, commenced a correspondence with several Catholics. But, though the letters on both sides were carried to the lieutenant, and by him submitted to the inspection of the commissioners, they furnished no new intelligence, no proof whatever, against the prisoner or his friends.<sup>2</sup> Another experiment was then made. The warder, unlocking a door in Garnet's

cell, showed him another door on the opposite side of the wall. That, he said, was the only separation between him and Oldcorne, with whom he was at liberty to converse at his pleasure; suppressing the fact that, within a cavity formed in the passage, were actually secreted Lockerson, the private secretary of Cecil, and Forsett, a magistrate attached to the Tower. It was an artifice that had previously been played off upon Winter and Faukes, who had the caution or the good fortune to disappoint the expectation of the contrivers; but the two Jesuits, unsuspecting of treachery, improved the opportunity to speak without reserve of their situation, of their hopes and fears, of the ingenuity with which they had parried the questions put to them in their past, and of the questions which they feared might be put in their future examinations. Five times were they thus perfidiously indulged with the means of betraying themselves: the reports of four of these conversations are still preserved; and though there is nothing in them to bring home the knowledge of the conspiracy to Garnet, there is much calculated to provoke suspicion, and much to show that there was some important secret which had hitherto escaped the research of the commissioners.<sup>3</sup> This

<sup>1</sup> This account is given both by Gerard and Greenway, and it is supported by the journals. The bill was read the first time on February 1; the attorney-general was ordered to attend with his proofs on February 3. He obeyed, and on the 8th the earl of Northampton, in the name of the committee, moved that, "as upon the examination of the Jesuits and Seminaries named in the bill, some more particular discovery might be made of the said treason, therefore stay might be made of any further proceeding on that bill till the said examination might be taken."—Journals, 366, 367, 370. At Garnet's trial Coke noticed this circumstance, and in reply to the inference drawn from it, observed that the bill was introduced before the apprehension of the Jesuit, and that his majesty would not let it proceed till the trial had taken place by just course of law.—Gunpowder Treason, 143,

149. Yet both parts of this reply are contradicted by the journals; for the bill was introduced February 1, three days after the apprehension of Garnet, and the reason given for the delay was that which I have copied above.

<sup>2</sup> The letters were written with common ink, and on ordinary subjects; but, in addition, notes were inserted written with the juice of oranges or lemons, which on the application of heat became visible. On this account the lieutenant found it necessary to retain the originals, and to forward exact copies.—Greenway's MS. 105. Some of these letters are still in the State Paper Office.

<sup>3</sup> In former editions I stated, on the authority of Gerard and Greenway, that Garnet to a question from Oldcorne, replied, that with respect to his knowledge of the conspirac, he was safe, "being there was

success stimulated the council to fresh exertions: interrogatories were framed from the facts disclosed by the reports; Oldcorne, Owen, Chambers, and Johnson, the chief servant at White Webbs, were examined; and the rack was again called into action to subdue their obstinacy: yet nothing of importance could be drawn from the servants, and little more than an admission of his conversation with Garnet from Oldcorne.<sup>1</sup> After this Garnet himself was asked if he had not spoken with Oldcorne in the Tower. He denied it most vehemently. The confession of his fellow-prisoner was shown to him. He replied, that Oldcorne might be weak enough to accuse himself falsely, but he never would. The reports of Lockerson and Forsett were then read. He could not resist this additional evidence; and, overwhelmed and abashed, he acknowledged the fact.

Still nothing had transpired to connect him immediately with the conspirators. But aware of the injury which he had done to himself by the obstinacy of his denial, and under his expectation of being summoned every moment to the rack, he deemed it prudent to act with more candour. Examination followed examination:

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no man living who could touch him but one." If he ever used these words, it must have been in the first meeting, the report of which is lost. There is no mention of them in the reports of the other four published by Mr. Jardine, p. 216—225; and they are stated by De Thou to have been used by him when he sought to excuse to the commissioners his denial of his conversation with Oldcorne. He did it, quod sciret neminem, excepto uno, de hoc nupero facinore posse suam conscientiam arguere. Thuan. vi. 344.

<sup>1</sup> Greenway (111) assures us that Oldcorne was tortured repeatedly; and the same is stated of the other three by Garnet, in an intercepted letter of March 3. On the first of that month Owen was tortured and assured that on his next examination he should be stretched again upon the rack. On the third he died—on the rack itself, through extremity of torture, if we may

from one admission he was artfully led on to another of greater importance; and at last he acknowledged that he knew of Catesby being engaged in some practice against the state, and had repeatedly warned him to desist; and that subsequently he understood from Greenway the real object of the plot, but could not conscientiously reveal it, because it had been communicated to him under the seal of confession.<sup>2</sup>

Thus after an interval of two months was laid a ground for the trial of the prisoner. The interest which it excited appeared from the crowd of spectators assembled in the court, among whom were the king himself, all the foreign ambassadors, and most of the members of parliament. Sir Edward Coke, the attorney-general, spoke for some hours. He detailed all the plots, real or imaginary, which had ever been attributed to the Catholics since the accession of Queen Elizabeth; he declaimed against the jesuitical doctrine of equivocation, and the temporal pretensions of the pontiffs; he described the missionaries in general, and the Jesuits in particular, as leagued in an impious conspiracy to destroy the king, and the leaders of

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believe the Catholic writers—in his cell by his own hand, according to the Protestant. At the inquest it was deposed that the straw on which he lay was bloody, and that he had ripped his belly open with a blunt knife. It matters little which is true; "for there is no great difference," remarks Mr. Jardine, "between the guilt of homicide by actual torture, and that of urging to suicide by the insupportable threat of its renewal" (215).—Straw was the only bedding furnished to prisoners in the Tower, unless they could hire, or procure from their friends, something better. Garnet, in his letter, says, "If we have any money of the society, I wish beds for James, Jhan (Owen), and Harry, who have all been often tortured." The blunt knife was that which was given to the prisoners at their meals, without point or even edge, except about the middle of the blade, that it might not be converted into a weapon of mischief.—Greenway's MS. 117. <sup>2</sup> Jardine, 225.

Protestant interest. But when he descended to the real merits of the indictment, he soon betrayed the coverty of his case. Not a word was said of the confessions, or the witnesses, or the dying declarations, by which he had engaged to prove that Garnet had been the original framer of the plot, and the confidential adviser of the conspirators. This part of the charge was seen to rest on his bare assertion, supported only by a few unimportant facts susceptible of a very different interpretation. Garnet replied with temper and firmness; but was so often interrupted by questions and remarks from the attorney-general and the commissioners on the bench, that the king himself declared they had not given him fair play. He acknowledged that he had heard of the plot in confession; but among Catholics the secrecy of confession was inviolable. Were it otherwise, no one would disclose his intended crimes to him, who of all men was most likely, by his advice and authority, to divert the sinner from the guilt which he meditated. As for himself, he abhorred the plot as much as the most loyal of his prosecutors: and had done to prevent it whatever in his conscience he could persuade himself that it was lawful for him to do. The attorney-general had indeed attempted to prove in him a traitorous intention from several circumstances; but these he could show proceeded from very different motives, and ought to lead to an opposite conclusion. The jury were not to

judge from conjectures and presumptions; what he had asserted was the whole truth: nor had the prosecutor attempted to bring forward any direct evidence to the contrary.—Though a verdict of guilty was returned, his friends professed themselves satisfied with the proceedings. All that had been proved against him was that he had not betrayed the secret confided to him in confession. The boast of Coke that he would show him to have been the author and adviser of the plot had failed; and Cecil himself had confessed, that nothing more had been produced against him than had been disclosed by his conference with Oldcorne. Under such circumstances, they asserted that if he were to suffer, he would suffer, not for treason, but for the conscientious discharge of his duty.<sup>1</sup>

From these proceedings it is plain that Garnet had incurred the legal guilt of misprision of treason; but that he had committed any overt act of treason, was not proved, nor attempted to be proved, by evidence either written or oral.<sup>2</sup> For some unknown reason, perhaps the king's uncertainty as to the real nature of his guilt, or the royal unwillingness to offend the foreign powers that interceded for him, more than two months were permitted to elapse between his condemnation and execution: a long and anxious interval, which, however, he was not suffered to spend in peaceful preparation for the fate which awaited him. He had been examined three and twenty

<sup>1</sup> There are several accounts of this celebrated trial. That published by authority, under the title of "A true and perfect relation of the whole proceedings," has been reprinted in the State Trials, ii. 217; but from the partiality with which it evidently mutilates the answers and defence of Garnet, it should be compared with the relations published by his friends, which may be seen in Bartoli, 546; More, 316; and in Mr. Butler's Memoirs, ii. 124. Gerard in his MS. narrative, p. 137, remarks that the

jury, when they returned their verdict, confined it to the guilt of having concealed the knowledge which he had received of the conspiracy.—See Appendix, HHH.

<sup>2</sup> His examinations were so garbled and intermixed at the trial, that an incautious reader might infer from them, that he had repeatedly conferred with Catesby about the gunpowder plot. That was not the case. He merely advised Catesby to desist from any treasonable practice in which he might be engaged.

times before his trial; after trial the examinations were resumed. To draw new avowals from him, he was falsely informed that Greenway, whom he believed to have escaped to the continent, was in fact a fellow-prisoner in the Tower; and that five hundred Catholics, shocked at his connection with the plot, had conformed to the established church. Under these impressions he was induced to write in his own vindication letters to Mrs. Anne Vaux, who was actually, and to Greenway, whom he supposed to be, in the Tower: which letters of course found their way into the hands of the lieutenant. These, however, fortunately for the writer, had been so cautiously worded as to supply no fresh matter of charge against him. At the same time he wrote to the king, protesting in strong terms his abhorrence of "the powder actino" as sinful and most horrible; declaring that he had always been of opinion that it was unlawful to attempt violence against the king or state since his majesty's accession; and also acknowledging that it was his bounden duty to disclose every treason which might come to his knowledge out of the sacrament of confession. It was in this last point that he had offended. Partly through reluctance to betray his friend, partly with the hope of being able to reclaim him, he did not reveal the *general* knowledge which he had from Catesby of his intention; and for that offence he humbly sought forgiveness from his sovereign.<sup>1</sup>

The reader will observe that, under allusion to "the sacrament of confession," Garnet sought to cover his concealment of the disclosure made to him by Greenway. He was immediately called before the commissioners, and falsely given to under-

stand that, according to the statement of Greenway himself, the communication was not made to him in confession.<sup>2</sup> This added to his perplexity. He wavered, made several attempts to reconcile his own with the supposed statement of Greenway, and concluded by declaring that, whatever might have been the intention of his brother, he had always considered the communication as made with reference to confession.

Then, for the first time, three weeks after his letter to Greenway had been intercepted, he was examined whether he had not corresponded with that traitor. He denied on his priesthood that he had ever sent letter or message to him, since they parted at Coughton. The commissioners exhibited to him the intercepted letter. He acknowledged it; but maintained that he had done nothing wrong. *They* were the persons to be blamed; they, who being in possession of the letter, had nevertheless put the question to him as if they were not. In this instance as in several others since his imprisonment, he had acted on the principle that no man is bound to betray himself; whence he ingeniously inferred that, where the acknowledgment of fact might endanger his life, it was lawful to deny it with the aid of equivocation, till it should be proved against him by direct evidence.<sup>3</sup>

Three days later he was interrogated a second time respecting the doctrine of equivocation, and boldly declared that the practice of requiring men to accuse themselves was barbarous and unjust; that in all such cases it was lawful to employ equivocation, and to confirm, if it were necessary, that equivocation with a oath; and that if Tresham, as he had been pretended, had equivocated on his deathbed, he might have had re-

<sup>1</sup> See it in Jardine, 322.

<sup>2</sup> This is plain from the drift of his answers.

<sup>3</sup> Torturi Torti, 425. Antilogia, 140. C. saubon ad Front. 132.

<sup>4</sup> Examinations in the State Paper Office.

ns which would justify him in the  
 ight of God.<sup>1</sup> To these and similar  
 ows I ascribe his execution. By  
 eking shelter under equivocation,  
 had deprived himself of the pro-  
 ction which the truth might have  
 rded him; nor could he in such  
 rcumstances reasonably complain if  
 e king refused credit to his asse-  
 erations of innocence, and permitted  
 e law to take its course.<sup>2</sup> Six weeks  
 fter his trial the fatal warrant was  
 gned. On the scaffold, according to  
 e ambiguous language of the official  
 ccount, he confessed his guilt; but if  
 e may credit the letters of specu-  
 tors, he denied all knowledge of  
 e plot, except by confession; and  
 ough he begged pardon of the king,  
 e was careful to add that it was not  
 r any participation in the treason,  
 ut for the legal offence of having  
 oncealed the general knowledge  
 hich he had acquired of some prac-  
 ce against the state, designed by  
 Catesby. His pious and constant de-  
 eanour excited the sympathy of the  
 rowd; their vociferations checked  
 e impatience of the executioner,

and the cruel operation of quartering  
 was deferred till he was fully dead.<sup>3</sup>

Though James was satisfied that  
 the great body of the English Catho-  
 lics had been kept in ignorance of  
 the plot, he still believed that all its  
 ramifications had not yet been dis-  
 covered. There could be no doubt  
 that Faukes had admitted associates  
 in Flanders, and suspicion attached  
 to Owen, a Welsh Catholic, and to  
 Baldwin, a Jesuit, who were both  
 saved from prosecution by the obsti-  
 nate refusal of the archduke and the  
 king of Spain to deliver them into the  
 hands of the English ambassador.<sup>4</sup>  
 At home, the domestic relation be-  
 tween the earl of Northumberland  
 and the traitor Percy was deemed  
 a sufficient reason to place the former  
 under restraint in the house of the  
 archbishop of Canterbury; and the  
 confession of the conspirators that  
 Catesby wished to save the viscount  
 Montague, and knew the intention of  
 the lords Mordaunt and Stourton to  
 be absent from parliament, led to the  
 arrest of these three noblemen.<sup>5</sup> It  
 was in vain that they protested their

<sup>1</sup> "This I acknowledge to be according to  
 ay opinion and the opinion of the school-  
 en. And our reason is, for that, in cases  
 of lawful equivocation, the speech by equi-  
 vocation being saved from a lye, the same  
 speech may be without perjury confirmed  
 by oath, or by any other usual way, though  
 t were by receiving the sacrament, if just  
 necessity so require.—Henry Garnet."—  
 Original in the State Paper Office in Gar-  
 net's own handwriting.

<sup>2</sup> It should, however, be observed that  
 Garnet's enemies, in their attempt to con-  
 vict him, paid as little respect to truth, as  
 the prisoner himself in his efforts to justify  
 or excuse his conduct. The reader is ac-  
 quainted with the falsehoods which were  
 told to him respecting Greenway, to draw  
 concessions from him: but what was still  
 worse, at the trial his admissions were pre-  
 sented to the jury stripped of those qualifi-  
 cations with which he had clothed them,  
 and with which they spoke more in his  
 favour than against him. "This was a for-  
 gery of evidence. For when a qualified  
 statement is made, the suppression of the  
 qualification is no less a forgery than if the  
 whole statement had been fabricated."—  
 Jardine, 358. Certainly, if we condemn

Garnet for the use of equivocation to save  
 his life, we cannot excuse those who em-  
 ployed falsehood and forgery to take it  
 from him.

<sup>3</sup> It was reported generally that he had  
 confessed his guilt (Gunpowder Treason,  
 Boderie, i. 49), but that confession was con-  
 fined to his concealment of his suspicions.  
 —More, 327. Butler's Memoirs, iii. 342,  
 second edition. Chaloner, ii. 483. Eudæ-  
 mon Joan. 349.

<sup>4</sup> Owen was servant to the king of Spain,  
 who demanded the proofs of his guilt to be  
 sent to Brussels, and promised to punish  
 him if he were guilty. This was refused.  
 Baldwin was apprehended in 1610 by the  
 elector palatine, as he was passing through  
 his dominions, and was sent to England.  
 He underwent many examinations in the  
 Tower, at the last of which the king as-  
 sisted, but nothing was discovered to prove  
 him guilty.—Winwood, ii. 183, 187—189, 227,  
 232; iii. 211, 407. Bartoli, 517.

<sup>5</sup> Faukes confessed that "Catesby told  
 him Lord Mordaunt would not be there the  
 first day, because he would not be present  
 at the sermon; for as yet the king did not  
 know he was a Catholique, and that the  
 lord Stourton's occasions were such he

ignorance of the treason; they were condemned in the Star-chamber to suffer imprisonment during the royal pleasure, and to pay fines to the king, the lord Stourton in six thousand, the lord Mordaunt in ten thousand pounds, and the viscount Montague in a still larger sum.<sup>1</sup> The earl was committed to the Tower and repeatedly examined; but he answered from the beginning with an air of scorn and confidence, pointing out the method of discovering his guilt, if he were guilty,<sup>2</sup> and braving his accusers to bring him to a public trial by due course of law. They preferred to arraign him, after a delay of seven months, in the Star-chamber, on the following extraordinary charges:—1. That he had sought to be the head of the papists, and to procure toleration. 2. That he had admitted Percy to be a gentleman pensioner without exacting from him the oath of supremacy. 3. That after his restraint he had written two letters to his servants in the north, requesting them to take care that Percy did not carry off his money and rents; and in this had committed a

threefold offence:—1. In presuming to write letters without leave; 2. In preferring the safety of his money to the safety of the king; 3. In giving warning to Percy to take care of his own person. He was adjudged to pay a fine of three hundred thousand pounds, to be deprived of all his offices, to be held incapable of any for the future, and to remain a prisoner during life in the Tower. So severe a punishment excited surprise, but the reasons were, that he had long been the political antagonist of Cecil; that in the Tower he displayed a spirit which alarmed the weak mind of James, and that if he was supposed to be the individual whom, had the plot succeeded, the conspirators would have offered the dignity of protector during the minority of the next sovereign. Lord Mounteagle received, in reward for his loyalty, lands to the yearly value of two hundred pounds, and an annuity of five hundred pounds for life.<sup>3</sup>

The chief object for which the parliament had been summoned to meet in November was to supply the royal

could not come to town before the Friday after."—Original MS. in the State Paper Office. There are in the same collection two letters from Lord Montague to the lord treasurer, declaring his innocence, and denying that he had any warning of the plot. Cecil, in a letter to Sir Thomas Edmonds, says, that Percy wished to save Northumberland and Mounteagle, and that Catesby knew Stourton, Mordaunt, and Montague would be absent.—Birch, 244.

<sup>1</sup> It was customary to compound for fines in the Star-chamber. Northumberland compounded for eleven thousand pounds, Montague for four thousand pounds, Stourton for one thousand pounds. I suspect Mordaunt's fine was entirely remitted.—See "the Abstract of his Majesty's Revenue," p. 11.

<sup>2</sup> He required them to take the deposition of Percy before he died of his wounds. "He can shew me clear as the day, or dark as the night. He will tell the truth, being about to render his account to God."—Letter in the State Paper Office. See also *Les Ambassades de Boderie*, i. 122, 180, 299; *Collins's Peerage*, ii. 426. His examinations

are in the State Paper Office, but contain nothing of consequence. In the Tower applied himself entirely to scientific and literary pursuits, and by his liberality to men of learning, became the *Mecenas* of his age. From the number of mathematicians who were generally in his company and ate at his table, he acquired the name of Henry the wizard. Among them were Hill, Allen, Hariot, Dee, Torperley, and Warner, "the Atlantes of the mathematical world," most of whom enjoyed annuity from his bounty.—*Collins*, ii. 438. In the year 1611 Cecil conceived that he had discovered new matter against him, from the testimony of a dismissed servant. He was again subjected to examination, and again foiled the ingenuity or malice of his persecutor.—*Winwood*, ii. 287, 288. In 1617 the king's favourite, Hay, afterwards earl Carlisle, married his daughter Lucy against his will, which irritated him so, that when his son-in-law obtained from James an order for his liberation, it was with difficulty that he could be induced to accept of the favour after an imprisonment of thirteen years. See *Birch*, 246; *Sydney Papers*, ii. 350.

<sup>3</sup> *Boderie*, i. 122, 180, 299.

offers, which James had emptied by refuse donations to his countrymen, and by the extravagance of his establishment. After a long adjournment, occasioned by the discovery of the gunpowder plot, the two houses assembled. The lords appeared as usual to have no other wish than to ratify the sovereign; but the commons resumed that bold tone of expostulation and resistance which had given so much offence in the last session. They did not indeed refuse to relieve the wants of the king, though murmurs were heard respecting his indiscretion and prodigality, but they maintained, that every offer of money on their part ought to be met with a corresponding offer of concession on the part of the crown; they brought forward a long catalogue of grievances in the practice of the ecclesiastical courts, in the administration of civil justice, and in the conduct of every department of government; and they sent, to use the significant expression of James, an O yes into every part of the country to find out grounds of complaint. The ministers had recourse to artifice and intrigue. They prayed and coaxed; they attributed the necessities of the king to a debt of four hundred thousand pounds left by the last sovereign, to the charges of the army in Ireland, and to the expenses of a new reign; and while they conceded that James had been sometimes too liberal in his presents, sometimes too prodigal in his pleasures, they held out hopes of immediate amendment, and of strict attention to economy in future. Thus, partly by promises and partly by management, they contrived to elude every motion for reform, and to obtain a vote of three subsidies, and six-tenths and fifteenths.<sup>1</sup>

But there was another question equally interesting to the passions of the members, and less likely to provoke dissension between them and the crown, the revision of the penal code, as far as regarded the prohibition of the Catholic worship. To a thinking mind the late conspiracy must have proved the danger and impolicy of driving men to desperation by the punishment of religious opinion. But the warning was lost; the existing enactments, oppressive and sanguinary as they were, appeared too indulgent; and though justice had been satisfied by the death and execution of the guilty, revenge and fanaticism sought out additional victims among the innocent. Every member was ordered to stand up in his place and to propound those measures which in his judgment he thought most expedient. These, in successive conferences, were communicated by one house to the other, and in each, motions were made and entertained as abhorrent from the common feelings of humanity as the conspiracy itself. Henry IV. of France thought it the duty of a friend to interpose with his advice, and Boderie, his ambassador, was ordered to represent to the king, that his master had learned from experience the strong hold which religion has on the human breast; that it is a flame which burns with increasing fierceness in proportion to the violence employed to extinguish it; that persecution exalts the mind above itself, teaches it to glory in suffering, and renders it capable of every sacrifice in the cause of conscience; that much might be done by kindness—little by severity. Let him punish the guilty—it was his duty; but it was equally his duty to spare the innocent, even in opposition

<sup>1</sup> Journal of Commons, 265—313. Cobbett's Parliamentary History, 1064. The three subsidies, and six tenths and fifteenths, added to four subsidies granted by the

clergy, were estimated at four hundred and fifty-three thousand pounds.—Abstract of his Majesty's Revenue, p. 11.

to the wishes of his parliament; as it was also his interest not to goad the Catholics into plots for his destruction, but to convince them that they possessed a protector in the person of their sovereign.<sup>1</sup>

After a long succession of debates, conferences, and amendments, the new code received the royal assent. It repealed none of the laws then in force, but added to their severity by two new bills, containing more than seventy articles, inflicting penalties on the Catholics in all their several capacities of masters, servants, husbands, parents, children, heirs, executors, patrons, barristers, and physicians. 1. Catholic recusants were forbidden, under particular penalties, to appear at court, to dwell within the boundaries, or ten miles of the boundaries, of the city of London, or to remove on any occasion more than five miles from their homes, without a special license under the signatures of four neighbouring magistrates. 2. They were made incapable of practising in surgery or physic, or in the common or civil law; of acting as judges, clerks, or officers in any court or corporation; of presenting to the livings, schools, or hospitals in their gift; or of performing the offices of administrators, executors, or guardians. 3. Husbands and wives, unless they had been married by a Protestant minister, were made to forfeit every benefit to which he or she might otherwise be entitled from the property of

the other; unless their children were baptized by a Protestant minister within a month after the birth, each omission subjected them to a fine of one hundred pounds; and, if after death they were not buried in a Protestant cemetery, their executors were liable to pay for each corpse the sum of twenty pounds. 4. Every child sent for education beyond the sea was from that moment debarred from taking any benefit by devise, descent or gift, until he should return and conform to the established church, a such benefit being assigned by law to the Protestant next of kin. 5. Every recusant was placed in the same situation as if he had been excommunicated by name; his house might be searched, his books and furniture having or thought to have any relation to his worship or religion, might be burnt, and his horses and arms might be taken from him at any time by order of the neighbouring magistrates. 6. All the existing penalties for absence from church were continued, but with two improvements. 1. It was made optional in the king whether he would take the fine of twenty pounds per lunar month, or in lieu of it, all the personal, and two thirds of the real estate; and 2. Every householder, of whatever religion receiving Catholic visitors, or keeping Catholic servants, was liable to pay for each individual ten pounds per lunar month.<sup>2</sup> The first of these two enactments led to an additional and perhaps

<sup>1</sup> *Ambassades de Boderie*, i. 22, 80. James replied to the ambassador, who could not obtain an audience till the end of the session, that he was by disposition an enemy to harsh and cruel measures: that he had repeatedly checked the eagerness of his ministers; but that the Catholics were so infected with the doctrine of the Jesuits, respecting the subordination of the royal to the papal authority, that he was compelled to leave the matter to the decision of his parliament. The ambassador observed, that he ought at least to make a difference between those who held and those who rejected that doctrine. It was no article of

the Catholic faith, as had been fully proved in France, where many staunch Catholics had lately aided the king in opposition to the papal bulls; and he had no doubt that the same opinion prevailed among the English Catholics.—*Ibid.* p. 82.

<sup>2</sup> The fine of ten pounds per month for Catholic servant was found an intolerable burden. "Il y eut l'autre jour un seigneur qui donna congé à soixante. J'en scis d'autres de très bonne qualité, qui sont résolus de souffrir tout plutôt que de congédier les leurs. C'est une dangereuse arme que le désespoir en mains de personne qui n'out rien à perdre."—July 20, i. p. 232.



intended grievance. Hitherto, the power reserved to the king of entering into possession of two-thirds of recusant's lands could be exercised only in punishment of his default by the nonpayment of the fine of twenty pounds per month; but now that it had become optional on the king's part, at any time, whether the fines had been paid or not, the royal favourites were not slow to discover the benefit which it might enable them to derive from the indulgence of the sovereign. They prevailed on James to make over to them a certain number of the most opulent recusants, who, to prevent the two-thirds of their lands from being seized at the suit of the crown, would deem it advisable to compound with the grantees, whatever sacrifices such composition might cost them. There still exist in the State Paper Office returns made from the Signet Office of these grants in language sufficiently indicative of their real nature. They are "Notes of such recusants as his majesty hath granted liberty to his servants *to make profit of*, by virtue of that power which his majesty hath, to refuse the payment of twenty pounds per mensem, and in lieu thereof to extend three parts of their lands." The first on the list is the Scottish favourite, Lord Hay, to whom are granted, that he may make profit of them the following recusants: Thomas Arundell, of Llanvaern; John Townley, of Townley, Lancashire; John Talbot, of Grafton; John Southcot and William Green, of Essex; and Richard Cotton, of Warblington, Southampton; all of them men of extensive landed property, from whose fears and anxieties there can be no doubt that the Scot-

tish grantee would contrive to reap a very profitable harvest. It was a grievance, however, which lasted in full operation for years, and the reader may imagine the vexation, the heart-burning, the distress which the unfortunate recusants must have felt when they found themselves, without cause on their parts, delivered over, bound and gagged, to the mercy of the spoiler; and, moreover, the feverish excitement and annoying uncertainty in which those who had hitherto escaped must have continued to live, aware as they must have been that the visitation which had befallen their co-religionists, would in its turn fall with equal severity on themselves.<sup>1</sup>

But that which effectually broke the power of the Catholic body in England, by dividing them into two parties marshalled against each other, was the enactment of a new oath of allegiance, for the avowed purpose of drawing a distinction between those Catholics who denied, and those who admitted the temporal pretensions of the pontiffs. The former, who it was supposed would take the oath, were made liable by law to no other penalties than those which have been enumerated; the latter were subjected to perpetual imprisonment, and the forfeiture of their personal property, and of the rents of their lands during life; or, if they were married women, to imprisonment in the common gaol until they should repent of their obstinacy and submit to take the oath.

That James, in the proposal of the last measure, had the intention of gradually relieving one portion of his Catholic subjects from the burden of the penal laws, is highly probable;

He says that almost all the lords had many Catholics, on account of their greater fidelity.

<sup>1</sup> We are indebted to Mr. Tierney (vol. iv. App. ix. p. lxxv.) for the publication of several of these schedules from the originals in the State Paper Office. A few of the

grantees are English, the great majority Scottish. The two latest grants are to Mr. Henry Stuart, laird of Craigiehall, and the lady Elizabeth Stuart (his wife?), to each of whom are granted not fewer than ten very opulent recusants, "to make profit of."

but whether those to whom he committed the task of framing the oath, Archbishop Abbot and Sir Christopher Perkins, a conforming Jesuit, were animated with similar sentiments, has been frequently disputed. They were not content with the disclaimer of the deposing power; they added a declaration that to maintain it was impious, heretical, and damnable. It was evident that many, willing to make the former, would hesitate to swear to the latter; and that the supporters of the obnoxious doctrine would gladly justify their refusal of the oath by objecting to this impolitic and unnecessary declaration. The great, the only point of importance was the rejection of the temporal superiority attributed by many theologians to the pontiff; and it is equally a matter of surprise, that the king on the one hand should have allowed the introduction of a clause calculated to prevent his own purpose, and that the Catholics on the other did not petition that such clause should be totally expunged, or at least cleared from the hyperbolical and offensive epithets with which it was loaded. The oath, however, as it was framed, received the approbation of the legislature; and it was ordered that all recusants convict, that all individuals suspected of Catholicity, because they had not received the sacrament twice in the Protestant church during the last twelve months,

and that all unknown persons travelling through any county, should be summoned to take it, under the heavy penalties which have been already mentioned.<sup>1</sup>

When these enactments were published, they excited surprise and dismay. The French ambassador pronounced them characteristic of barbarians rather than Christians; the lords of the council, ashamed of their own work deliberated on expedients to mitigate their severity; and many Catholics alarmed at the prospect before them, bade adieu to their native country; while those who remained animated each other to forfeit their liberty, property, and lives, rather than forsake their religion.<sup>3</sup> With these the lawfulness of the new oath became a question of the highest import. The missionaries were divided in opinion; the Jesuits in general condemned it, they represented at Rome the necessity of vigorous and decisive measures, while the king of France, on the other hand admonished the pontiff to beware, lest by irritating James, he should give occasion to the final extinction of the Catholic worship in England.<sup>4</sup>

The reigning pope was Paul V. During the discussions in parliament he had despatched a secret envoy to England, who, under the disguise of a messenger from the duke of Lorraine, obtained admission at court. He was the bearer of two letters, o-

<sup>1</sup> Stat. of Realm, iv. 1070—1082.

<sup>2</sup> "Elles sont inhumaines et plus barbares que chrétiennes." — Villeroy à Boderie, June 25. i. 172.

<sup>3</sup> "Beaucoup de Catholiques se préparent à s'en aller: voire y en a de si vieux que je vois ne chercher qu'une terre étrangère pour s'enterrer: et néanmoins si en restent-il encore un si grand nombre, qui s'étonnent point de toutes ses menaces, que c'est certes chose admirable..... La plupart des dames de qualité sont Catholiques, et n'y a pas une qui ne cache chez elle un prêtre." — Boderie, June 21, vol. i. p. 161. "Tant s'en faut que cela fasse perdre cœur auxdits Catholiques, qu'il semble qu'ils s'en

aiment davantage; et au lieu de retirer de ladite religion ceux qui sont reconvertis d'en être, il s'en déclare tous les jours et ne le paroissent point auparavant." — Ib. June 26, p. 178.

<sup>4</sup> "Ils prétendent prouver que l'indigence et patience dont sa sainteté s'est gouvernée avec lui, augmente l'audace des auteurs de tels conseils, empire la condition desdits Catholiques, et sera cause à la fin de leur entière destruction. Ils ont à cette occasion envoyé exprès vers la pape un des principaux de leur compagnie..... Toutefois la sainteté continuera de faire son possible pour maintenir sa sainteté dedans les termes susdits." — Villeroy à Boderie, June 21, p. 150, 200.

to the archpriest instructing him to prohibit by papal authority all seditious and treasonable practices; the other to the king, expressing on the part of the pontiff the deepest detestation of the late plot, and soliciting the royal protection for the innocent Catholics. Though James professed himself pleased, and ordered the accustomed gratuity to be given to the envoy, his answer was cold and unsatisfactory.<sup>1</sup> When Paul learned the failure of this mission, he yielded to the clamour which the enactments in England had excited; and Holtby, who had succeeded to Garnet as superior of the Jesuits, put into the hands of the archpriest a papal breve, condemning the oath of allegiance, as unlawful to be taken, because "it contained many things contrary to faith and salvation." Blackwell, aware of the consequences, received it with feelings of the most profound grief; and refused to notify it officially to his flock, looking upon it as nothing better than the private dictum of Paul V.

The papal breve sharpened the resentment of James. By his orders the bishops began to tender the oath in their respective dioceses, and the recusants by whom it was refused were condemned at the assizes in the barbarous penalties of *premunire*. Three missionaries, lying under the sentence of death for the exercise of their priestly functions, were summoned to take it; they pleaded scruples of conscience, and received orders to prepare for execution. Two owed their lives to the timely intercession of the prince of Joinville and of the French ambassador. Drury, the third, suffered the punishment of a traitor.

He was one of those who had signed the protestation of allegiance to Elizabeth, and who believed in his own judgment that the oath of James was equally admissible. But he dared not prefer his private sentiments before those of the pope, and of many among his brethren, and chose to shed his blood rather than pollute his conscience by swearing to the truth of assertions, which he feared might possibly be false.<sup>2</sup>

In the course of the next summer the archpriest himself fell into the hands of the pursuivants. He had, some time before, publicly announced that the oath, notwithstanding its condemnation by the papal breve, might be conscientiously taken by any English Catholic. Before the commissioners at Lambeth, he avowed the same opinion: at their demand he took the oath, and by a circular informed his assistants and clergy that he had taken it in the sense in which it had been explained by the lawgiver, and exhorted them to follow his example. At court his conduct gave great satisfaction; yet so violent were the prejudices of the zealots, that James, though he lamented the imprisonment of the old man, dared not grant him any other indulgence than that he should not be brought to trial on the capital offence of having received holy orders beyond the sea. He was in his seventieth year; and languished in confinement till his death in 1613.

At Rome it was contended that Blackwell's conduct called for immediate chastisement. The pontiff published a second breve, confirming the former, and condemning the oath for the same general reason, that it con-

<sup>1</sup> See Boderie, i. 123, 284, 300, 327.

<sup>2</sup> When Boderie begged a reprieve for him and his companion Davies, James granted it for the latter, but with so bad a grace that the ambassador determined never

more to ask a similar favour. The real cause of Drury's death was, he says, that a copy of a letter from Father Persons against the oath had been found in his possession.—See Boderie, ii. 102, 256; Howell's State Trials, ii. 358.

tained matter contrary to faith and salvation. Yet Blackwell was still spared. Cardinal Bellarmine and Persons wrote to him admonitory letters, with the hope of reclaiming him; but he replied by long and laboured defences of his own opinion and conduct, till his conversion was despaired of, and the pontiff released him from his office of archpriest by appointing George Birkhead to supply his place. This measure was productive of a deep and long-continued schism in the Catholic body. The greater number, swayed by the authority of the new archpriest and of the Jesuit missionaries, looked upon the taking of the oath as the denial of their religion; but, on the other hand, many, professing to be satisfied by the arguments of Blackwell and his advocates, cheerfully took it when it was offered, and thus freed themselves from the severe penalties to which they would have been subject by the refusal.

By the publication of the second breve, the indignation of James had been raised to the highest pitch. Sending for his favourite theologians, he shut himself up with them in his study, refusing to listen to his ministers, postponing the most urgent affairs of state, and abstaining even from the pleasures of the chase. The fruit of his retirement at last appeared in a tract entitled "An Apologie for the Oath of Allegiance," which was immediately translated into the Latin and French languages.<sup>1</sup> It was followed by the condemnation of six priests for the exercise of their functions; they refused the oath; their obstinacy was not subdued by the perusal of the

king's tract; and three out of the six paid the forfeit of their lives, one at York and two at Tyburn.<sup>2</sup>

The king was now fairly launched on the sea of controversy, where he believed himself an equal match for any opponent. It was not long before he received answers to the "Apologie" from Persons and Bellarmine. Vanity urged him to refute their arguments, resentment to chastise their presumption. His theological coadjutors were again summoned to his closet; his former work was revised, and to it was prefixed an address, called a præmonition to all Christian princes. He made, however, but little progress; every particular question gave birth to endless debates; and what with objections, and improvements and diversity of opinions, it was found that at the end of several weeks, the work was scarcely more advanced than it had been at the commencement. The kings of France and Denmark exhorted him to desist from a contest unworthy of a crowned head. To the former James replied in terms of respect; but the latter he admonished to consider his own age and to blush at his folly in offering advice to a prince so much older and wiser than himself. The queen having tried her influence in vain, turned her anger against the earl of Salisbury whom she suspected of encouraging her husband in this pursuit, that he might govern the kingdom at his pleasure.<sup>3</sup> But though the mountain had been long in labour, though the public had been kept for months in breathless suspense, when the hour of parturition arrived, it was unexpectedly deemed prudent to suppress the birth.<sup>4</sup> A new light had burst on

<sup>1</sup> See Boderie, iii. 103, 131, 164, 190.

<sup>2</sup> Ibid. 227. Challoner, ii. 19—23.

<sup>3</sup> Boderie was, however, of a different opinion. "La présomption seule qu'il a de sçavoir plus en théologie que tous les docteurs du monde, en est l'unique cause."—Ibid. iv. 319.

<sup>4</sup> It was full of dissertations on the vial in the Apocalypse, which made the French ambassador declare that the book was "Le plus fou, s'il m'est loisible d'ainsi parler, et le plus pernicieux que se soit jamais fait sur tel sujet" (iv. 302).

the mind of James: he ordered all the printed copies to be called in, and the work to be again revised and corrected; and after many new alterations, gave it at last to the world in a less voluminous and less offensive form.<sup>1</sup> Special messengers were despatched to present it to the several princes in Europe. By most it was accepted as a compliment, by the king of Spain and the archduke it was peremptorily refused.<sup>2</sup>

Neither the publications of James and his divines, nor those of his ad-

versaries, determined the controversy which continued to divide the Catholics for the greater part of the century. On the one hand, the oath was refused by the majority of those to whom it was tendered; on the other, it was taken by many of considerable weight both among the clergy and laity. Among the latter are to be numbered the Catholic peers (they amounted to more than twenty), who, with a single exception, spontaneously took the oath on different occasions in the upper house of parliament.<sup>3</sup>

<sup>1</sup> See Boderie throughout almost every despatch in the fourth volume. The chief corrections consisted in the arguments to prove the pope to be antichrist, which were now softened down to prove that he was antichrist only in as much as, and as long as, he should pretend to temporal power in the dominions of others.—Winwood, iii. 55, 56, 66. It was called *Apologia pro juramento fidelitatis, præmissa præfatione monitoria*.—Birch, 298, 299.

<sup>2</sup> He also made presents of both the English and Latin editions to the English

prelates. Matthews, archbishop of York, threw himself on his knees to receive them from the messenger, kissed them, promised to keep them as the apple of his eye, and to read them over and over again.—Sir Patrick Young to the king, June 19, 1609. Dalrymple's Memorials, p. 13. See Appendix, III.

<sup>3</sup> This will appear from a diligent perusal of the journals. The lord Teynham alone eluded it, by never attending his duty in parliament more than one day during each session.

## CHAPTER II.

JAMES AND HIS CONSORT ANNE OF DENMARK—INSURRECTION—UNION OF ENGLAND AND SCOTLAND—KING'S EXPENSES—PROCEEDINGS OF PARLIAMENT—MARRIAGE, IMPRISONMENT, AND DEATH OF ARABELLA STUART—DEATH OF PRINCE HENRY—RISE OF CARR, EARL OF SOMERSET—DIVORCE OF EARL AND COUNTESS OF ESSEX—RISE OF GEORGE VILLIERS, DUKE OF BUCKINGHAM—ARREST AND TRIAL OF EARL AND COUNTESS OF SOMERSET—DISGRACE OF COKE—TRANSACTIONS WITH HOLLAND—ERRORS OF VORSTIUS—SYNOD OF DORT—INTRODUCTION OF EPISCOPACY INTO SCOTLAND—VISIT OF JAMES TO EDINBURGH—COMMISSION OF GRACES IN IRELAND—FLIGHT OF TYRONE—PLANTATION OF ULSTER—PROCEEDINGS OF IRISH PARLIAMENT—NEW PLANTATIONS.

WHEN James prorogued the parliament in 1606, he had been more than three years on the throne, and yet had made no progress in the esteem, had acquired no place in the affections, of his English subjects. It was in vain that he sought by speeches and proclamations to earn

the reputation of political wisdom; his inattention to business, and his love of dissipation, provoked remonstrances and complaints. Twice in the week the king of England devoted his time to the amusements of the cockpit;<sup>1</sup> day after day the chase kept him on horseback from the dawn

<sup>1</sup> "Il vit combattre les coqs, qui est un plaisir qu'il prend deux fois la semaine."—

Boderie, i. 56. I observe that the fee of the master of the cocks, two hundred

till the evening;<sup>1</sup> and the fatigue of the chase was always relieved by the pleasures of the table, in which he frequently indulged to excess.<sup>2</sup> The consequence was, that questions of great national importance were suffered to remain unnoticed; and not only foreign ambassadors, but even his own ministers, were occasionally debarred, during weeks together, from all access to the royal presence. On their knees they prayed him to give more attention to the public business; anonymous writers admonished him of his duty by letters; the players held up his foibles to ridicule on the stage; but the king was not to be moved. He replied that he did not intend to make himself a slave; that his health, which "was the health and welfare of them all," required exercise and relaxation; and that he would rather retrace his steps to Scotland, than consent to be immured in his closet, or chained to the council-table.<sup>3</sup>

His consort, Anne of Denmark, had brought with her as her dower the Shetlands and the Orkneys, which for the last century had been pawned to the crown of Scotland. This princess could boast of some pretensions to beauty, to which she added considerable abilities and spirit. She hesitated not to avow her contempt for the weakness of the king; frequently assumed a superiority, which made him feel under constraint in her presence; and on some occasions presumed even to dispute the royal authority. James

was believed to be a faithful husband nor did the voice of scandal, which had been heard only to whisper in Scotland, even dare to breathe upon her character in England.<sup>4</sup> The public voice accused her of favouring the Spanish interest, and of nourishing in her son Henry a contempt for the peaceful disposition of his father; but whether it were suggested by her own prudence, or required by the English council, from the moment of her arrival on this side of the Tweed she abstained in a great measure from political intrigue, and devoted her attention to the amusement and the pageantries of the court pursuits in which she greatly excelled. To display to advantage the grace of her person and the richness of her dress, to exact and receive the homage of all around her, to shine the first among her ladies in a succession of balls and masks, became her principal study. No expense, no decoration was spared to give splendour to these entertainments; the first poets of the age were employed to compose the speeches, the first artist to frame the machinery; and Anne herself, with her favourite attendants surprised and delighted the court by appearing successively in the disguise of a goddess or a nereid, of a Turkish sultana or an Indian princess. There was, however, one drawback from the pleasure of such exhibitions, which will hardly be anticipated by the reader. Ebriety at this period was not confined to the male sex, and on some occasions females of the highest

pounds per annum, was equal to the united salaries of two secretaries of state.—Abstract of the King's Revenue, p. 45, 47.

<sup>1</sup> See the letters in Winwood, ii. 46; Lodge, iii. 245, 247, 311, 332, 335, 337; Boderie, i. 195, 302, 396; ii. 101.

<sup>2</sup> See Boderie, i. 241, 283; iii. 197.

<sup>3</sup> Ibid. i. 302, 310; ii. 244, 279, 440; iv. 21. Winwood, ii. 54, 217. The players represented him in his passion, sometimes cursing his hounds and falcons, sometimes striking his servants, and drinking to in-

toxication at least once a day.—Boderie, iii. 196, 197. On one occasion the king's favourite dog Jowler, which had been lost returned with the following letter tied to his neck. "Good Mr. Jowler, we pray you speak to the king (for he hears you ever day, and so doth he not us), that it will please his majestie to go back to London for els the contry wil be undone: all our provision is spent already, and we are no able to intertayne him longer."—Lodge iii. 245. <sup>4</sup> Peyton, 332, 335, 339, 346.

distinction, who had spent weeks in the study of their respective parts, presented themselves to the spectators in a state of the most disgusting intoxication.<sup>1</sup>

James had scarcely recovered from the panic excited by the gunpowder treason, when he was alarmed by an insurrection in the very heart of the kingdom. It was provoked by the rapacity of the lords of manors, who had enclosed for their own use large parcels of lands which had hitherto been common, and had thus diminished the usual means of subsistence to their poorer tenants. The practice was begun by those who, having obtained church lands during the Reformation, sought to make the most of their new possessions; and it had been continued to the reign of James, in defiance of popular tumults, legislative enactments, and royal proclamations. There was no grievance which the people felt more keenly, or which they were more disposed to redress by open violence. Of late the individuals, to whom the forfeited lands of the gunpowder conspirators had been given, had encroached on the commons as others had done before them; the sufferers, being joined by their neigh-

bours who could remember similar provocations, presented a remonstrance to the council; and finding their complaint treated with neglect, assumed the right of doing justice to themselves. Suddenly lawless assemblages of men, women, and children were observed in the three counties of Northampton, Warwick, and Leicester. They seldom amounted to less than one thousand men; at Hill Norton, the former estate of Francis Tresham, they reached to three, at Cottesbich to five, thousand. They appeared to be under the guidance of certain unknown persons, who were never seen in public without masks; Reynolds, the avowed leader, took the name of Captain Pouch, from an enormous pouch which he carried on one side. This man was an impostor or an enthusiast. He pretended to act under the inspiration of God, and with the license of the king; he pronounced himself invulnerable, and declared that he carried in his pouch a spell which would insure success to his followers. He strictly forbade them to use profane words, to employ personal violence, or to perform any illegal act, which was not necessary for the abatement of the new enclosures.

<sup>1</sup> When Christian IV. of Denmark visited the king in 1606, Cecil gave a grand entertainment and mask at Theobalds, in honour of the royal stranger. The following extract from a letter written by one of the guests will amuse the reader. "Those whom I never could get to taste good liquor now follow the fashion, and wallow in beastly delights. The ladies abandon sobriety, and are seen to roll about in intoxication. After dinner the representation of Solomon his temple, and the coming of the queen of Sheba was made, or (as may I better say) was meant to have been made.....The lady who did play the queen's part, did carry most precious gifts to both their majesties; but forgetting the steppes arising to the canopy, overset her caskets into his Danish majesty's lap, and fell at his feet, though I rather think it was in his face. Much was the hurry and confusion; cloths and napkins were at hand to make all clean. His majesty then got up and

would dance with the queen of Sheba, but he fell down and humbled himself before her, and was carried to an inner chamber, and laid on a bed of state, which was not a little defiled with the presents of the queen .....The entertainment and show went forward, and most of the presenters went backward or fell down; wine did so occupy their upper chambers. Now did appear in rich dress Hope, Faith, and Charity. Hope did assay to speak, but wine did render her endeavours so feeble that she withdrew. Faith was then all alone, for I am certain she was not joynd with good works, and left the court in a staggering condition. Charity came to the king's feet, and seemed to cover the multitude of sins her sisters had committed, in some some sorte she made obeysance, and brought gifts..... She then returned to Hope and Faith, who were both sick and spewing in the lower hall."—Nugæ Antiquæ, i. 348, 349, 350, edit. 1804.

They faithfully obeyed his orders. The park walls were demolished, fences levelled, and dikes filled up. Wherever the rioters appeared, the inhabitants received them with expressions of joy, and through fear or affection, supplied them with tools and provisions. If any gentleman ventured to remonstrate, he was immediately placed among the labourers, and compelled to join in the work of demolition.

At the first report of this commotion James knew not whether to suspect the Catholics or the Puritans: the guards in the palace were doubled; and the lord mayor was instructed to watch the motions of the apprentices within the city. More accurate information relieved his terrors. The insurgents were commanded by proclamation to disperse; but they maintained that their occupation was lawful; they were employed in executing the statute against new enclosures. The lords lieutenant endeavoured to raise the counties; but few of the inhabitants were disposed to incur the resentment of their poor and exasperated neighbours. At last the noblemen who possessed lands in the disturbed districts were ordered to repair to their estates; and the gallants at court received a hint that their services would be more acceptable in the field. Thus several bodies of horse were gradually formed: they hastened to the disturbed districts, and traversed them in every direction, charging, routing, and slaying the insurgents wherever they attempted to make resistance. To the commissioners appointed to punish the guilty, James recommended moderation and pity. The people, he observed, were not so much to blame. They had been oppressed; and, had not the council intercepted their petitions,

would have found redress from his justice. This was the cause of their rising. If they had transgressed the law, they had been driven to it by the rapacity of their lords and the neglect of the ministers. Captain Pouch and his chief associates suffered as traitors, because they had appeared in arms against the king; several of his followers as felons, because they had not dispersed at the reading of the proclamation. This insurrection, so slowly but easily suppressed, proved the weakness of the government; but the French ambassador must have been strangely deceived by his intelligence, or blinded by his prejudices, when he assured his court that if any nobleman of talent and popularity had placed himself at the head of the rioters, he would have found it no difficult task to drive back the Scottish prince to his native country.<sup>1</sup>

In the estimation of thinking men the ministers were not less culpable than their sovereign. If he displayed no solicitude to establish himself in the affections of his English subjects, they were thought too willing to indulge him in that indolence and dissipation, which transferred to them in a great measure the government of the kingdom. The chief among them were Cecil (who in 1604 had been created Viscount Cranborne, and in the next year earl of Salisbury) and Henry Howard, earl of Northampton, who, from sworn brothers and associates, had at last become rivals in the pursuit of wealth and power.<sup>2</sup> But it was not long before Salisbury secured the ascendancy. His slow and cautious policy, the fertility with which he invented expedients to disguise his own projects, and the sagacity with which he discovered the real or ima-

<sup>1</sup> Stowe, 889. Boderie, ii. 279, 291, 299, 312.

<sup>2</sup> Boderie, ii. 135, 201, 440; iii. 344; iv. 21.



inary designs of foreign courts, en-  
 leared him to the timid and suspi-  
 cious disposition of James, and the  
 familiar appellation of "my little  
 eagle,"<sup>1</sup> proved the high place which  
 he held in the estimation of the  
 sporting monarch. Northampton was  
 thought to lean towards the interest  
 of Spain; while his more wary rival  
 flattered the secret though unavowed  
 inclination of the king, who, afraid  
 of waging open war against that  
 power, laboured by clandestine means  
 to support and multiply its enemies.  
 It chanced, however, that Anne  
 quarrelled with Northampton: a  
 forced reconciliation, procured by the  
 authority of James, settled into a  
 rooted antipathy; and Salisbury im-  
 proved the opportunity to secure to  
 himself the good graces of a princess,  
 who, with her son, the heir apparent,  
 had hitherto looked on him as a  
 secret enemy. He resigned to her  
 the property of his house at Theo-  
 balds; and though he received in  
 exchange more than double the value,  
 had the art to persuade the king and  
 queen that he had done them a  
 favour.<sup>2</sup> From the year 1599 he had  
 been master of the court of wards,  
 the most lucrative office possessed by  
 any subject in Christendom:<sup>3</sup> now,  
 on the death of the earl of Dorset, he  
 succeeded him as lord high treasurer,  
 at the special request of the king.<sup>4</sup>  
 This was a grievous mortification to  
 his rival, who had openly solicited  
 the office: as a compensation James  
 bestowed on Northampton that of  
 keeper of the privy seal, which if it  
 were inferior in rank and emolument,

yet gave precedence in the council,  
 and brought with it the allowance of  
 a plentiful table at court, and fees to  
 the annual amount of five thousand  
 pounds.<sup>5</sup>

Among the projects which James  
 had formed, there was one upon  
 which he had set his heart, but in  
 which he was strongly opposed by  
 the prejudices of his subjects of both  
 nations. His accession had given to  
 England and Scotland the same head;  
 he wished to unite them in one body.  
 Their obedience to a common sove-  
 reign had removed the ancient causes  
 of hostility; but the king looked to a  
 more perfect incorporation, which  
 should communicate to all his sub-  
 jects the same rights, and should  
 make them all amenable to the same  
 laws. It was a magnificent, but a  
 premature and therefore an impru-  
 dent design. James seems not to  
 have been aware of the force of na-  
 tional prejudice; that animosities  
 which have been growing for ages are  
 not to be eradicated in two or three  
 years; and that the laws and insti-  
 tutions of a people cannot be changed  
 at once, unless by the stern decree of  
 a conqueror. The name of union  
 was received with horror by the  
 Scots, who associated with the sound  
 the idea of national subjection; by  
 the English with scorn, as an invi-  
 tation given to their poorer neigh-  
 bours to descend from their moun-  
 tains, and fatten on the good things  
 of the land. The liberality of the  
 king to his Scottish followers had  
 created a strong prejudice against any  
 measure which might draw more of

<sup>1</sup> Lodge, iii. 272. Sydney Papers, ii. 352.

<sup>2</sup> "On lui baille par ladite échange une terre beaucoup plus noble, en beaucoup plus belle assiette, autant et plus de domaine et beaucoup meilleurs, et deux cens mille francs pour bâtir une autre maison.....néanmoins encore a-t-il fort obligé le roi son maitre."—Boderie, ii. 254.

<sup>3</sup> Winwood, i. 41. Boderie valued it at one hundred thousand crowns. In this

court he disposed of the marriages of widows, and leased out the lands of minors for one-third of the real worth.—Aulica Coquin. 155.

<sup>4</sup> "My master hath laid this honour upon me without suit and without merit."—Sydney Papers, ii. 326. But Boderie says it was procured for him by the queen (iii. 302).

<sup>5</sup> Ibid, iii. 248, 302. Winwood, ii. 399.

his countrymen into England; and the pretensions of the Scottish nobility to take precedence according to the antiquity of their titles, had alarmed the pride of many among the English peers who belonged to new families, the descendants of men ennobled since the Reformation.<sup>1</sup> By the English parliament the king's proposal was received with coldness, by the Scottish with aversion; nor could the prayer of James obtain from the former, nor his threats extort from the latter, anything more than the appointment of commissioners to meet and deliberate on the question. These, after several conferences, agreed that all hostile laws between the two kingdoms ought to be repealed; that the border courts and customs should be abolished; that there should be free intercourse of trade throughout the king's dominions, and that the subjects of each should be naturalized in the other.<sup>2</sup> Though these propositions did not equal the expectations of James, he was content to accept them as a foundation for the superstructure which he meditated, and therefore assumed by proclamation the new style of King of Great Britain.<sup>3</sup> When, however, they were laid before the parliament, the two first only were adopted. The king addressed the Commons by letter; he harangued them in person; he detailed the advantages of the proposed measures; he answered their

objections; he assured them of his equal attachment to his subjects of each nation.<sup>4</sup> But his eloquence was poured in vain; it only provoked angry discussions, in which his own conduct was not spared, and the foulest aspersions were thrown on the national character of his countrymen.<sup>5</sup> Such language exasperated the pride of the Scots; they scorned a benefit which was grudged to them by the jealousy of their opponents; and the inflexible hostility of the two people compelled the king to withdraw his favourite question from the consideration of either parliament.<sup>6</sup>

He had, however, the means of establishing the naturalization of all his subjects in both kingdoms by a decision in the courts of law. During the conferences several of the judges had given their opinion that all persons born under the king's obedience were by that very circumstance naturalized in all places under his dominion at the time of their birth; a doctrine most important in its consequences; for, though it excluded the generation in existence at his accession, yet it comprehended all that followed it, and would of course confer in a few years the benefit of naturalization on all the natives of both countries. James was careful to inculcate this doctrine in the proclamation by which he assumed his new title; and it was supported

<sup>1</sup> Boderie, i. 425, 440. Winwood, iii. 117.

<sup>2</sup> Winwood, ii. 20, 38. Journals of Commons, 318—323. It is a singular circumstance that the commissioners held these conferences in the very mansion which Percy had hired for the purpose of working the mine under the parliament-house; so that the conspirators were for several weeks prevented from commencing their work.

<sup>3</sup> Rymer, xvi. 603.

<sup>4</sup> See his speeches in the Journals, 314, 357, 366; Somers's Tracts, ii. 118; and his letter in Lodge, iii. 232. The chief opposition was in the Commons: in the Lords it had been confined to the earls of Arundel, Pembroke, and Southampton, and the lords

Mounteagle and Burghley. James sent for them, reproached them with ingratitude, and dismissed them, after they had promised on their knees to give him their votes in future.—Boderie, ii. 200.

<sup>5</sup> For a speech of this description Sir Christopher Pigott was dismissed from his place, and sent to the Tower.—Journals, 333, 335. The king had said that through affection for the English he dwelt in England: one of the members observed, that he wished he would show his affection to the Scots by going to reside among them, for procul a numine procul a fulmine.—Boderie, ii. 223.

<sup>6</sup> Boderie, ii. 142, 148, 302.

by ten out of eleven judges who were consulted by the house of lords. But the commons refused to submit to their authority; and, to bring the question to an issue, two suits, one in the Chancery, another in the King's Bench, were instituted in the name of Robert Calvin, a native of Scotland, born since the death of Elizabeth. It was pleaded in abatement that he was an alien; and a demurrer to the plea brought the question into the Exchequer Chamber for the solemn opinion of the judges. Two, Walmesley and Foster, pronounced against Calvin; the other twelve, with the lord chancellor, in his favour. The right of the postnati was thus established; though the legality of the decision remained still a question among the most eminent lawyers, many of whom contended that the opinion of the judges had been influenced by the wishes of the sovereign.<sup>1</sup>

The incorporation of the two kingdoms, and the uniformity of religious worship, were the only two questions on which the king distrusted the judgment of his favourite minister. In regard to the first, he suspected him of national prejudice; to the latter, of secret puritanism. On all other questions of importance James

consulted [him as an oracle, and was uniformly governed by his advice.<sup>2</sup> But Cecil found that his cares multiplied with his honours, and that his new office of treasurer, if it invested him with wealth and patronage, also surrounded him with difficulties, which, with all his ingenuity, he was unable to surmount. In Scotland the king had lived in poverty, the pensioner of Elizabeth; when he ascended the English throne he fancied himself in possession of riches which no prodigality could exhaust. His household, and those of his queen and children, were calculated on the most extensive scale;<sup>3</sup> his entertainments were of the most costly description; and his presents to his Scottish followers and to foreign envoys, to those who claimed reward for their services or had the good fortune to attract his favour, were valuable and profuse beyond precedent.<sup>4</sup> He was not to be deterred by remonstrance. To spend was *his* province, to provide money that of his ministers. The treasury was drained; privy seals and forced loans, the usual expedients of his predecessors, produced but scanty and occasional supplies; and so great was the royal poverty, that sometimes the

<sup>1</sup> See Moore's report of the proceedings in parliament, Coke's report of Calvin's case, and the speeches of Bacon and Ellesmere, printed in the second volume of Howell's State Trials, p. 559—696. That the dissentients were Foster and Walmesley, justices of the court of Common Pleas, is plain from the assertion of the chancellor that their surnames were Thomas. There was only one other judge of that name, Fleming, who, both in the House of Lords and in the Exchequer Chamber, gave his voice for the affirmative.

<sup>2</sup> Boderie, ii. 356; iii. 225, 302; iv. 39.

<sup>3</sup> Even the household of Henry and Elizabeth, two children, amounted to a hundred and forty-one persons, fifty-six above, and eighty-five below stairs.—Birch's Life of Prince Henry, p. 35. Lodge, iii. 182, 254. In 1610 that of the prince alone had increased to four hundred and twenty-six individuals, of whom two hundred and ninety-seven were in the receipt of salaries, besides the workmen employed under Inigo

Jones.—Archæol. xii. 85.

<sup>4</sup> Lodge, iii. 180. Winwood, ii. 43; iii. 117. Thus, for example, at the marriage of Sir Philip Herbert with Lady Susan Vere, he made the bridegroom a present of lands to the yearly value, as some say, of five hundred pounds, as others, of one thousand two hundred pounds. At the marriage of Ramsey, Viscount Haddington, with Lady Elizabeth Ratcliff, he paid Ramsey's debts, amounting to ten thousand pounds, though he had already given him one thousand pounds per annum in land (Winwood, ii. 217), and sent to the bride a gold cup, in which was a patent containing a grant of lands of six hundred pounds a year.—Lodge, iii. 254, 336. Boderie, iii. 129. From the abstract of his revenue I find that his presents at different times in money to Lord Dunbar amounted to fifteen thousand two hundred and sixty-two pounds; to the earl of Mar to fifteen thousand five hundred pounds; to Viscount Haddington to thirty-one thousand pounds.

purveyors refused provisions for the king's table; sometimes the treasurer was surrounded in his carriage by the inferior officers of the court, clamorously demanding the arrears of their salaries.<sup>1</sup>

It was fortunate for Cecil that when he took his seat at the treasury only a portion of the three subsidies voted in the last parliament had found its way into the royal coffers. The remainder, as it came in, was by his direction put aside to satisfy the king's creditors; to it were added several large sums raised by the sale of lands belonging to the crown; and in the course of two years the royal debts were reduced from thirteen to four hundred thousand pounds. At the same time, to cover the annual deficiency of the income, he had recourse to the feudal aid of twenty shillings from every knight's fee towards the knighthood of the king's son, and to the imposition of additional duties, by the sole power of the crown, on almost every article of foreign commerce.<sup>2</sup> The legality of this proceeding was indeed disputed by the country; but the court of Exchequer gave judgment in favour of the king, in opposition to the general doctrine that, according to law, no public money could be raised unless by virtue of an act of the legislature.<sup>3</sup>

For more than two years the parliament had been successively prorogued, through the unwillingness

of James to meet the men who had presumed to question his prudence and to speak irreverently of his pleasures. In 1610 his obstinacy was compelled to yield to necessity; and though he declined to open the session in person, he consented, in order to propitiate the Commons, to replace on the commission of the peace those members whom he had previously removed in punishment of their opposition to his measures. In a conference of the two houses, the treasurer ventured to explain his new plan of finance. In the first place he demanded an immediate supply of six hundred thousand pounds to relieve the existing wants of the king and secondly, a yearly addition of income to the amount of two hundred thousand pounds, to prevent their recurrence. In return, he exhorted them to make known their grievances and promised that the liberality of the sovereign to his people should be commensurate with their liberality to him. The proceedings which grew out of this communication will prove interesting to those who study the constitution of their country.<sup>4</sup>

1. Considerable rivalry had long existed between the courts of common and civil law; the latter bitterly complained of the "prohibitions" issued by the former; and James, in his attempts to silence these disputes could not conceal his predilection in favour of a code which magnified the

<sup>1</sup> Boderie, ii. 16, 413, 427, 440; iii. 70, 72, 103, 189. Lodge, iii. 172. Molino's report, MS.

<sup>2</sup> See Boderie, iii. 342, 421; iv. 370. Winwood, iii. 123. The aid of twenty shillings produced only twenty-one thousand eight hundred pounds.—Abstract of his Majesty's Revenue, p. 10. The new impositions were laid at the rate of five per cent. on the value of the goods, and were calculated to have produced five hundred thousand pounds more per annum.—Boderie, iii. 342. At first they must have had a contrary effect, if it be true that "the customs of London fell that year twenty-four thousand pounds, and fewer ships arrived by three hundred and sixty."—

Winwood, iii. 155. It will perhaps appear singular to the reader that Cecil himself should have been the farmer of the customs. In 1604 he had taken them at an advance of twenty-eight thousand six hundred pounds.

<sup>3</sup> In the court of Exchequer judgment was given against Bates, a merchant, who had paid the legal poundage of two shillings and sixpence per hundred-weight on a cargo of currants, but refused to pay the impost of five shillings in addition.—The speeches of the two judges, Clark and Fleming, may be seen in Howell's State Trials, ii. 382—395.

<sup>4</sup> Winwood, iii. 123, 124. Boderie, v. 159. Journals, 393.

power and the rights of the sovereign. A law dictionary, entitled "The Interpreter," had been lately published by Dr. Cowel, an eminent civilian, at the solicitation, it was supposed, of the archbishop, and with the private approbation of James. Under the heads of "king, subsidy, parliament, and prerogative," Cowel had laid down principles subversive of the liberties of the subject. Transferring to the king of England all those powers which had been exercised by the emperors of Rome, the author contended that he was not bound by the laws of the realm; that in virtue of his prerogative he could make laws without the consent of parliament; and that if the two houses were summoned to concur in the grant of subsidies, it was a mere matter of favour, not of right. The Commons were alarmed; they claimed the aid of the Lords to punish the author of doctrines so new and unconstitutional; and James, unwilling to provoke those whom it was his interest to conciliate, informed both houses by message that having sent for the author, and considered his explanation of the objectionable passages, he had determined to suppress the work, and to look on those who should defend it as his enemies. Cowel expiated his offence by a short imprisonment; the sale of his book was forbidden by proclamation.<sup>1</sup>

2. A motion to inquire into the legality of the impositions had been made and entertained in the House of Commons. James, in a speech which scandalized the saints and alarmed the patriots, read them a long lecture on the numerous points

in which kings were the representatives and the images of God. Like him they could make and unmake, exalt and debase, give life or death; like him they were the judges of all, but accountable to none; and like him they claimed both the affections of the souls and the services of the bodies of their subjects. If it were blasphemy to deny the power of God, so it was sedition to deny the power of the king. Such was he as king in the abstract; but, as king of England, it was, and always would be, his intention to govern according to the law of England. He was always ready "to make the reason appear of his doings," but would never suffer any question to be made of his power. He therefore forbade them to dispute the right of levying impositions, though if they thought proper they might inquire into the exercise of that right.<sup>2</sup> But the prohibition was disregarded; they appointed a committee to search for precedents, and the discussion occupied the house during the remainder of the session. In favour of the prerogative, the crown lawyers appealed to the "reverence of past ages, and to the possession of present times;" they maintained that the practice of imposing duties on imports and exports had been in full vigour during the reigns of the three first Edwards; and that, if it had been interrupted from Richard II. to Mary (an interval of two centuries), it had been renewed by that princess, and continued by her sister Elizabeth. It was replied that none of the more ancient precedents bore any resemblance to the late illegal measure;

<sup>1</sup> Journals of Commons, 400, 409; of Lords, 561, 563. Coke's Detection, 59.

<sup>2</sup> James's Works, 529. Journals of Lords, 597; of Commons, 430. The king's speech gave much discontent. He strained the prerogative so high, that men began to fear "they should not leave to their successors

that freedom they received from their forefathers, nor make account of any thing they had, longer than they listed that governed."—Winwood, iii. 175. The writer of the letter hinted, however, that the treasurer would maintain his doings, knowing that though men storm ever so much, yet *vanæ sine viribus iræ*.—Ibid.

they were licenses for the import or export of forbidden articles, or attempts to raise money in times of necessity, which had always excited complaints, and had generally been followed by redress; that the instance alluded to in the reign of Mary, though illegal in itself, was reasonable in its motive, as it proved to be no more, in fact, than an expedient to defeat an evasion of the duty fixed by the law;<sup>1</sup> and that to raise money by the sole authority of the crown was contrary to Magna Charta, to the statute *De tallagio non concedendo*, and to twelve other parliamentary enactments. It is evident that the opposition members had the better of the argument, though they had to contend against the eloquence and ingenuity of Sir Francis Bacon, the solicitor-general.<sup>2</sup>

3. To exonerate themselves from the feudal burthens, the Commons demanded the abolition of purveyance, and the exchange of every other kind of tenure into that of free and common soccage. To the first the king made no objection; but he absolutely refused, as dishonourable to himself, and to the gentility of England, to reduce all his subjects, "noble and base, rich and poor, to hold their lands in the same ignoble manner." It was at length resolved that the honours, rents, personal services, suits in courts, escheats and reliefs, should remain, while wardships, the mar-

riages of infants and widows, and other onerous and oppressive services should be done away. On these terms the Lords accepted the office of negotiating between the king and the Commons. James gradually reduced his demand from three hundred thousand pounds to two hundred and twenty thousand pounds per annum; they gradually rose from one hundred thousand pounds to one hundred and eighty thousand pounds. The difference was not great; but each party refused to advance another step, till the threat of a dissolution prevailed on the Commons to make a last offer of two hundred thousand pounds, which was gladly accepted by Cecil, as the fruit of his address and perseverance. Nothing remained but to assign the funds from which this new revenue was to be raised; but the session had been protracted into the midst of summer; it was agreed to resume the subject after the prorogation, and the paltry aid of one subsidy, and one tenth and fifteenth was granted for the support of the royal household during the interval.<sup>3</sup>

4. Besides these great objects of contention, the Commons presented several petitions for the redress of particular grievances, to which the king replied principally at the end of the session. Some he granted; to others he promised to give the most serious attention; a few he unequivocally refused.<sup>4</sup> Among them the reader

<sup>1</sup> The exporters of wool, to evade the high duty, manufactured it into a very coarse kind of cloth, which paid only four shillings and fourpence. Mary, as a compensation, raised this duty to five shillings and sixpence.

<sup>2</sup> Winwood, iii. 175. See Bacon's argument in his Works, ii. 223; the answers of Hakewell and Yelverton in Holwell, ii. 407-519; Boderie, v. 271, 355. Salisbury, to excuse his conduct, alleged the example of the last lord treasurer, the assent of the merchants which he had obtained, and the judgment of the barons of the Exchequer. "So that if there was a fault, he was still *rectus in curia*."—Birch's Negotiations, p. 320.

<sup>3</sup> Journals of Commons, 410, 448, 451; of Lords, 660, 662. Winwood, iii. 129, 131, 145, 153, 155, 193, 201. Lodge, iii. 189. A tenth and a fifteenth were a fixed sum, thirty-six thousand five hundred pounds; a subsidy varied in amount. In the beginning of Elizabeth's reign it is said to have reached to one hundred and twenty thousand pounds; at the end to no more than seventy-eight thousand pounds.—Journals, 448. On this occasion, though the three counties of Northumberland, Cumberland, and Westmoreland, were rated for the first time, it raised only sixty-nine thousand six hundred and sixty-six pounds.—Abstract of his Majesty's Revenue, p. 71.

<sup>4</sup> To the complaint that some of his pro-

will be surprised to learn that there was one praying that, in cases of prosecution for capital offences, the prisoner might be allowed to bring forward witnesses in his own defence. James replied, that he could not in conscience grant such an indulgence. It would encourage and multiply perjury. Men were already accustomed to forswear themselves even in civil actions; what less could be expected. When the life of a friend was at stake?<sup>1</sup>

During these protracted disputes there was one subject on which all parties were, as usual, unanimous,—the persecution of the Catholics. At the petition of the two houses, James issued a proclamation against priests and Jesuits; an act was passed praising the ability displayed by him in his controversy with Bellarmine, and ordering, under the penalty of premonition, that all persons under the age of eighteen should take the oath of allegiance framed by his majesty, and, “for the reformation of married women, popish recusants,” it was provided that they should be committed to prison, and remain there till they would receive the sacrament in the church, unless they should be re-

deemed by their husbands, with the payment of ten pounds per month.<sup>2</sup> The loss of the journals has deprived us of the particulars of the next session; but we know that the Commons added to their former demands; that the king pertinaciously adhered to his last offer; and that, after repeated threats, he prorogued the parliament for nine weeks. This interval was employed in secret intrigues to weaken the ranks of the opposition; but the attempt failed, and on the appointed day the parliament was dissolved.<sup>3</sup> To Cecil the failure of his favourite plan proved a source of the most bitter vexation.<sup>4</sup> He had indeed negotiated treaties with the French monarch and the States-general, both of which powers promised to pay by distant instalments their debts to the English king. But these offered at present no sufficient resource. The treasury was empty; the officers of the crown demanded their salaries; and the old expedients were repeated of offering a portion of the crown lands for sale, and of sending privy seals for loans of money into the different counties;<sup>5</sup> but he lived not to see the effect of

clamations tended to alter the law, others to inflict punishment before trial, James answered that he would revise his proclamations, reform them where cause should be found, and issue none which were not conformable to the laws, or to the practice of his predecessors in cases of necessity.—*Lords' Journals*, 659. *Somers's Tracts*, ii. 162. In consequence the judges were consulted respecting two proclamations, one prohibiting new buildings in and about London, the other the making of starch from wheat. The counsellors urged that every precedent must have a beginning; that, if there were no precedent for such things, it was time to make one, in order to support the royal prerogative. But the judges replied that no proclamation could make that an offence which was not one before, because that was to alter the law, which could only be done by act of parliament. Proclamations were useful to inform the subjects of the penalties to which offenders were liable by law, but they could effect nothing more.—12 *Coke's Reports*, 74.

<sup>1</sup> *Journal of Commons*, 451; of *Lords*, 658. *Winwood*, iii. 193. <sup>2</sup> *Stat. iv.* 1162.

<sup>3</sup> *Journals of Lords*, 684, 685. *Winwood*, iii. 124, 235. *Boderie*, v. 492, 510.

<sup>4</sup> Much praise has been given to him for his disinterestedness in this attempt, as he would have lost his lucrative office in the Court of Wards.—*Winwood*, i. 41. But, if we may believe *Boderie*, an indemnification for himself entered into his plan; he meant to demand forty thousand pounds in money, and two hundred pounds a year in land.—*Boderie*, App. 10, vol. v. p. 189. On the 17th of July he hinted his loss to the Commons; and on the 19th Sir Maurice Berkeley moved that the house would remember the honour, the dignity, and the profits of the earl, who thus surrendered so valuable an office.—*Journals*, 451, 452.

<sup>5</sup> *Winwood*, iii. 235, 239, 301. “The privy seals are going forth, but from a trembling hand, least that sacred seal should be refused by the desperate hardness of the prejudiced people.”—*Ibid.* 309. They raised, however, one hundred and eleven thousand

these measures; his constitution sunk under the depression of his spirits;<sup>1</sup> the waters of Bath produced no alleviation; and he expired at Marlborough on his way back to London.<sup>2</sup>

While Cecil had laboured in vain to supply the wants of the treasury, the king's attention had been occupied by occurrences within the circle of his own family. The reader is already acquainted with his cousin-german, Arabella Stuart. Her descent, like his own, from Margaret, the eldest daughter of Henry VII., had formerly taught him to look upon her as a rival; and a suspicion haunted his mind that her pretensions, if they were suffered to survive her, might prove dangerous to his own posterity. He treated her indeed as his kinswoman, granting her a pension for her support, and allotting her apartments in the palace; but at the same time he secretly condemned her in his own breast to a state of perpetual celibacy. In her childhood she had been acquainted with William Seymour, son to Lord Beauchamp; their friendship as they grew up ripened into a more tender passion; and an officious courtier revealed to the king that Seymour had made to her a proposal of marriage. New terrors instantly sprung up in the royal mind, for Seymour had also pretensions to the crown, being equally descended from Henry VII.,

through Mary, the sister of Margaret. The lovers were twice summoned before the council, reprimanded for their presumption, and forbidden on their allegiance to marry without the royal permission.<sup>3</sup> They submitted till the next interview: a furtive marriage took place; and Arabella, when she reflected on her disobedience, sought to quiet her apprehensions with the recollection of a promise which she had recently extorted from James, that he would not oppose her union with any nobleman, provided he were one of his own subjects. A few days dissipated the illusion. He was committed to the Tower—*she* to the custody of Sir Thomas Parry, at Lambeth.<sup>4</sup> Their fate, however, excited pity. Stolen interviews were suffered by the negligence or the connivance of the warders; and the king, to insure their separation, ordered Arabella to be removed to the city of Durham. She refused to leave her chamber; but the officers carried her in her bed to the water-side, placed her in a boat, and conveyed her to the opposite bank. She had reached Barnet, when James, on the report of his own physician, relented, and allowed her to reside a month at Highgate, for the recovery of her health. There her apparent resignation to the royal will deceived all around her; and on the very day on which the bishop of Durham departed

and forty-six pounds, which was not repaid five years later.—Abstract, p. 11. There was also a silver-mine in Scotland, which excited great expectations.—Boderie, iii. 128, 162, 189, 424. It produced ore to the value of one thousand pounds, which in working cost three thousand and fifty-nine pounds.—Abstract, p. 10, 13.

<sup>1</sup> Winwood, iii. 332. "What is worst of all, he is melancholy, and heavy-spirited; so it is on all hands concluded that his lordship must shortly leave this world, or at least disburden himself of a great part of his affairs" (338). February 17.

<sup>2</sup> "Your majesty hath lost a great subject and a great servant. But, if I should praise him in propriety, I should say that he was a more fit man to keep things from getting

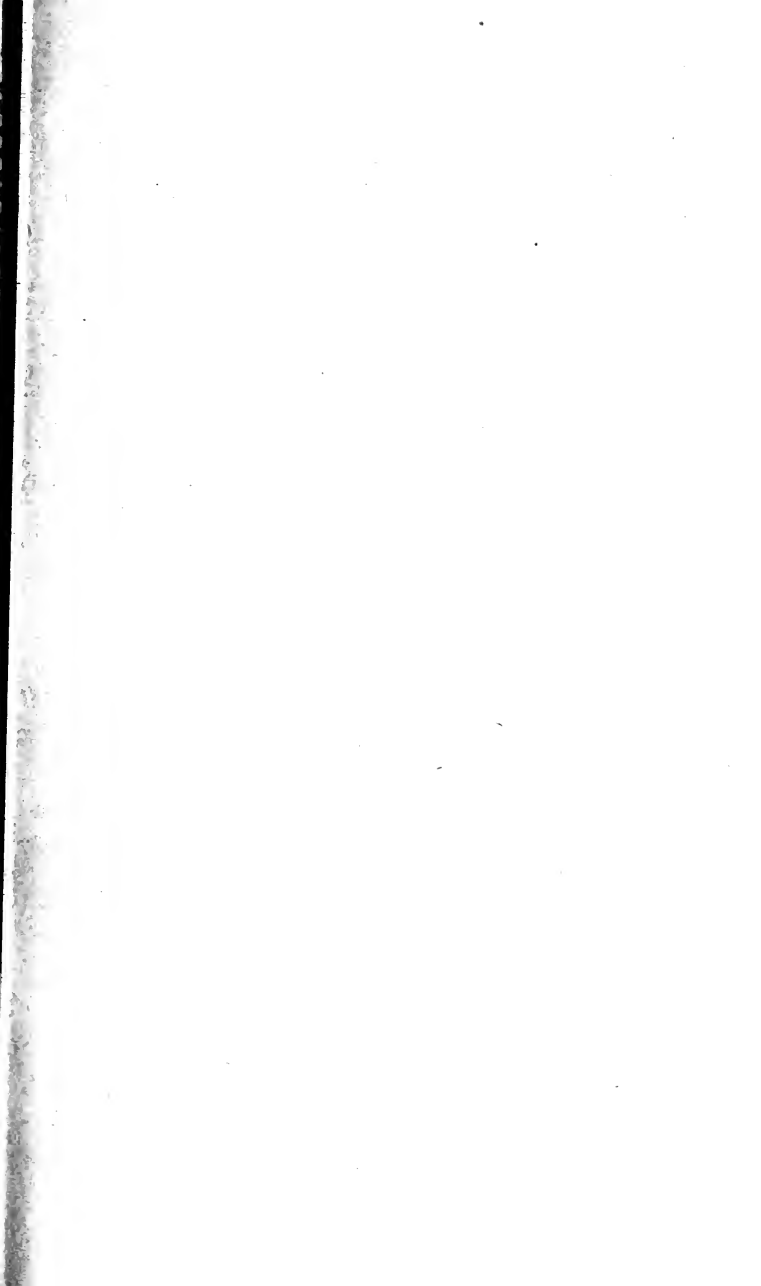
worse, but no very fit man to reduce things to be much better. For he loved to have the eyes of all Israel a little too much on himself, and to have all business still under the hammer, and like clay in the hands of the potter, to mould it as he thought good, so that he was more in operation than in opere."—Bacon, vi. 52.

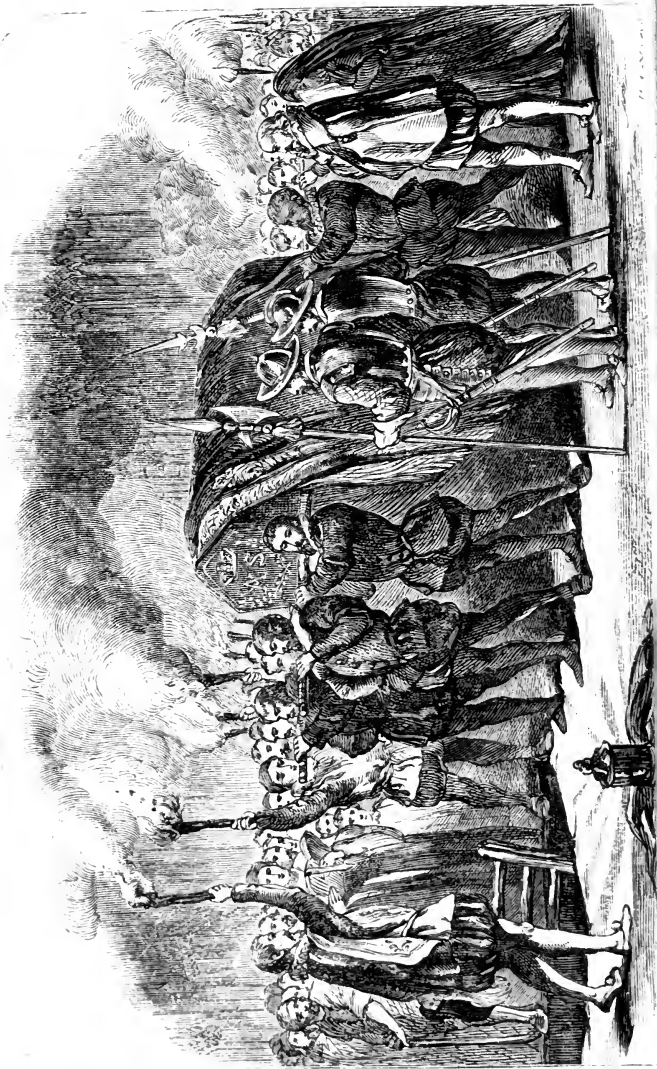
<sup>3</sup> Winwood, iii. 117, 119.

<sup>4</sup> Boderie, v. 357. Winwood, iii. 201. Melville, the Scottish minister, who had been committed for a sarcastic epigram on the altar in the royal chapel, welcomed Seymour with the following lines:

"Communis tecum mihi causa est carceris, Arabella tibi causa est, araque sacra mihi."—Winwood, *ibid.*







to provide lodgings for his distinguished guest, she left the house in male attire, rode to Blackwall, and, descending the river, was taken up by a French bark hired for the purpose.<sup>1</sup> At the same hour, Seymour, disguised as a physician, passed unsuspected through the western gate of the Tower; a boat was in readiness to convey him to the bark; but the French captain, agitated by his fears, refused to wait, and, in opposition to the entreaties of Arabella, proceeded out to sea; while Seymour, uncertain of the course taken by his wife, prevailed on a collier, for the sum of forty pounds, to land him on the coast of Flanders. The intelligence of their escape revived and confirmed the apprehensions of James, who attributed it to some deep and unknown conspiracy to place them on the throne. But in the course of the day, the French bark, which lay off the Nore, still waiting for Seymour, was taken, after a short action, by an English cruiser, and the unfortunate Arabella was consigned to the Tower. At first

she bore her fate with fortitude, consoling herself with the recollection that her husband was safe; but to her petition for liberty, James replied that "As she had tasted the forbidden fruit, she must pay the forfeit of her disobedience." After some time the rigour of her confinement was increased in punishment of some additional offence; and her mind, yielding to despair, betrayed symptoms of derangement. In the fourth year of her imprisonment she expired, the victim of an unfeeling policy, which, to guard against an uncertain and imaginary danger, scrupled not to rob a female relative of her liberty and life.<sup>2</sup> She was interred privately in the night at Westminster, in the same vault to which the remains of the unfortunate Mary queen of Scots had been removed.

While the king thus punished the marriage of his cousin Arabella, he had been busily engaged in negotiating marriages for his son Henry and his daughter Elizabeth. Henry, the heir apparent, had reached his eighteenth

<sup>1</sup> "Disguising her self by drawing a pair of great French-fashioned hose over her petticoats, putting on a man's doublet, a man-like perruque with long locks over her hair, a blacke hat, black cloake, russet bootes with red tops, and a rapier by her syde, walked forth between three and four of the clock with Mr. Markham. After they had gone on foot a mile and a halfe to a sorry inne, where Crompton attended with their horses, she grew very sicke and fainte, so as the ostler that held the styrop said that gentleman would hardly hold out to London. Yet being set on a good gelding astride in an unwonted fashion, the stirring of the horse brought blood enough into her face, and so she rid on towards Blackwall."—Winwood, iii. 279.

<sup>2</sup> Winwood, iii. 442, 454. Mr. D'Israeli has collected much interesting information respecting Arabella in his new series of the *Curiosities of Literature*, i. 256—291. Elizabeth Cavendish, countess of Shrewsbury, aunt to Arabella, was at the same time sent to the Tower, on a charge of having been her adviser. The latter, in the presence of the council, answered every question regarding herself, but begged to be excused saying any thing to the pre-

judice of the countess, who resolutely refused to answer at all. She had made, she said, a vow not to reveal any of the particulars, and demanded, if there were any charge against her, to be tried by her peers. James, imitating the conduct of Elizabeth in the case of the earl of Essex, ordered her to appear before certain commissioners, consisting of the chancellor, the archbishop, several lords of the council, and four of the judges. By them it was declared, 1. that the refusal to answer questions put by royal authority was a high contempt of the king, whether the respondent were nobleman or commoner: 2. that, as they formed not a court of justice, they had no authority to judge, but only to admonish the countess of the offence and of its consequences: and 3. that the offence, if the cause had been brought before the Star-chamber, would have been visited with a fine of twenty thousand pounds, and imprisonment during pleasure.—Howell's *State Trials*, ii. 770—775. On this occasion Lord Coke numbered, among the privileges of the peerage, exemption from torture in cases of high treason.—*Ibid.* 773. Lady Shrewsbury remained in the Tower till the death of Arabella, when she was discharged.—*Truth brought to Light*, p. 70.

year. There existed but little affection between him and his father, James looked on him with feelings of jealousy and even of awe; and the young prince, faithful to the lessons which he had formerly received from his mother, openly ridiculed the foibles of his father, and boasted of the conduct which he would pursue when he should succeed to the throne. In the dreams of his fancy he was already another Henry V., and the conqueror of his hereditary kingdom of France.<sup>1</sup> To those who were discontented with the father, the abilities and the virtues of the son became the theme of the most hyperbolic praise: the zealots looked on him as the destined reformer of the English church; some could even point out the passage in the Apocalypse which reserved for him the glorious task of expelling antichrist from the papal chair.<sup>2</sup> With the several matches prepared for him by his father, it were idle to detain the reader; his marriage, as well as his temporal and spiritual conquests, was anticipated by an untimely death, which some writers have attributed to poison, some to debauchery, and others, with greater probability, to his own turbulence and obstinacy. In the pursuit of amusement he disregarded all advice. He was accustomed to bathe for a long time together after supper, to expose himself to the most stormy weather, and to take violent exercise during the greatest heats of summer. "In the spring of 1612 a con-

siderable change was remarked both in his appearance and temper; he spent the month of September in the country in his usual manner, hunting, feasting, and playing at balloon and tennis, and on his return to Richmond, found himself so ill that the court physicians were consulted. His indisposition, however, increased, and in the course of a fortnight he expired to the great sorrow of the people, who in their conjectures did not spare even the reputation of his father. From the journal of his sickness, and the report of the surgeons who opened the body, it is evident that he died of a malignant fever.<sup>3</sup>

The princess Elizabeth was the only survivor of four daughters, and, after her two brothers, the next heir to the throne. She had many suitors, among whom the most distinguished were the young king of Spain, the prince of Piedmont, and Frederic count palatine of the Rhine. Of these, James, allured by the splendour of the alliance, preferred the first; but to his suit strong opposition was made both by the zealous Protestants in England, and by the papal nuncio in Spain. The former trembled lest by the marriage the right to the succession might eventually fall to the Spanish kings; the latter deprecated the introduction of a Protestant princess into a family which had been so long distinguished by its attachment to the Catholic creed.<sup>4</sup> Of the other rivals, the pretensions might in many re-

<sup>1</sup> Raumer, ii. 205, 6, 9.

<sup>2</sup> Osborne, 264. Harrington tells us that the following rhyme was common in the mouths of the people:—

"Henry the eighth pulled down the  
 abbeys and cells,  
 But Henry the ninth shall pull down  
 bishops and bells."  
 Nuga Antiquæ, ii. 3.

<sup>3</sup> Aulicus Coquinariæ, 239, 241—251. Hearne's Otterbourne, pref. Somers's Tracts, ii. 231—252. "Ex febris contumaci, quæ ubique a magnis et insularis fere insolitatis siccitatibus ac fervoribus orta per

æstatem populariter grassabatur, sed raro funere: dein sub autumno erat facta lethalior."—Bacon, vi. 60.

<sup>4</sup> The objection was that, though the children would be educated in the faith of the father, it was very possible that early impressions received from the mother might induce them to leave it at a later period of life.—MS. letter in my possession. This objection seems not to have been groundless. Elizabeth's brother, Charles, married a Catholic princess; and his two sons, Charles II. and James II., though educated Protestants, both became Catholics before their death.

spects be considered as equal; but the profession of the reformed faith by Frederic gave him the preponderance, and as soon as the articles of the marriage had been signed, he came to England to receive his young and beautiful bride. A long succession of feasts and amusements had been prepared to celebrate the event; but the unexpected death of Prince Henry threw a gloom over the court; and the mourning continued for twelve weeks. At Christmas, James ordered the court to mourn in satin; two days later, the parties were solemnly affianced to each other;<sup>1</sup> and at last on Valentine's day the marriage ceremony was performed.<sup>2</sup> Never had the English court appeared in such splendour. The king, the queen, and the prince, were covered with the jewels belonging to the crown; and the nobility (no one was admitted under the rank of baron) vied with each other in magnificence of dress. Elizabeth, who was only in her sixteenth year, wore a white robe of silver tissue, with a coronet of gold on her head, and her long hair flowed in tresses on her shoulders, and reached as low as her knees. She was conducted by her bridemen, the young prince her brother on one hand, and the aged earl of Northampton on the other; and was followed by twenty bridesmaids of her own age, dressed in white and embroidery, and

bearing her train.<sup>3</sup> She ascended the platform in the royal chapel with a lightsome foot and smiling countenance; the palatine performed his part with accuracy and gravity, but the princess, whether it were from joy or levity, disturbed the solemnity of the scene by a low titter, which soon burst into a loud laugh. The ceremony was concluded with public rejoicings; but the superstitious considered the conduct of the bride as ominous of misfortune; and the disastrous consequences of the marriage were afterwards thought to have verified their anticipations.<sup>4</sup>

From the king's children we may pass to his favourites. From the commencement of his reign, he had surrounded himself with several of his countrymen, on whom his partiality had lavished wealth, and offices, and honours; but among them there was no individual, as long as Salisbury lived, who seemed to possess exclusively his affection, and to monopolize the distribution of favours. The death of that powerful minister allowed James to follow his own inclinations; he first selected Robert Carr, and afterwards George Villiers, as objects of peculiar attachment; and these, the creatures of the royal caprice and bounty, soon acquired the government of the king himself, and through him of his three kingdoms.

Carr owed his brilliant fortune to

<sup>1</sup> "The king was present, brought in a chaire, for he was then so gowtie he could not goe, and the queene, no way affecting the match, kept her chamber. The contract was read by Sir Tho. Lake, the palsgrave, and the ladie Eliz. placed in the midst, which done, my lord of Cant. gave them a long and large benediction."—MS. Letter of Mr. Lewkner.

<sup>2</sup> See their first meeting and the marriage in Winwood, iii. 403, 434, 435; Somers's Tracts, iii. 40; Philoxenis, p. 11; Wilson, 64; and Balfour, ii. 45. Their espousals in Ellis, iii. 110, note. To defray part of the expense, the king levied the feudal aid of twenty shillings on every knight's fee, and on every twenty pounds of lands held in

soccage.—Rymer, 722, 735. It produced twenty thousand five hundred pounds.—Abstract of Revenue, p. 11. The total expense amounted to fifty-three thousand two hundred and ninety-four pounds, exclusive of her portion of forty thousand pounds.—Ibid. p. 14.

<sup>3</sup> "The king's majestie was in a most sumptuous black sute, the queen attired in white sattin."—Somers's Tracts, iii. 40.

<sup>4</sup> See account of the masks and balls by Spifame in Raumer, ii. 227. The "fireworks and fight of ships above the bridge with castles, beacons, and blockades," and presents, are said, in a letter of the time, to have cost an immense sum.—MS. Letter.

accident. At a tilting-match the lord Hay had appointed him his equerry, to present his shield, according to custom, to the king. In the performance of this duty, Carr was thrown from his horse, and broke his leg in the fall. James ordered the young man to be carried into a neighbouring apartment, sent a surgeon to attend him, and repeatedly visited him in person. He found that Carr, when a boy, had been his page in Scotland, and was of the family of Fernihirst, the son of one who had suffered much in the cause of the unfortunate Mary Stuart. The plea of his services and those of his father was aided by the beauty of his person,<sup>1</sup> and the ingenuousness of his answers. Pity insensibly grew into affection; James looked on his patient as an adopted child; he even took the pains to instruct him in the Latin grammar; and, what was more to the purpose, in "the craft of a courtier."<sup>2</sup> After his recovery he was daily distinguished with marks of the royal favour; riches and honours poured upon him; the lands which escheated to the crown, and the presents offered by those who solicited his mediation with the sovereign, gave him a princely fortune; and he was successively raised to the honours of Baron Brancepeth, Viscount Rochester, and knight of the Garter. Still he affected to take no part in the conduct of affairs, till the earl of Salisbury died, when several important offices became vacant, and the hope of obtaining them, or the places of those who might obtain them, filled the court with a multitude of candidates. Of these

many sought the protection of the two Howards, the earl of Suffolk, lord chamberlain and the earl of Northampton, lord privy seal; while others professed themselves the dependents of the young favourite, the viscount Rochester. The court was agitated by intrigue, jealousy, and enmity; and James, for more than a year, balanced between the two parties, seeking in vain to reconcile their opposite pretensions.<sup>3</sup> It was, however, a fortunate time for Rochester, who, though he held no official situation, transacted business as prime minister and principal secretary.<sup>4</sup> Unequal to the task himself, he employed the aid of Sir Thomas Overbury, who, from Carr's first introduction to the king, had been his guide and assistant. Overbury was an able and artful counsellor, but violent, capricious, and presuming. Though he had been banished from the court for an insult offered to the queen, he was soon recalled at the solicitation of Rochester; but he could never obtain the good-will of the monarch, who continued to look on him as a rival in the affections of his favourite, and the fomentor of the factions which divided his ministers. By the public he was courted on account of his influence with his patron: valuable presents were given to secure his favour; and on the morning of the 21st of April he boasted to Sir Henry Wotton of his good fortune, and of the flattering prospects which lay before him. Yet that very day, before sunset he was committed a close prisoner to the Tower.<sup>5</sup> The occasion of his disgrace was the unfor-

<sup>1</sup> This fellow is straight-limbed, well-favoured, strong-shouldered, and smooth-faced.—*Nugæ Antiquæ*, i. 390.

<sup>2</sup> "The prince leaneth on his arm, pinches his cheek, smoothes his ruffled garments. The young man doth much study art and device: he hath changed his tailors and tiremen many times, and all to please the prince. The king teacheth him Latin every morning, and I think some one should

teach him English too: for he is a Scotch lad, and hath much need of better language."—*Ibid.*

<sup>3</sup> "These offices have in the time of their emptyness been the subject of notorious opposition between our great viscount and the house of Suffolk."—*Reliq. Wotton*, p. 408.

<sup>4</sup> Birch, *Negotiations*, 340, 350.

<sup>5</sup> *Reliq. Wotton*, 408—410. Winwood.

tunate passion of the viscount for the lady Frances Howard, the daughter of the lord chamberlain, Suffolk. At the age of thirteen she had been married to the earl of Essex, who was only a year older than herself. Immediately after the ceremony, the bridegroom proceeded to the university, and thence to the continent; the bride was consigned to the care of her mother, who bestowed more attention on the ornamental than the moral education of her daughter. The young lady Essex became the boast of the court; and her wit, her beauty, and her acquirements, raised her above competition: but when her husband returned, she received him with manifest tokens of dislike, and, if she occasionally consented to live with him in the country, it was always owing to the peremptory commands of her father. The meetings between them were short: he complained of the coldness of his wife; she spent her time in tears and recriminations—till at last these dissensions produced on the part of each a rooted antipathy to the other. At court she had many admirers, among whom were Prince Henry and Rochester. But the latter was the favoured lover; and in one of their furtive meetings it was proposed that she should sue for a divorce from Essex, and afterwards marry the viscount. Her father and uncle were led by political motives to approve of the project; and the king, who could recollect a similar proceeding whilst he reigned in Scotland, hailed it as the means of extinguishing the rivalry between his favourite and his two ministers; but by Overbury, though he had hitherto been the panderer

to their pleasures, it was decidedly and violently opposed.<sup>1</sup> He foresaw the ruin of his own hopes in the reconciliation of his patron with his enemies; he objected the “baseness of the woman,” and the infamy of such a marriage; and he declared that he both could and would throw an insuperable obstacle in the way of their union.<sup>2</sup> Rochester had the weakness to betray his adviser, and Frances, in her fury, offered one thousand pounds to Sir John Wood to take Overbury’s life in a duel: but her friends suggested a more innocent expedient to remove him from court, by sending him on an embassy to France or Russia. His inclination was first sounded by the archbishop of Canterbury, and then an order that he should accept the mission was brought to him by the lord chancellor and the earl of Pembroke. He refused, observing that the king could not in law or justice exile him from his country. This answer was pronounced a contempt of the royal authority, and the delinquent was committed, with the consent of his patron, to the custody of the lieutenant of the Tower.<sup>3</sup>

Within a few days proceedings for a divorce between the earl and the countess of Essex, on the ground of physical incapacity, were instituted before a court of delegates appointed by the king. All the judicial forms usual on such occasions were carefully observed; but the details are not fit for the eye of the general reader. With the public a suspicion existed that both the parties in the suit, and the judges who pronounced in their favour, acted in opposition to the dic-

iii. 447. State Trials, ii. 993. Birch, 329, 340.

<sup>1</sup> “You wonne her,” he says, “by my letters.”—Winwood, iii. 479.

<sup>2</sup> This was repeatedly asserted at the trials, and acknowledged by Rochester himself. But what was this obstacle? I can-

not conceive that he could prevent the marriage in any other way than by revealing the secret of their private amours for the last twelve months, and the real object of the divorce.—See his letter in “Truth brought to Light,” 47.

<sup>3</sup> Winwood, iii. 447, 453. Wotton’s letters in his Reliquiæ, 408, 411, 412.

tates of their consciences; and it was reproached to James, that, instead of remaining a silent spectator, he had spontaneously come forward, and exerted himself in the progress of the cause with the warmth and partiality of an advocate; an indiscretion which probably was prompted by affection to his favourite, whose gratitude or policy unexpectedly relieved the immediate wants of his sovereign with a present of twenty-five thousand pounds.<sup>1</sup> However that may be, the king undertook to browbeat the judges; he answered their arguments;<sup>2</sup> he forbade them to take additional examinations; he increased their number; and at last procured a decision in favour of the divorce, by a majority of seven to five.<sup>3</sup> Overbury lived not to be acquainted with this judgment. On the preceding day he expired after a confinement of six months; during which he had not been permitted to see his friends, or to communicate with them by letter. The time, the manner of his death, the reported state of the body, and its precipitate interment, provoked a general suspicion that he had perished by poison.

After a short delay, Frances Howard was married in the royal chapel to her lover, who, that she might not lose in title by the exchange, had been previously created earl of Somerset. At the ceremony she had the boldness

to appear with her hair hanging in curls to her waist, the appropriate distinction of a virgin bride: the king and the chief of the nobility honoured the nuptials with their presence, and a long succession of feasts and masks, in which the city strove to equal, if not to outshine, the court, attested the servility of the men, who, to ingratiate themselves with the royal favourite, could make public rejoicings in celebration of a marriage which in private they stigmatized as adulterous and illegal.<sup>4</sup>

This event sealed the treaty of union which had been negotiated between Somerset and his opponents, and extinguished the feuds which had so long distracted the royal councils. There remained but one source of solicitude, that which haunted the king till his death,—the want of money. The failure of every temporary expedient proved that the real remedy was to be sought in the benevolence of the nation; but James had already suffered so many defeats in parliament, his nerves were so agitated at the idea of a new contest, that, to overcome his repugnance, his advisers “undertook” (from the word they acquired the name of Undertakers) to secure a decided majority in favour of the court. In former reigns it had been found sufficient for this purpose, if the chancellor made known the wishes of the prince to the

<sup>1</sup> “We being at a dead lift, and at our wits end for want of money, he sent for some officers of the receipt, and delivering them the key of the chest, bid them take what they found there for the king’s use; which they say was four or five and twenty thousand pounds in gold.”—Winwood, iii. 453.

<sup>2</sup> “If a judge should have a prejudice in respect of persons, it should become you rather to have a kind of implicit faith in my judgment, as well in respect of some skill I have in divinity, as also that I hope no honest man doubts the uprightness of my conscience; and the best thankfulness that you, that are so far my creature, can use towards me, is, to reverence and follow my judgment, and not to contradict it ex-

cept where you may demonstrate unto me that I am mistaken, or wrong informed.”—King’s letter to Archbishop Abbot. State Trials, ii. 862.

<sup>3</sup> See the proceedings with a long account of the whole by Archbishop Abbot, in Howell, ii. 785—862. That prelate considered it a case of witchcraft, and recommended to the parties a course of prayer, alms, and fasting. Most of the judges who favoured the nullity were rewarded by the king, but severely censured by the public. The son of Bilson, the bishop of Winchester, was knighted in consequence, and was always afterwards known by the name of Sir Nullity Bilson.—Ibid. 829.

<sup>4</sup> Wilson, 72. Raumur, ii. 232.



sheriff: in the present, all the influence of the crown, and of the servants of the crown, was employed; and the result demonstrated that there existed among the people a spirit decidedly hostile to the prevailing system of government. The king opened the session with a conciliatory speech, which he followed up with a request for pecuniary aid, and an offer to redress a multitude of minor grievances, enumerated in the petitions of the last parliament. But little attention was paid to the royal message. 1. The house resounded with complaints of the arrogance of the Undertakers, who had interfered with the liberty of election, and had violated the privileges of the Commons. The validity of several returns was debated: a question was even raised, whether the attorney-general, Sir Francis Bacon (he had succeeded Sir Edward Coke, on the elevation of the latter to the bench, in 1613), could legally sit in the house; and, if he was ultimately permitted to retain his seat for the present session, it was only on account of some pretended necessity of state, and with an understanding that the indulgence should not be extended to his successors in office.<sup>1</sup> 2. Instead of passing to the consideration of the supply, the Commons devoted their time to the questions which had already given so much offence, the claim of the king to levy "impositions," and grant monopolies. 3.

<sup>1</sup> On searching for precedents, it was admitted that members of that house had been made attorneys to the king, without vacating their seats; but no instance had occurred in which a person actually invested with the office had been returned a member.

<sup>2</sup> Lords' Journals, 713. According to the present practice, one house is supposed to be ignorant of what passes in the other; but the lords, instead of vindicating their privilege, merely hinted at it in their answer: that they had given contentment to the Commons for the better expediting of his majesty's business; but "that here-

Some expressions, attributed to the bishop of Lincoln, in the higher house, set the lower in a ferment. He was reported to have said, that to dispute the right of imposition was to lay the axe to the root of the prerogative; and to have hinted his apprehensions that, in a projected conference, words might be used of an inflammatory and seditious tendency. The Commons called on the Lords to punish the man who had thus slandered their loyalty, and received for answer, that the bishop had disclaimed, with tears and protestations, all intention of offending that house, for which he entertained the highest respect.<sup>2</sup>

This explanation did not satisfy his enemies; but the patience of James was exhausted; he commanded the Commons to proceed to the consideration of the supply, and punished their disobedience by a hasty dissolution. The next morning the most violent and refractory of the members were called before the council; they were told, that, though the king had given them liberty, he had not authorised licentiousness of speech; and five of the number were committed to the Tower. Neither could they obtain their discharge before they had revealed the names of their prompters and advisers, who, in their turn, were called before the council and imprisoned. In the quaint language of the time this was called the Adde parliament.<sup>3</sup>

after no member of their house ought to be called in question, when there is no other ground but public and common fame."

—Ibid.

<sup>3</sup> There were, 1. Sir Walter Chute, "who, to get the opinion of a bold man after he had lost that of a wise, fell one morning into an insipid and unseasonable declamation against the times." 2. John Hoskins, who "is in for more wit, and for licentiousness baptised freedom." 3. Wentworth, a lawyer, "whose fault was, the application of certain texts in Ezekiel and Daniel to the matter of impositions;" and 4. Christopher Nevil, "a young gentleman fresh

The death of the earl of Northampton, which followed in the course of a week, occasioned a new distribution of offices at court. Suffolk was made lord treasurer; Somerset succeeded him in the office of chamberlain, acting at the same time, but without any patent of appointment, as lord privy seal; and every inferior department which was not filled by their relatives or dependants, was sold without scruple to the highest bidder.<sup>1</sup> Their great solicitude was to discharge the interest, and to prevent the increase of the king's debts; and, with this view, besides the temporary expedients so often before adopted, they had recourse to a benevolence, which was at first confined to persons in office, but afterwards required from others.<sup>2</sup> James himself suggested another measure, a reduction of the expenses of his household, to which his ministers consented, but with considerable reluctance, fearing probably, what they afterwards experienced, that all who should suffer from the new system of economy would hasten to join the ranks of their political opponents.

In the sale of offices, that of cupbearer had fallen to George Villiers, a younger son of Sir Edward Villiers, of Brookesby, in Leicestershire. He was tall and well-proportioned; his features bespoke activity of mind and

gentleness of disposition; and a short residence in the court of France had imparted to his manners that polish which James had sufficient taste to approve in others though he could not acquire it himself. The new cupbearer immediately attracted the notice of his sovereign; his answers to different questions improved the favourable impression made by his external appearance; and the warmth with which the king spoke in his commendation, suggested to the earls of Bedford, Pembroke, and Hertford, the idea of setting him up as a rival to Somerset. The resolution was taken at a great political entertainment given at Baynard's Castle;<sup>3</sup> and Archbishop Abbot was employed to solicit the co-operation of the queen. After many refusals she consented, though her reply proved her thorough acquaintance with the character of her husband:—"My lord, you know not what you desire. If Villiers gain the royal favour, we shall all be sufferers. I shall not be spared more than others. The king will teach him to treat us all with pride and contempt."<sup>4</sup> On St. George's feast the cupbearer was sworn a gentleman of the privy chamber, with a yearly salary of one thousand pounds; and the next day, while he was employed in the duties of his new office, he received the honour of knighthood.

from the school, who, having gathered together divers Latine sentences against kings, bound them up in a long speech."—*Reliquiæ Wottonianæ*, 433. This was the first parliament in which the Commons, to exclude Catholics, made an order that every member should publicly receive the sacrament before he took his seat.—*Journals*, 457.

<sup>1</sup> Thus Lord Knollys was made master of the Court of Wards without purchase, because he had married a daughter of Lord Suffolk, while Sir Fulk Greville, for the chancellorship of the exchequer, gave four thousand pounds to Lady Suffolk and Lady Somerset.—*Birch, Negotiations*, 350.

<sup>2</sup> The benevolence produced fifty-two thousand nine hundred and nine pounds.—*Abstract of his Majesty's Revenue*, p. 12.

Mr. Oliver St. John had declared in a letter that benevolences were against law, reason, and religion, and was in consequence fined five thousand pounds in the Star-chamber.—*State Trials*, ii. 899. His doctrine was admitted in respect of benevolences extorted by threats or violence, but not of such as were voluntary. Were they ever voluntary? <sup>3</sup> *Aul. Coq.* 261.

<sup>4</sup> Abbot, who himself tells the anecdote, observes that the king "would never admit any to nearness about himself, but such as the queen should commend to him, that if she should complain afterwards of the *dear one*, he might make answer, it is long of yourself, for you commended him unto me. Our old master took delight strangely in things of this nature."—*Rushworth*, i. 446.

From that moment the influence of Somerset declined. The court was divided into two parties, anxiously bent on the depression of each other, and all who had envied the prosperity, or had suffered from the ascendancy of the favourite, attached themselves to the rising fortunes of his competitor.<sup>1</sup> The suspicion that Overbury had met his death by poison had been kept alive by successive rumours; it had even been whispered that the murder might be traced, through the inferior agents, to Somerset and his countess; and an opening to the discovery was made by an incautious avowal of Elwes, the lieutenant of the Tower, to the earl of Shrewsbury. Secretary Winwood, at the instigation of the archbishop, and under a promise of protection from the queen, ventured to communicate the circumstance to James, who proposed certain questions to Elwes in writing, and, from his answers, learned sufficient to doubt the innocence, not only of Lady Somerset, but also of his favourite. Partly through a sense of justice, and partly through the fear of infamy, he despatched an order to Sir Edward Coke, the lord chief justice, to make out a warrant for the commitment of the earl. Still he kept him in ignorance of his approaching fate; he admitted him into his company as usual; and was found by the messenger at Royston, embracing the neck, and kissing the cheeks of Somerset. That nobleman complained of his arrest in the royal presence, as of an insult, but was silenced by the ominous exclamation of James. "Nay, man, if Coke sends

for me, I must go;" to which was added another as soon as his back was turned, "The devil go with thee, for I will never see thy face mair." In a short time Coke arrived, to whom James committed the investigation of the matter, concluding with this imprecation, "May God's curse be upon you and yours, if you spare any of them; and on me and mine, if I pardon any."<sup>2</sup>

Coke executed the task with more than ordinary zeal, stimulated, perhaps, by the fear of incurring the suspicion of partiality, on account of his previous obligations to Somerset. After three hundred examinations, he presented a report to the king, stating that Frances, countess of Essex, had been in the habit of employing sorcery to estrange the affections of her husband, and to win those of Rochester; that to remove Overbury, the great impediment to the projected marriage of the lovers, a plan was concerted between them and the earl of Northampton; that, by their joint contrivance, Overbury was committed to the Tower, Wade the lieutenant removed to make place for Elwes, and Weston recommended as warder of the prisoner; that the countess having, with the aid of Mrs. Turner, procured three kinds of poison from Franklin, an apothecary, intrusted them to the care of Weston; that by him they were administered to Overbury, with the privacy of Elwes; and that at last the unfortunate gentleman perished in prison, a victim to the malice or the precaution of Rochester and his mistress.<sup>3</sup>

In this story nothing appeared

<sup>1</sup> Birch, 383, 384.

<sup>2</sup> There are several accounts of the parting of James and Somerset. I have followed that given by Roger Coke in his *Detection*.—See Weldon, 100; *Secret History of James*, i. 409, ii. 222, 223; *Howell's State Trials*, ii. 965.

<sup>3</sup> Bacon, iv. 470. *Reliq. Wotton*. 427.

It is said that Coke having obtained possession of the pocket-book of Forman, the conjurer, whom the countess of Essex and other court ladies used to consult, found in the first page the name of his own wife.—Weldon, iii. There is in a tract, entitled "Truth brought to Light," p. 7—70, a long account of this affair, but so blended with error, that it deserves no credit.

wanting but a more satisfactory cause for the murder of Overbury. To discover this was no difficult task to Sir Edward Coke, who prided himself on the facility with which he could detect what was invisible to all others. In a letter from Overbury he found mention of the secrets of Somerset; these he contended must be seditious or treasonable practices; and with the aid of a few conjectures he boldly charged the earl with the murder of Prince Henry.<sup>1</sup> The queen immediately caught, or perhaps pretended to have caught, the alarm. She had no doubt, she asserted, that a plan had been proposed to poison her, her son Charles, and the prince palatine, for the purpose of marrying the princess Elizabeth to Thomas, the son of the earl of Suffolk, and brother to the countess.<sup>2</sup> But James did not suffer himself to be misled by the terrors of his wife, or the suspicions of the chief justice; the only charge to which he gave countenance was that the earl had received money from Spain, and had promised in return to deliver Charles, the heir apparent, into the hands of the Spanish monarch.<sup>3</sup>

The minor criminals, Weston, Turner, Franklin, and Elwes, were first brought to the bar. That they had been accessory to the murder seems plain from the report of their

trials; yet many at the time attributed their conviction to a conspiracy against Somerset, and this opinion derived confirmation from the ambiguous language of some of the sufferers at the place of execution.<sup>4</sup> Sir Thomas Monson was next arraigned; he had recommended Weston to be the warder of Overbury, and was exhorted by Coke to confess his guilt, and throw himself on the mercy of the king. But he rejected the suggestion with scorn, and to the surprise of the public was taken from the bar to the Tower, but in a short time recovered his liberty.<sup>5</sup>

The remaining trials were deferred till the arrival of Digby, the ambassador at the court of Spain, to whom orders had been transmitted to repair to England; but from him nothing could be learnt to impeach the loyalty of Somerset.<sup>6</sup> The affection of James began to revive. His reputation required that he should bring his ancient favourite to trial; but he proposed to save him from punishment by withdrawing him from the bar as soon as the verdict should be returned; and when he was informed that according to law, judgment must follow, he announced his determination to grant him a pardon, and with this view forbade the attorney-general to exaggerate the offence, that

<sup>1</sup> This letter has been published from the original.—Winwood, iii. 478. There is no reason to conclude from it that the secrets were of importance to the public. Overbury says nothing of revealing them to the government, but that he had written a history of the whole acquaintance between him and Somerset, from which his friends, to whom he should send copies, might be convinced of the earl's ingratitude.

<sup>2</sup> The French ambassador, in his despatch of Dec. 22, apud Carte, iv. 33.

<sup>3</sup> Bacon, iv. 90.

<sup>4</sup> Sir J. Hollis, Sir J. Wentworth, Sir Thomas Vavasour, Sir Henry Vane, and Mr. Sackville rode up to the gallows, and called on Weston to confess the fact, if he were guilty. "Fact or no fact," he replied, "I die worthily." The gentlemen were

charged in the Star-chamber with an attempt "to slander the king's justice;" and Hollis and Wentworth were condemned to suffer a year's imprisonment, and to pay a fine of one thousand pounds.—Bacon, iv. 447. Weston suffered on Oct. 23, Turner on Nov. 9, Elwes on Nov. 16, and Franklin on Dec. 9.

<sup>5</sup> Wilson says, that on this occasion Coke's wings were clipt, and Monson set at liberty because the chief justice alluded to the death of Prince Henry.—Wilson, 702. Coke's wings, as the reader will see, were clipt for another cause, and Monson was reserved till Digby's return home from Spain to be examined about the Spanish treason. Had he been previously convicted, his confession on that head could not have been admitted as evidence.

<sup>6</sup> Bacon, vi. 89, 90. Birch, 392.

the prisoner might not appear unworthy of mercy. The earl was repeatedly advised to confess himself guilty, and assured that the king would grant him his life and fortune. "Life and fortune," he indignantly replied, "are not worth the acceptance, when honour is gone."<sup>1</sup> To escape the disgrace of a trial, he earnestly solicited admission to the royal presence, or at least to be permitted to write a private letter to the king. When this was refused, he assumed a colder tone, and endeavoured to work on the fears of James, by declaring that at the bar he would take ample vengeance on the prince, who had betrayed him into the power of his enemies. As the day approached, he asserted that he would not leave his chamber; he feigned sickness or insanity; and made, or pretended to make, like Sir Walter Raleigh, an attempt on his own life. But the king was inexorable; he commanded the lieutenant of the Tower to employ force, if it were necessary, and to inform his prisoner that if he indulged in irreverent language with respect to the sovereign, he would be re-

moved from the bar without any stay of the proceedings on account of his absence. Hence it has been inferred that Somerset was in possession of some important secret, the disclosure of which would inflict indelible disgrace on the king. To me this conclusion appears questionable. No man was better acquainted with the royal disposition than the fallen favourite; his obstinacy, his menaces, and his despair, were probably meant as appeals, sometimes to the timidity, sometimes to the feelings of James; and to the partial success of these appeals may be attributed the solicitude of the king to procure his conviction without rendering him undeserving of pardon.

By the exhortations of Whiting, the minister who had attended the other prisoners, the countess had been induced to confess the murder. She was therefore separately arraigned before the peers. She looked pale, trembled while the clerk read the indictment, and at the name of Weston, covered her face with her fan. As soon as she had pleaded guilty, Bacon, the attorney-general,

<sup>1</sup> See the artifices employed to draw Somerset to a confession, and the king's wish on that head, in Bacon, vi. 101; abala, 33—38, 53; Howell's State Trials, .962; Archæologia, xviii. 355. Many writers have attributed the anxiety of James to his knowledge that Somerset was in possession of some portentous secret, which he might be provoked to reveal to the ruin of the royal character. I have no doubt that it arose from affection. The following extracts from the king's letters to Sir George More, lieutenant of the Tower, are highly interesting. "God knoweis it is only a trikke of his ydle braine, hoaping thairby to shifte his tryall, but is easie to bee seene, that he wolde threattin me, with laying an aspersion upon me of being in some sorte accessorie to his cryme.....if he wolde writte or sende me any message concerning his poisoning, it needis not be private; if it be of any other bussienesse, that willeke I can not now with honor ressave privatlie, I may do it after his tryall, and serve the turne as well; for excepte ather his tryall, or confession præcede, I can not receive a private message from him without saying an aspersion upon my selfe of being

an accessorie to his cryme."—Archæol. 355. On the 9th of May, James sent, in great secrecy, Somerset's former secretary with such proposals that "if thaire be a sponke of grace lefte in him, I hoape thaye shall worke a goode effecte."—Ibid. 356. On the 13th he ordered the lieutenant to repeat the offer, with a promise that it should be enlarged. "I meane not," adds the king, "that he shall confesse if he be innocent, but ye knowe how evill lyklye that is.....lett none living knowe of this: and if it take goode effecte, move him to sende in haiste for the commissioners to give thaim satisfaction, but if he remaine obstinate, I desyre not that ye shoulde trouble me with an ansoure, for it is to no ende, and no newis is better than evill newis."—Ibid. 356, 357. On the day preceding the trial, when Somerset appeared furious, the king sent Lord Hay and Sir Robert Carr to him, and ordered the lieutenant, if Somerset should still refuse to go to the bar, to do his duty. He concludes thus, "if he have saide any thing of moment to the lord Hays I expecte to heare of it with all speede, if otherwayes, lette me not be trublit with it till the tryall be past."—Ibid. 358.

stated to the court the evidence which he should have produced, had he found it necessary; but he had previously the precaution to remove her from the bar, that she might not interrupt him to maintain the innocence of her husband. At the conclusion of his speech she was recalled, and received judgment of death.<sup>1</sup>

Though Bacon, by this artifice, had prepared the court to believe the guilt of Somerset, he looked forward with anxiety to the result; for it was, he observed to the king, a different thing to obtain a verdict from a London jury and to convince the house of Lords. The earl, contrary to expectation, appeared at the bar cool and collected; he never mentioned the king, but he rejected every exhortation to confess, haughtily maintaining his innocence, objecting to the relevancy of the evidence, and explaining away circumstances which seemed to make against him. After a long trial the peers found him guilty; but by many this judgment was attributed more to the power of his enemies than to the cogency of the proofs.<sup>2</sup> Within a few days the countess received a pardon; the same favour was refused by the earl; he was, he said, an innocent and injured man, and would accept of nothing less than a reversal of the judgment. But some

years later, aware of the malice of his adversaries, and of the alienation of the prince, he sought that which had before rejected, and received with it a promise of the restoration of his property. Within four months, however, James died; and Somerset succeeded, but in vain, the fulfilment of the promise from the pity or the equity of his successor. The countess died in 1632; the earl survived thirteen years.<sup>3</sup>

The fall of Somerset was followed by the disgrace of the man whose industry had detected the murder of Overbury, — the celebrated lawyer, Edward Coke. In professional knowledge Coke stood pre-eminent; but his notions were confined and illiberal, his temper arrogant and unfeeling. He was always ready to exalt the prerogative at the expense of popular rights; and in state prosecutions he hunted down his victim with eagerness and the sagacity of a bloodhound, sparing neither fraud nor falsehood to insure a conviction. He had crept slowly and cautiously through the several gradations of office, till James advanced him to the chief seat, first in the court of Common Pleas, and next in that of the King's Bench. Previously his conduct had been marked by the most abject servility; but from the moment that

<sup>1</sup> Bacon, iv. 465; vi. 103. State Trials, ii. 951—961. Carleton's Letters, 29.

<sup>2</sup> In a letter to James, Somerset pretends that if he could have had access to the king, his crime would have proved no crime, and that he fell, rather for want of well defending, than by the violence or force of any proofs; for he forsook himself and his cause.—Cabala, 221. On the envelope of the king's letters to Sir G. More was this among other things. "I have often talked with Mr. James, his chiefe servant, who ever was of opinion yt. my lord was clere, and my ladie only guiltie; for one time Mrs. Tournour tolde him that litell did my lord knowe what she had adventured for his ladye. But the truth is, king James was wearye of him. Buckingham had supplied his place."—Loseley MSS. 406, note.

<sup>3</sup> It is but justice to Somerset to add what he says of his own services in a petition to Charles; that during the three years he was in power, he opposed all suits for honours and reversions of offices, lest king and his successors should have nothing left to give in reward to their servants; he found a resolution taken after the death of Salisbury to disafforest all the royal parks and forests, and to sell all the crown lands, reserving only an increase of rent; this he prevented; that he never would receive of the king any gift of crown lands, or tithes; and whatever he did receive, such as either took nothing from the king or brought with it an increase to the revenue; and that he made himself enemies by opposing both the suitors and the ministers for the advantage of the crown.—Archæologia, xvii. 268.

saw himself graced with the  
 ine, the sycophant assumed a  
 e of independence and authority  
 he surprised the king and pro-  
 ed the hostility of his rivals and  
 als. The demise or resignation of  
 d Ellesmere, the chancellor, was  
 y expected, and Coke looked for-  
 ed to that high office as due to  
 self; but his pretensions exposed  
 i to the malicious insinuations of  
 on, who also aspired to the great  
 i; and a secret compact seems to  
 ve existed between James and his  
 orney-general to precipitate the  
 ownfall of the chief justice. Coke  
 some time had acted as if he  
 ought that all other tribunals were  
 subordinate to his own. The judges  
 the Admiralty and the High Com-  
 mission court, of the court of Requests  
 and the duchy of Lancaster, even the  
 residents of the provincial councils  
 the North and of Wales, com-  
 ined that their jurisdiction was  
 graded and impaired by the prohibi-  
 tions which he issued from the  
 King's Bench. The court of Chancery  
 suitors, counsel, solicitors, and judges  
 was thrown into commotion by his  
 great that he would visit with the  
 penalties of premunire all who sought

and all who granted relief in equity  
 after judgment had been pronounced  
 in the King's Bench;<sup>1</sup> and the court  
 of Star-chamber itself began to trem-  
 ble for its claims when its power to  
 levy damages was denied by so high  
 an authority.

But there were other causes of  
 offence which sunk more deeply into  
 the king's breast. In the council he  
 opposed legal objections to almost  
 every intended exercise of the pre-  
 rogative; and in the cases of Peacham  
 and Owen had not only dissented  
 from his colleagues but had even  
 opposed the infallible judgment of  
 James himself.<sup>2</sup> His opinion that  
 the late benevolence was illegal,  
 though he was afterwards obliged  
 to retract it on his knees, and to give  
 a contrary decision in the Star-  
 chamber, had induced numbers to  
 withhold their money, and in a case  
 of commendam he had presumed to  
 proceed with the cause in defiance of  
 the royal prohibition. By James his  
 conduct on these occasions was felt as  
 a personal injury, and Bacon was care-  
 ful to represent it as proceeding from  
 a wish to gain popularity at the ex-  
 pense of the prerogative.

The archbishop, the chancellor, and

He founded his opinion on the language  
 of the spirit of the statute, which forbade  
 cases to be carried from the king's courts  
 "other courts." These last words meant  
 the spiritual courts; but Coke included  
 the courts of equity as distinguished from  
 those of law.—Bacon, vi. 84. Cabala, 31,  
 "Many principal men, who have their  
 dependence in the court of Chancery, have  
 been indicted in the King's Bench of a pre-  
 munire."—Carleton's Letters, 45.

<sup>1</sup> Peacham had written a defamatory ser-  
 mon, which was never preached, but found  
 in his study, complaining of the king's ex-  
 cesses of keeping "divided courts" for  
 himself, his queen, and his son, of his gifts  
 of dances and banquets, of the costliness  
 of his dress, of the frauds of his officers, &c.  
 Questions were framed to discover his mo-  
 tives and advisers, and answers were re-  
 quired from the old man (he was above sixty  
 years of age) "before torture, in torture,  
 between torture, and after torture, by the  
 press command of the king."—Dairymple,

i. 56—58. James was so incensed, that he  
 maintained the offence to be high treason  
 (ibid. 61); while Coke said that it might be  
 defamation, but not treason, because it did  
 not amount to disabling the royal title. He  
 was tried and condemned in Somersetshire,  
 August 7, 1615, and died in prison in the  
 following spring.—Bacon, v. 336; vi. 78, 87.  
 State Trials, ii. 870—879. Owen's crime  
 was the assertion that princes excommuni-  
 cated by the pope might be put to death.  
 Owen pleaded that this was no treason,  
 because James had not been excommuni-  
 cated, and therefore the words could not  
 apply to him. In opposition both to the  
 king and to the other judges, Coke main-  
 tained that the answer was good. At last,  
 though with reluctance, the chief justice in  
 some sort recanted, by admitting that he  
 was in error to suppose that the king had  
 not been excommunicated; he now be-  
 lieved that he had, and that of course  
 Owen's words were treasonable.—Bacon,  
 iv. 440; v. 351; vi. 80, 87. State Trials,  
 ii. 879—883.

the attorney-general, were commissioned to collect for the royal information all the offences of the chief justice, and he received an order to abstain in the interval from the council-chamber, and, instead of going the circuit, to spend his time in correcting the errors and innovations contained in his book of reports. James, however, declared that he meant to show him favour, if he would humble himself and confess his delinquency; but when his answer was received, that he had discovered but five unimportant mistakes, the king, attributing it to pride and obstinacy, forbade him, in punishment of "his deceit, contempt, and slander of government," to take his seat on the bench, and, a month later, substituted Montague, the recorder of London, in his place.<sup>1</sup>

This event gave new confidence to the ambition of Bacon. He had freed himself from his great rival, and had earned the esteem of the sovereign by his fearless advocacy of the prerogative. Still Ellesmere, though his age and infirmities admonished him to retire, clung with the most vexatious pertinacity to the emoluments of office; and, by repeatedly recovering when he was thought on the point of death, exercised and irritated the patience of the attorney-general. That officer, however, steadily pursued his course, till he obtained the reward of his servility. He laboured to secure the good services of the new favourite, pretended on all occasions the most sincere affection for the lord chancellor, now created Viscount Brackley, and on every relapse of the infirm old man, reminded James of his own merits and pretensions. At length Brackley felt the approach of that hour which within a fortnight closed his mortal existence; he sent

to the king his resignation; and the seals were confided to Bacon, with the title of lord keeper, a sufficient pledge that if he continued to give satisfaction he would shortly be advanced to the dignity to which he had so long and so ardently aspired.<sup>2</sup>

Hitherto in this chapter the attention of the reader has been confined to the domestic occurrences from the year 1606 to 1617; the remainder will be distributed under three heads: 1. The king's transactions with foreign powers; 2. His attempts to establish episcopacy in his native kingdom; and 3. His plans for the government and colonization of Ireland.

I. In 1607 the eyes of all European nations were fixed on the negotiation at the Hague. After a contest of forty years, both the king of Spain and the United Provinces had grown weary of hostilities. Philip had learned to doubt the result of an attempt which originally appeared of easy execution. He even feared that the partial success which had lately thrown a lustre on his arms might lead to a consummation which he dreaded; and that his rebellious subjects, rather than submit to the rule of their ancient masters, would throw themselves at the feet of his rival, the king of France. On the part of the Hollanders, the moderate and most able statesmen equally longed for peace, provided peace were coupled with the recognition of their independence. It is indeed true that they had hitherto been able to maintain the contest against their formidable antagonists; but they knew that if they had fallen in so long and arduous a struggle, it was owing not to their own strength, but to the support which they had received from England:

<sup>1</sup> Bacon, vi. 122—129, 397—410. Carleton's Letters, 75.

<sup>2</sup> Bacon's patent was dated on the 30th of March, and on the 28th of May, John, the

son of the chancellor, who died on the 1st of March, was created earl of Bridgewater in consequence of a promise made to Brackley when he resigned.



nce. Now, however, on the king of England, unwilling from the timidity of his temper to draw the sword, and from his poverty to supply their wants, no reliance could be placed; an accident or policy might at any moment deprive them of the king of France, who though he had proved a faithful, was well known to be an interested, friend. In this temper of mind the offer of an armistice, preparatory to a treaty, had been gratefully accepted by the States: the king of Spain and the archduke agreed to consider them during the conferences as an independent government; and to the French king, afterwards the English, sent their respective envoys to act the part of mediators between adverse powers. The progress of this important negotiation is foreign to the plan of the present history; it will be sufficient to observe that after many debates the hope of a permanent peace vanished; that in its place a long truce was suggested; and that at last, partly through the enmities, partly through the firmness of the mediating powers, a cessation of hostilities was concluded for the space of twelve years.

Much occurred during the conferences to prove how low the king of England was sunk in the estimation of his contemporaries. It was believed that he had not the spirit to engage in war, and that, however desirably he might advise the States to persevere, he would infallibly aban-

don them in the time of need. Prince Maurice had even the boldness to tell the English ministers to their face, that their master dared not open his mouth in contradiction to the king of Spain. Hence the French during the negotiation assumed a superiority which was impatiently but silently borne by their allies. But, if James derived little honour from his mediation, he had reason to be satisfied with the result. It secured for a long time at least, and probably for ever, the independence of the States; a point of paramount importance, since their reduction by Spain, or their voluntary submission to France, was equally pregnant with danger to the commerce and the greatness of England; and, what the king probably valued still more, he obtained the partial relief of his pecuniary wants, by receiving from the Hollanders the acknowledgment of a debt of more than eight hundred thousand pounds, with a stipulation that it should be discharged by instalments in the course of fifteen years.<sup>1</sup>

About the conclusion of the treaty an event happened which threatened to rekindle the flames of war throughout a great portion of Europe. The death of John duke of Cleves, Juliers, and Berg, without children, exposed his dominions a tempting prey to the ambition of several competitors. The rightful heir appears to have been either the elector of Brandenburg, or the duke of Newburg; but a claim

<sup>1</sup> See Birch, Negotiations, 267—296. Winwood, tom. i. ii. passim. Jeannin, tom. i. ii. Oederie, tom. i. ii. iii. iv. passim. It may be observed that such was the general bigotry at this period, that, though the king of Spain offered a most valuable consideration, and the king of France added his earnest prayer, the States would on no account tolerate the Catholic worship within their dominions, at a time when the majority of the inhabitants of Utrecht, Friesland, Groningen, Overijssel, and Guelderland, were of that religion. The council in England thought that, as little more was demanded than was already permitted,

“some midways might be found to compose that difference.”—Winwood, ii. 428. August, 1608. But the States were resolute, and the truce was concluded without any provision in favour of toleration.—See it in Dumont, v. par. ii. 99. In fact the English commissioners were instructed not “to scandalize themselves” in that matter; they spoke “with resolution” against toleration, and at their departure, when the French ambassador requested them not to oppose so equitable a request, they answered that “their silence would betray their service to God, and their duty to their king.”—Winwood, ii. 430; iii. 59.

was also advanced by the elector of Saxony, and another by the emperor Rodolph. The pretensions of the latter alarmed all those princes whom religion or policy had rendered enemies to the greatness of the house of Austria. By their advice the elector of Brandenburg, a Protestant, and the duke of Newburgh, a Catholic, consented to govern the disputed territory in common, and a league for the expulsion of the Austrian, who had already taken possession of Juliers, was formed by the kings of England and France, the United Provinces, and the Protestant princes of Germany. The allies assembled a small army; but the king of France ordered no fewer than thirty thousand men, with fifty pieces of cannon, to march towards Juliers. So formidable a force, compared with its ostensible object, proved that Henry nourished in his mind some secret purpose of much greater importance; and there can be little doubt that he now meant to execute his favourite plan of humbling, by a common union of the European powers, the house of Austria, and of confining it for the future within the Spanish peninsula. But three days before his proposed departure to join the army he received a mortal wound as he sat in his carriage, from the hand of an assassin named Ravallac.<sup>1</sup> The murder of the king put an end to his project; but his successor did not depart from the league, and ten thousand Frenchmen having joined four thousand English commanded by Sir Edward Cecil, placed themselves under the prince of Anhalt, the general in chief of the combined forces. Juliers was soon won; the elector and the duke took possession of the disputed territory,

and the war died away through the inability of the emperor to prolong the contest.<sup>2</sup>

If James was unwilling to measure weapons with an enemy in real war, he gloried to meet an adversary in the bloodless field of theological controversy. He had opposed the Puritan ministers at Hampton Court; he had written against Bellarmine, the champion of the Catholics; and he had resolved to mingle in the fray between the Arminians and Gomarists in Holland. The disputes which divided the theologians were not more useful, than the subtleties of the ancient schoolmen. For the subjects of their studies they had taken the doctrines of grace and predestination, universal redemption and free will; and plunging fearlessly into the abyss, persuaded themselves that they had sounded the depth of mysteries which no human understanding can fathom. Had they indeed confined themselves to speculative discussion, the mischief would have been less; but the heartburnings, the excommunications, the persecutions to which these controversies gave birth, were evils of the most alarming magnitude. In Holland the first reformers had established the Calvinistic creed in all its rigour. Arminius, the pastor of the great church at Amsterdam, and afterwards professor at Leyden, had adopted another system, which was deemed more conformable to the benevolence of the Deity, and less revolting to the reason of man. War was soon declared between the partisans of these opposite opinions; each sought the support of the temporal power; and the followers of Arminius addressed a remonstrance

<sup>1</sup> On this murder see a dissertation by Griffet at the end of the twelfth volume of Daniel's *Histoire de France*, edition of 1756.

<sup>2</sup> See the negotiations on this subject in the fifth volume of Boderie, and the third of Winwood.—Dumont, v. part ii. 121—153, 160.

rigid Calvinists a contra-remembrance, to the States of Holland. Politics often mingle with religious sentiment; not that there exists any natural connection between them, but that statesmen are aware of the advantage to be derived from the attachment of a religious party to their interests. The patriot Barnevelt assumed the defence of the remonstrants, while Prince Maurice of Nassau, his opponent in the state, placed himself at the head of their adversaries. James, whose early education had imprinted on his mind a deep reverence for the speculative opinions of Calvin, viewed the controversy with interest, and was not slow in condemning the presumptuous ignorance of Arminius. On the death of that professor, the curators of the university offered the vacant chair to Vorstius, a divine whose abilities were universally admitted, but who had occasionally indulged in novel and extraordinary opinions. His orthodoxy was disputed by the contra-remonstrants; but he repelled the charge before the States, and took possession of the office. By James the result was considered as a victory gained by the Arminians. However, during the progress, Archbishop Abbot placed in his way a treatise formerly published by Vorstius; and the king with his pen culled out, in the short space of an hour, a long list of heresies. His piety was shocked; he determined to spread the ægis of his infallibility over the cause of orthodoxy in Holland; and Winwood, the ambassador, by his orders, accused Vorstius, before the States, of heresy

and infidelity, of denying or misrepresenting the immensity, spirituality, and omniscience of the Godhead, and of throwing out doubts of the divinity of Christ. The Hollanders, though they answered with respect, resented this interference of a foreign power in their domestic concerns, and James in return sent them an admonition under his own hand. He was willing that, "if the professor would excuse his blasphemies, he should escape the stake, though no heretic ever deserved it better; but he could not believe that, on any defence or denial which he might make, they would allow him to retain his office. They should remember that the king of England was the defender of the faith; and it would be his duty, if such pestilent heresies were suffered to nestle among them, to separate from their communion, and to seek, with the aid of other foreign churches in common council assembled, how to extinguish and to remand to hell such abominable doctrines." Even this admonition was without effect; and the ambassador renewed his remonstrance in still sharper terms. He received an evasive answer; and, after a decent delay, protested in public against the errors of the professor, reminded the States that the alliance between England and Holland reposed on the basis of purity of religion, and concluded with a very intelligible hint, that they must abandon the protection of Vorstius, or forfeit the amity of James.<sup>1</sup> The king at first applauded the activity and spirit of his minister; he pronounced Winwood a man according to his own heart; but his minist-

<sup>1</sup> Winwood, iii. 293—296, 304, 309. The following were the distinguishing doctrines of the remonstrants: 1. That predestination was founded on the merits of Christ and the perseverance of man; reprobation on God's prescience of man's obstinate infidelity: 2. that Christ, according to the decree and will of his Father, had paid the price of redemption for all men without any

exception: 3. that there was not in God any secret will opposed to his revealed will, by which he testifies that he wills and seeks the salvation of all men: 4. that efficacious grace may be resisted: 5. and that believers often fall from faith, and perish through their own fault.—Acta Synod. Dordr. 126, 129.

ters remonstrated; he began to accuse the ambassador of indiscretion; and in a conference with the Dutch envoy, he laboured to mollify the asperity of the protest.<sup>1</sup> Still he did not recede from his resolution; he even ventured to appeal to the press, and published a short work in French, entitled a declaration against Vorstius.<sup>2</sup> The States saw the necessity of appeasing the orthodoxy of their ally. They had already incurred his resentment; they feared still more the irritation which would follow a controversy between the two theologians; and Vorstius was ordered not only to quit Leyden, but to purge himself from the imputation of heresy, by refuting the doctrines with which he had been charged.<sup>3</sup>

But the removal of the professor did not restore tranquillity. The remonstrants gradually acquired the ascendancy in the three provinces of Holland, Overijssel, and Utrecht, the contra-remonstrants in those of Guelderland, Zealand, Friesland, and Groningen. Each party, true to the intolerant spirit of the age, was eager to employ the civil sword against its theological opponents, and the republic was in danger of being torn into fragments by the violence of men who could not agree on the speculative doctrines of predestination and reprobation. James proposed to the States a national council, as the only remedy to the evil; and the suggestion was as eagerly accepted by one party, as it was haughtily rejected by the other. Both were supported in their obstinacy by the political views of their leaders, Barnevelt and Prince Maurice; of whom the first was charged with a design of restoring the provinces to the Spanish crown, the

other with a project of raising himself to the sovereignty. After a long struggle the command of the arm gave the victory to Maurice: he successively changed the magistrates of the towns of Overijssel and Utrecht and then ventured to arrest his great opponent, Barnevelt, with the two pensioners, Grotius and Hogerbet. From that moment the hope of the Arminians vanished; the magistracy of Holland was reformed, and the synod was appointed to be held at Dort. The Calvinist churches of Geneva and the palatinate sent deputies; and James, who, as the original adviser of the measure, could not refuse his concurrence, commissioned two bishops and two theologians to attend as representatives of the church of England, and a fifth, Scotsman by birth, but a member of the establishment, as representative of the kirk of Scotland. It was a singular spectacle to behold the two prelates sitting as the colleagues of ministers who had not received ordination from the hands of bishops, and voting with men who held episcopacy to be the invention of Satan. They attended the debates, moderated the violence of the disputants, and subscribed to the canons; but with the exception, that they protested against the article which reduced to a level the different orders of the hierarchy. The decrees of the synod were ratified with the blood of Barnevelt, who after a mock and secret trial, was sacrificed as a traitor to the ambition of the prince, and with the moderate sentence of perpetual imprisonment pronounced on Grotius and Hogerbet. To satisfy the king of England, the synod condemned the works of Vorstius; and the reign

<sup>1</sup> Winwood, iii. 316—320, 331.

<sup>2</sup> His ambassador at the Hague had already been commissioned to find out "some smart Jesuit with a quick and nimble

spirit to bestow a few lines against the atheisms of the wretch."—Ibid. 311. It appears that such a one was found.—Ibid. 318, 323, 330.

<sup>3</sup> Ibid. 348. See Fuller, l. x. p. 60.

arty in the States, to preserve the ascendancy, resolved to extirpate their opponents. Seven hundred families of Arminians were driven into exile, and reduced to beggary by the political fanaticism of their brethren and countrymen.<sup>1</sup>

II. The reformed church of Scotland, when it had obtained a legal establishment, was in reality a religious republic, which presented the singular spectacle of a gradation of elective judicatures, composed partly of laymen, partly of ministers, possessing and exercising with despotic sway every species of ecclesiastical jurisdiction. The lowest authority was that of the incumbent and the lay elders, who formed the parochial assembly. A certain number of these assemblies, classed together on account of their vicinity, constituted the presbytery, which heard appeals, confirmed, annulled, or pronounced censures, and decided on the admission, suspension, or the deprivation of ministers. The presbytery, however, though armed with extensive powers, was subordinate to the provincial synod, and this, in its turn, submitted to the superior jurisdiction of the general assembly, which was supreme on earth, and owed no allegiance in matters of faith or discipline but to Christ, its spiritual sovereign. That James, as head of the church of England, should aspire to the same pre-eminence in his native kingdom of Scotland, is not surprising; but he had more powerful motives than mere ambition to urge him to the attempt. The maxim, "no bishop, no king," was deeply impressed on his mind, and he saw, or thought he saw, danger to the throne, in the disposition and principles of the Scottish clergy.

They were men of bold untamable characters; their efforts to establish a republican form of church government had led them to discuss the authority of the civil magistrate, and to inculcate principles of resistance to unjust and despotic sovereigns; and the doctrine of predestination, the duty of extemporaneous prayer, and the habit of denouncing scripture judgments against sinners, had imparted to their minds, and to the minds of their hearers, a tinge of the most gloomy, and, in the royal estimation, of the most dangerous enthusiasm. Hence, to overthrow the fabric raised by Knox and his disciples became the chief object of the king's policy in Scotland. He made the attempt, and was apparently successful. With the aid of intrigue, and bribery, and force, he at length imposed bishops on the kirk; but the clergy and the people remained attached to the presbyterian discipline; their loyalty was shaken by the violence offered to their religious prepossessions; and the very measure by which James sought to uphold his own throne, aided to subvert, in the course of a few years, that of his son and successor.

He began by nominating clergymen of known and approved principles to the thirteen ancient Scottish bishoprics. This step created little alarm. The new prelates had neither jurisdiction nor income; they were only parochial ministers of the churches from which they derived their titles. But by progressive steps, every deficiency was supplied. An act of parliament restored episcopacy; and an act of the general assembly, procured by the arts of the minister, made the bishops moderators both of

<sup>1</sup> See the despatches of Carleton, the English ambassador, throughout the volume. The controversy has been considered as a contest for political power. It certainly was so with regard to Prince Maurice and

Barnevelt; but James seems to have interested himself in it chiefly from the motive of defending, as he calls them, the ancient doctrines of the reformed churches.

the synods and of the presbyteries within which they officiated.<sup>1</sup> The repeal of the statute annexing the episcopal lands to the crown enabled the king to endow their respective sees; and the erection of two courts of high commission, in virtue of the prerogative alone, invested them with powers more extensive than they could have possessed by their ordinary authority. At a convenient time three of the number repaired to England, received the episcopal ordination from the English bishops,<sup>2</sup> and after their return imparted it to their colleagues. At last it was enacted by parliament that all general assemblies should be appointed by the sovereign; that the prelates should have the presentation to benefices, the exclusive power of suspending or depriving incumbents, and the right of visitation throughout the diocese; and that every clergyman, at his admission, should take the oath of supremacy to the king, and of canonical obedience to the bishop.

If James had thus accomplished his design, it was owing to the address of Sir George Home, lord treasurer

and earl of Dunbar. That minister, leaving to the theological talents of his master the more difficult task of convincing the understandings of the Scottish clergy,<sup>3</sup> made it his object to work on their hopes and fears, their prejudices and passions. 1. In defiance of the royal prohibition, the ministers from nine presbyteries had presumed to hold "an assembly" at Aberdeen. Six of the most refractory objected to the authority of the council, and on that pretext were tried and condemned as traitors. It was an act of illegal and disproportionate severity;<sup>4</sup> but the prisoners gladly exchanged the crown of martyrdom for a life of banishment; and their colleagues were taught that the power of the sovereign was not to be braved with impunity. 2. When the general assembly at length met by the royal permission, the lord treasurer was careful to purchase the voices of some, and the silence of others, by a dexterous distribution of forty thousand marks. It was not that these holy men could be corrupted by bribes; but they felt no scruple to accept the arrears of

<sup>1</sup> Almost all the presbyteries and synods refused to submit.—Calderwood, 565—569.

<sup>2</sup> Camden, *Annals of James*, 643. Rymer, xvi. 706. Wilk. Con. iv. 443. Spotiswood, 514. Calderwood, 580.

<sup>3</sup> James had ordered five of the prelates and eight ministers to wait on him in England. The latter refused to assent to any proposal, on the plea that they were commissioned to hear, but had no power to treat. He required an answer to these questions: Were they willing to ask pardon for their offence in praying for the condemned ministers? had he not the right to appoint, suspend, and prevent their meetings? could he not, in virtue of the royal authority, call before him all persons, ecclesiastical as well as civil, and punish them for their offences?—Spotiswood, 497. But the king harangued, the English bishops preached, in vain. Andrew Melville had the presumption to ridicule in a Latin epigram the service in the royal chapel, and was imprisoned in consequence. Some months afterwards he was called before the council, and behaved with such freedom and insolence, within the hearing of the king, that he was committed to the Tower. Many

accounts have been given of the occurrence the following is by the French ambassador—"Ledit Melvin fut si aigre en sa réponse tant contre ce qui étoit du roi, que contre la personne particuliere dudit comte (de Salisbury), que celui-ci demeura sans réplique. A son secours vint l'archevêque de Cantorbéry, puis le comte de Northampton puis le trésorier, ausquels tous il lava la tête de telle sorte, n'épargnant aucuns de vices ou publics ou privés dont chacun d'eux est taxé (car il ne sont point anges), qu'ils eussent voulu qu'il eût été encore en Ecosse. Finalement ne le pouvant induire en sorte quelconque à jurer la primatie, et ne sachant comment autrement se venger de lui ils l'envoyèrent prisonnier à la Tour."—Boderie, *May 8, 1607*, vol. ii. 208. In 1611 he was liberated and sent into banishment at the request of the duke of Bouillon.—Boderie, v. 517, 531, 540.

<sup>4</sup> The charge was that they had rejected the authority of the privy council, grounded on the act of 1584, "for maintaining his majesty's royal power over all estates."—Spotiswood, 489. Balfour, ii. 10. The jury was packed by Dunbar.—Dalrymple's *Memorials*, 1—4.

former salaries, or a compensation for their expenses during the journey.<sup>1</sup> 3. Dunbar knew that, in the estimation of the more zealous, the extirpation of idolatry was paramount to every other duty. To induce them to yield to the wishes of the king, with respect to the superiority of bishops, he placed at their mercy the persons and property of the idolatrous papists. The compromise was accepted. The parliament enacted laws of recusancy; the clergy issued sentences of excommunication, and every Catholic nobleman was compelled to receive an orthodox minister into his family, and was forewarned that, unless he should conform within a given period, his obstinacy would be punished with judgment of forfeiture. At the same time the prisons were filled with victims of inferior quality; and so severe was the persecution, that according to the statement of the French ambassador, the fate of the Scottish was still more deserving of pity than that of the English Catholics.<sup>2</sup>

At his accession to the English throne James had promised to bless his countrymen with the royal presence at least once in the space of three years. Fourteen had elapsed, and he had not yet redeemed his pledge. It was not that he was for-

getful of the place of his nativity, or insensible to the pleasure of revisiting the scenes endeared to him by the recollections of youth. The great impediment was his poverty. Lately, however, he had restored to the Dutch the cautionary towns of Flushing and Brill for one-third of the sums for which they were pledged.<sup>3</sup> With the money he had satisfied the most urgent of the demands on the treasury; and this partial re-establishment of his credit enabled him to obtain, at an interest of ten per cent. a loan of ninety-six thousand pounds as a fund to defray the expenses of a royal progress to Scotland. But besides pleasure, he had two important objects in view,—to reform the administration of justice, which was perpetually impeded by the influence of the hereditary sheriffs, and to complete the assimilation of the Scottish kirk to the English church; a work which had succeeded so far under his servants during his absence, that he doubted not to accomplish the little which remained by his presence. When the parliament assembled, several deputies, of principles hostile to the royal views, were excluded by the sole authority of the sovereign; but in return, the persons whom he recommended for lords of the articles were rejected by the peers, who sus-

<sup>1</sup> Calderwood, 556, 565. Balfour, ii, 18. Spotiswood (p. 513) defends them: "Certain of the discontented sort did interpret it to be a sort of corruption, giving out, *that this was done for obtaining the ministers' voices.* Howbeit the debt was known to be just, and that no motion was made of that business before the foresaid conclusions were enacted."

<sup>2</sup> Boderie, ii, 13, 14, 28; iii. 324, 450; iv. 15. "Les Catholiques en Ecosse sont encore pis qu'en Angleterre; car outre le peu d'amour que le roi leur porte, il a tant d'envie d'y établir la religion d'Angleterre, et d'en être reconnu pour chef aussi bien-là, comme il est ici, que pour gagner les puritains qui sont les seuls qui l'y empêchent, il leur lâche la bride à toutes sortes d'oppressions contre les Catholiques" (iv. 23). "Les Catholiques d'Ecosse continuent à y être beaucoup plus travaillés qu'ils ne sont par-

deça" (iv. 346). Idem, 372. "This," says Balfour, was taken as "creame and oyle to soften and smouthe the king's misterious desaignes" (ii. 18). The new acts passed against them, and the persecution of the earls of Huntly, Angus, and Errol, and of others, may be seen in Balfour, ii. 23, 26, 28, 29, 32, 33. The Scottish Catholics are said, in Winwood, iii. 52, to amount to twenty-seven earls and barons, and two hundred and forty knights and gentlemen, besides inferior people. See also Spotiswood, 502, 5, 6, 9, 13.

<sup>3</sup> For two millions seven hundred and twenty-eight thousand florins, instead of eight millions.—Rymer, xvi. 783—787. If we may believe Peyton, for this service Winwood received from the States a present of twenty-nine thousand pounds.—Peyton, 358. See the reasons in Carleton's Letters, 28.

pected, and not without reason, a design to restore to the church the lands which had been severed from it by the reforming rapacity of their fathers. The king opened the session with a speech, one passage of which was not calculated to flatter the pride, nor to soothe the national antipathies, of his countrymen. He had nothing, he told them, "more at heart than to reduce their barbarity" (such was his expression) "to the sweet civility of their neighbours; and if the Scots would be as docile to learn the goodness of the English, as they were teachable to limp after their ill, then he should not doubt of success; for they had already learnt of the English to drink healths, to wear coaches and gay clothes, to take tobacco, and to speak a language which was neither English nor Scottish."<sup>1</sup> But he had already seen enough to moderate the expectations with which he came to Scotland. Some acts were indeed passed favourable to his purpose; one appointing commissioners to compound with the hereditary sheriffs, on the conversion of their sheriffdoms into annual offices; a second granting chapters to the different bishoprics; and a third enacting, that whatever the king might determine on religious subjects, with the consent of the bishops and of a certain number of clergymen, should be good in law. But against the last, before it was ratified with the touch of the sceptre, a strong remonstrance was offered. James hesitated, and to save his honour, ordered it to be withdrawn, under the pretence that it was superfluous to give him by statute that which was the inherent prerogative of his crown.<sup>2</sup>

On the dissolution of the parliament, the king proceeded to St. Andrew's, where the leading members

of the clergy had assembled. Simpson, Ewart, and Calderwood, three of the remonstrants, were brought before the court of High Commission on a charge of seditious behaviour, and were condemned, the two first to suspension and imprisonment, the other to perpetual exile. The king's will was then signified to their brethren in the shape of five articles, that the eucharist should be received in a kneeling and not in a sitting posture; that the sacrament should be given to the sick at their own houses, as often as they were in danger of death; that baptism should in similar cases be administered in private houses; that the bishops should give confirmation to youth; and that the festivals of Christmas, Good Friday, Easter, Ascension-day, and Whit-Sunday, should be observed in Scotland after the manner of England. These demands were received with manifest aversion by all present; but the fate of the three remonstrants acted as a salutary warning, and, instead of opposing the royal will, they fell on their knees, and solicited the king to remit the five articles to the consideration of a general assembly. He assented, on the assurance given by Patrick Galloway that no opposition would be offered; and soon afterwards hastened his departure to England.

It was with difficulty that the Scottish ministers repressed their murmurs in the presence of their sovereign: he was no sooner gone than they spoke their sentiments without reserve. *Their* mode of celebrating the Lord's Supper was conformable to the Scripture; the administration of baptism, and the custom of receiving the eucharist in private houses, were the relics of popery; the festival of Christmas they considered as the revival of the pagan Saturnalia;

<sup>1</sup> See a letter in Bacon, vi. 152.

<sup>2</sup> Spotiswood, 533. Parl. 1617, ch. i. ii. Bacon, vi. 152.



those of Easter and Whitsuntide of the ceremonial law of the Jews; in a word, all the articles were pronounced superstitious, and without warrant from the Scriptures.<sup>1</sup> In this temper of mind the assembly was held at St. Andrew's; and the only concessions made to the king were, that the minister should distribute the elements at the Lord's Supper, and that sick men might communicate at their own houses, provided they previously took an oath that they did not expect to recover.<sup>2</sup> James, who had looked for a very different decision, considered it as a mockery and an insult: he ordered the observance of the five articles to be enjoined by proclamation; the council withdrew the promised augmentation of stipend from the refractory ministers; and in the next assembly at Perth, Lord Binning, the treasurer, procured by his address a majority in favour of the royal demands.<sup>3</sup> Three years later he ventured to propose them in parliament; and an act was passed to enforce a discipline repugnant to the feelings and prepossessions of the people.<sup>4</sup> The king had promised to content himself with this concession; he kept his word. The history of his mother and grandmother had convinced him of the stern uncompromising temper of the Scottish religionists; and to his chaplain, Dr. Laud, whose zeal advised more vigorous measures, he replied, that it was better to preserve peaceably what had been obtained, than to hazard all by goading a whole nation into rebellion.<sup>5</sup>

III. The reader will recollect the

<sup>1</sup> Examination of the Articles of Perth.

<sup>2</sup> See Lord Binning's Letter to the king, November 28, in Dalrymple, i. 84.

<sup>3</sup> See another letter from the same, *ibid.* 87. After much contestation, instead of putting the separate articles to the vote, the question was proposed, would they in this obey or disobey the king? Eighty-six voted in the affirmative, forty-one dissented.

<sup>4</sup> By a majority of seventy-eight to fifty-

wars which, during the last reign, desolated Ireland, and distracted the councils of Elizabeth. In their origin they were similar to those which had existed under her predecessors; they sprang from the love of liberty and the hatred of foreign domination; but her defection from the church of Rome, and her attempt to impose a new worship by dint of authority, connected them with religious feelings, and rendered them infinitely more dangerous. Hitherto the natives had been taught to look on the pope as the lord paramount of Ireland; it was a notion encouraged by former kings and parliaments, as a cheap expedient to procure obedience;<sup>6</sup> but it now re-acted with double force against a princess under the sentence of excommunication and deposition. The champions of independence appealed to the protection of the pontiff as their feudal, no less than their spiritual, superior. I am not aware, that this title was ever positively admitted or rejected; but the popes repeatedly sent them pecuniary and sometimes military aid, and often by letters and messages exhorted the Irish to throw off the English yoke, and to vindicate their country from civil and religious thralldom. With many, these exhortations had considerable influence, but the majority of both races continued faithful to Elizabeth; and though they were tempted by the papal envoys, though they were upbraided as traitors and apostates by their revolted countrymen, the Irish Catholics fought under the English colours against Desmond, and formed one

one. At the same time he obtained a subsidy in aid of the Palatinate of four hundred thousand pounds Scots, to be paid by instalment in that and the three following years.—See the letters of the earl of Melros, which disclose the whole mystery of managing a Scottish parliament. Dalrymple, 108—139. Balfour, ii. 84.

<sup>5</sup> Hacket's Life of Williams, part i. 64.

<sup>6</sup> Irish Stat. 7 Ed. IV. c. ix.

half of the loyal army which, under Mountjoy, triumphed over the wiles, the obstinacy, and the despair of Tyrone.<sup>1</sup>

But the exceptions made to Elizabeth did not apply to James. Against him no excommunication had been pronounced, nor was he a prince exclusively of Saxon or Norman origin. He claimed his descent from Fergus, the first king of the Scots in Albion; and Fergus, as a thousand genealogies could prove, was sprung from the ancient kings of Erin. His accession, therefore, was hailed as a blessing by the aboriginal Irish; they congratulated each other on the event—they boasted that the sceptre of Ireland was restored to the rightful line in a descendant of Milespane.<sup>2</sup>

Though an act of parliament had been passed under Elizabeth to abolish the Catholic worship in Ireland, it had not been in the power of a handful of Protestants to deprive a whole people of their religious rites. If the law were at all obeyed, it was only in the garrison towns, where submission could be enforced at the point of the bayonet, and even in these the great mass of the inhabitants, the chief burghers and the magistrates, secretly cherished their former attachment to the Catholic creed. The death of Elizabeth afforded them an opportunity of expressing their sentiments with less restraint, and the announcement of that event was immediately followed by the restoration of the ancient service in Cork, Waterford, Clonmel, Limerick, Cashel, and other places. To the prohibitory commands of the lord deputy, answers were returned in a tone of resolution and defiance; batteries

were raised on the walls, and preparations made for resistance, and at Cork blood was shed in different affrays between the military and the citizens. Mountjoy, the lord deputy, acted with promptitude and decision. He collected a strong body of troops, proceeded from town to town, and, partly by argument, partly by intimidation, prevailed on the inhabitants to submit. Then, having previously published, under the great seal, an act of "oblivion and indemnity," he left the island, and took with him to England, as the heralds of his triumph, the repentant chieftains, Tyrone and O'Donnel, with their principal retainers.<sup>3</sup>

But the forcible abolition of their worship and its consequences, the weekly fines for absence from church on the Sundays, were not the only grievances of which the Irish Catholics complained. By law, the oath of supremacy was required from every individual who sought to take literary honours, or to plead at the bar, or to hold the office of magistrate, or to sue out the livery of his lands. Often it was tendered, and the Catholic was reduced to the distressing dilemma of swearing against his conscience, or of resigning all prospect of future advancement in life; often it was withheld, yet he still knew that he enjoyed this indulgence by sufferance only, and that he lay at the mercy of the government and of every malicious or interested informer. Much, indeed, has been said in praise of the forbearance with which these laws were executed in Ireland during a great part of the present reign; but that forbearance was only occasional, and even then it proceeded not from any just notion of toleration, but

<sup>1</sup> See in O'Sullivan a list of the Catholic chieftains serving in the English armies (iii. 114); also Moryson, 112, 256; *Pacata Hibernia*, præf. and p. 38, edit. of 1820, and O'Neil's proclamation in Leland, ii. 364.

<sup>2</sup> Lynch, *Alithinologia*, 27. See these genealogies illustrated by Dr. O'Connor, *Proleg.* i. 122—144.

<sup>3</sup> Moryson, ii. 330—342.

solely from a sense of weakness, from a persuasion that "the ripeness of time was not yet come."<sup>1</sup>

It was soon known in Ireland that the two chieftains had been graciously received by the new monarch; that Tyrone had recovered his former honours, and that his companion had been created earl of Tyrconnel. Encouraged by the intelligence, the Catholics sent over a deputation to join the two earls in petitioning for the free exercise of their religion. But James treated the proposal as an insult. It was, he told them, contrary to his conscience; as long as he could find one hundred men to stand by him, he would fight till death against the toleration of an idolatrous worship. Not content with this refusal, he committed four of the deputies to the Tower, where they remained during three months, in punishment of their presumption.<sup>2</sup>

Two years later a proclamation was issued, commanding all Catholic priests to quit Ireland under the penalty of death;<sup>3</sup> and an order was sent to the magistrates and principal citizens of Dublin to attend regularly at the reformed service. By law the refusal subjected the offenders to a certain fine; in this instance it was also visited with imprisonment. The great English families within the pale became alarmed. They remonstrated against the punishment as illegal, and

prayed to be indulged with freedom of religious worship; but the chief of the petitioners were arrested and confined in the castle; their spokesman, Sir Patrick Barnewall, was sent to England and incarcerated in the Tower.

To allay the discontent occasioned by this act of oppression, James issued a commission of graces. "The levy of fines for absence from church, and the administration of the oath on the livery of lands, were suspended till further orders; the established clergy were forbidden to exact undue fees from recusants for burials, baptisms, and marriages; and general pardons under the great seal were offered to all who would sue them out of the Chancery." These indulgences were meant to prepare the way for the king's favourite plan of assimilating the tenure of lands in his Irish, to that which prevailed in his English dominions. By a judgment given in the court of King's Bench, the old national customs of tanistry and gavelkind were pronounced illegal; and a royal proclamation called on the possessors of lands to surrender their defective titles to the crown, with a promise that they should receive them back in more valid form, and on more eligible conditions. In a country where force had for centuries usurped the place of right, there were few titles which could bear the scrutiniz-

<sup>1</sup> These are the words of Bacon, who adds, "Therefore my advice is, in all humbleness, that this hasardous course of proceeding, to tender the oath to the magistrates of towns, proceed not, but die by degrees."—Cabala, 39.

<sup>2</sup> Beaumont, despatch of Aug. 20th, 1603. The reader will observe that from that day it became the practice, whenever a petition was presented from the Irish Catholics, to commit some of the deputies to prison.

<sup>3</sup> Among those who were apprehended in consequence was Lalor, vicar-apostolic in the three dioceses of Dublin, Kildare, and Ferns. He was tried on the second of Elizabeth, and sentenced to a year's imprisonment, and the forfeiture of his per-

sonal property. During his confinement he was repeatedly visited by the lords of the council, and induced to acknowledge the king as head in causes ecclesiastical. That he acted with duplicity is evident. When he was reproached as an apostate by the Catholics, he replied that he had not admitted any spiritual authority in the king, but meant by causes ecclesiastical, those causes which by the existing laws were carried before the ecclesiastical courts. In punishment he was tried a second time on the statute of premunire, and though it is evident that his offence could never have been contemplated by the framers of that statute, he was condemned to perpetual imprisonment.—See Davis's Report in State Trials, ii. 533.

ing eye of a legal practitioner. The boon was generally accepted; but the commissioners, according to their instructions, carefully distinguished between the lands held in demesne, and those which had been parcelled out to inferior tenants. The first were returned by patent to the original owner as an estate in fee; in place of the others, he received only a rent-charge, payable by the tenants, and equal in value to the services which had formerly been rendered. It was expected that from this new system the most valuable benefits would be derived both to the king and to the people; to the king, because, by destroying the principle of hereditary clanship, it would take from the chieftains the power of disputing the royal pleasure; to the people, because, by giving to the inferior tenants with the right of freeholders an interest in the soil, it would wean them from their habits of turbulence and idleness, would introduce principles of improvement and civilization, and would teach them to look up to the sovereign as their legitimate protector. But experience did not realize these flattering predictions. The power of the Irish lords, indeed, "sodainly fell and vanished,"<sup>1</sup> and the mass of the people was loosened from all dependence on their former superiors: but they were not on that account more firmly attached to the crown. Instead of obeying their own hereditary leaders, they found themselves at liberty to follow every interested demagogue, every unprincipled adventurer, who was able to inflame

their passions, and goad them to acts of violence.

Tyrone and Tyrconnel left the English court with expressions of gratitude, but with feelings of distrust. Subsequent events confirmed their suspicions; and the harsh conduct adopted towards the Catholics with the attempt to divide the chiefs from their vassals, led them to believe that it was resolved to reduce the power and to annihilate the religion of the natives. In this temper of mind they accepted an invitation to meet Richard Nugent, Baron Delvin, at the castle of Maynooth. Delvin was born and bred in the Tower, where his mother had voluntarily shared the confinement of her husband, a prisoner during life, not because he had opposed, but because he was thought capable of opposing, the authority of the late queen. The three noblemen communicated to each other their resentments for past, and their apprehensions of future wrongs; they concurred in opinion, and bound themselves to each other to defend their rights and their religion by open force.<sup>2</sup> That any project of insurrection was at that time arranged is improbable; but, two years later, secret information was received by James from some person in the court and confidence of the archduke at Brussels, that Tyrone had sought to renew his former relations with the king of Spain. His ruin was immediately determined; and to decoy him into England without awakening his suspicions, a pretended claim to a considerable portion of his lands was

<sup>1</sup> Davis, 259. "When an Irish lord doth offer to surrender his country, and hold it of the crown, his proper possessions in demesne are drawn into a particular, and his Irish duties, as coshering, sessings, rents of butter and oatmeale, and the like, are reasonably valued, and reduced into certain summes of money to be paid yearly in lieu thereof. This being done, the surrender is accepted, and thereupon a grant passed,

not of the whole country, as was used in former times, but of those lands only which are found in the lord's possession, &c.; but the lands which are found to be possess'd by the tenants are left unto them respectively charged with those certain rents only, in lieu of all uncertaine Irish exactions."—Davis, *Discovery*, 260.

<sup>2</sup> Lynch, *Alithinologia*, Supplem. 186, in Dr. O'Connor's *Historical Address*, ii. 226.

set up in obedience to secret instructions from the ministers.<sup>1</sup> The Irish government declined the cognizance of the cause as too delicate and important; and both parties received notice to appear with their titles before the council in England. But Tyrone was a match for the cunning of his adversaries. He sent to his attorney full power to act in his name; and when the lord deputy informed him from the king, that his presence would be necessary to defeat the intrigues of the plaintiff, he solicited a respite of thirty days, that he might collect money, and make preparations for the journey. The request was granted; and before the expiration of the term, Tyrone with his wife, his two younger sons and nephew; and Tyrconnel, with his son and brother, Lord Dungannon, and thirty other persons, embarked in a vessel which had arrived from Dunkirk, and landed in a few days at Quillebecque, in Normandy. James at first persuaded himself that they had shaped their course to Spain, and would return with the armada, which during the summer had been collected in the Spanish ports: the intelligence that they had proceeded through France to Brussels gave him leisure to breathe. He demanded their persons as traitors; and issued a long proclamation describing them as men of mean birth, who had been ennobled only for reasons of state; of corrupt morals, whom no man would think of molesting for religion; of rapacious

dispositions, who, though their own rights were not invaded, constantly sought to invade the rights of others; and of traitorous intentions, who had designed to raise a rebellion, to invite a foreign force into the realm, and to put to death all Irishmen of English descent.<sup>2</sup> But the foreign courts, in defiance of his remonstrances, persisted in treating them as exiles for their rights and religion. Most of them were admitted into the Spanish army in Brabant; Tyrone proceeded to Rome, where he received a monthly pension of one hundred crowns from the pope, and of six hundred from the king of Spain.<sup>3</sup>

As soon as the alarm had subsided, search was made for the real or supposed associates of the fugitives. Many of their friends suffered in Ulster; several were sent for examination to England; and three gentlemen, Sir Christopher St. Lawrence, the eldest son of Tyrone, and Lord Delvin, were secured in the castle of Dublin. The last was tried and condemned; but, on the morning appointed for his execution, his warder found the cell empty. With the aid of a cord he had escaped out of a window on the preceding evening, and mounting on horseback, had reached in safety the castle of Clochnacter. Proclamations were dispersed, rewards offered, and pursuivants despatched in all directions; but so trusty were his confidants, so secret his motions, that no trace of his flight could be discovered; and the first time the fugitive appeared

<sup>1</sup> In Boderie it is said that the plaintiff was a relation, in Carleton that he was Montgomery, archbishop of Armagh.

<sup>2</sup> Rymer, xxv. 664. The ambassador hints a doubt of the accuracy of the charge, but adds that the flight of the earls by raising fears caused a relaxation of the severity used towards the Catholics. A report was spread that Tyrone intended to massacre all the Protestants in Ireland. "La conspiration étoit, à ce qui se publie maintenant parmi ce peuple, de faire des répres Siciliennes sur tous les Anglois qui sont en

Irlande, et puis y rétablir la religion Catholique. Je ne sçais si le principal but dudit Comte eût été de profiter à la religion; mais quoi qu'il en soit, ce qu'il a fait n'y a point déjà été nuisible. Car la vérité est que depuis cela, on n'a pas si sévèrement poursuivi les Catholiques, comme on faisoit auparavant."—Boderie, Dec. 20, 1607, ii. 488.

<sup>3</sup> There are several accounts of the causes leading to the flight of the earls: I have preferred that which was sent to the king of France by his ambassador.—Boderie, ii. 387, 390.

in his real character, he was seen at court on his knees before the king, soliciting mercy, and holding in his hand a long history of the wrongs done to his father and to himself. James was moved to pity: he admitted as an apology the provocations which had been received; and not only pardoned the offence, but raised the suppliant to the higher dignity of earl of Westmeath. The subsequent services of Nugent repaid and justified the clemency of his sovereign.<sup>1</sup>

Whether O'Dogherty, chieftain of Innishowen, had been privy to the designs of Tyrone, may be doubted—it is certain that he had formerly received a blow from the hand of Paulet, the governor of Derry, and that he burned to wash away the insult with the blood of his enemy. A marriage banquet furnished the opportunity: the party was surprised at table; and Paulet, with five others, fell the victims of revenge. Hart, the governor of Culmore, was made prisoner. O'Dogherty led his captive to the gate of the fortress, demanded to parley with the wife of Hart, and allowed her a short time to choose between the death of her husband, or the surrender of the place. Her tears and entreaties prevailed on the pity or cowardice of the garrison; Culmore supplied the chieftain with artillery, arms and ammunition; and Derry, with its castle, submitted to his power. This unexpected event excited new hopes and fears. Messengers from the exiles exhorted O'Dogherty to persevere, till they should come to his support; the council strained every nerve to suppress the insurrection, before the arrival of foreign aid. The two first attempts ended in the discomfiture of the royalists, who lost three or four hundred men; but on the approach of

Wingfield, marshal of the camp, the chieftain dismantled the two fortresses, and retired among the bogs and mountains. For two months he kept his enemies at bay; but one morning, exposing himself incautiously, he was slain by a random shot, and the voluntary dispersion of his followers put an end to the rebellion.<sup>2</sup>

These occurrences opened to the king a fair field for the display of his proficiency in the art of legislation which he valued no less highly than his theological knowledge. By the outlawry of the fugitives, and the revolt of O'Dogherty, it was estimated that two millions of acres almost the whole of the six northern counties of Cavan, Fermanagh, Antrim, Derry, Tyrone, and Tyrconnell had escheated to the crown. James was aware that the endeavours to colonize Ulster under Elizabeth had proved unsuccessful; but he inquired into the causes of the failure, called to his aid the local knowledge of the lord deputy Chichester, and after long deliberation determined to make another trial on a new and improved plan. By it the lands to be planted were separated into four portions, of which two were subdivided into lots of one thousand and third into lots of one thousand five hundred, and a fourth into lots of two thousand acres. The larger lots were reserved for "undertakers and servitors," that is, adventurers with known capital from England and Scotland, and the military and civil officers of the crown; the small lots were distributed indiscriminately among these and the natives of the province. It was, however, determined that the latter should receive their allotments in the plains and more open country; the undertakers

<sup>1</sup> Lynch, ubi supra.

<sup>2</sup> Boderie, iii. 266, 299, 322, 341. O'Sulli-

van, 210. This writer bitterly laments the force under Wingfield was composed chiefly of Catholics.

and servitors on the hills and in positions of strength; that from the first thing more should be required than crown-rent of a mark for every sixty acres, but that the latter should be bound to take the oath of supremacy, and to admit no tenant who was not of British origin. Such was the plan, but in the execution it suffered numerous modifications. Of the whole strictly, in many parts mountainous and uncultivated, a large portion was never divided at all; and several of the native chieftains, under the plea of loyalty, or by the influence of presents, procured grants of their former possessions. Yet some hundred thousand acres were planted; and the vigour of the measure, joined to the intermixture of a new race of inhabitants, served to keep in awe those turbulent spirits that had so often defied the authority and arms of the English government.<sup>1</sup>

The supposed necessity of a military force for the protection of the colonists, suggested to Sir Antony Shirley a project of raising money for the use of the king.<sup>2</sup> He proposed the creation of a new title of honour, that of baronet, intermediate between those of baron and knight: that it should be conferred by patent, at a fixed price, for the support of the army in Ulster; that it should descend to heirs

male, and be confined to two hundred individuals, gentlemen of three descents and in the actual possession of lands to the yearly value of one thousand pounds. James approved of the scheme: the patents were offered at the price of one thousand and ninety-five pounds, the estimated amount of the charge of thirty soldiers during three years; and purchasers were found, though in smaller numbers than had been expected. It is unnecessary to add that the money never found its way to Ireland.<sup>3</sup>

The tranquillity of the island encouraged the lord deputy to announce his intention of now holding a parliament after an interval of seven and twenty years. His avowed object was to enact new laws, and to obtain a supply for the king; but the Catholics suspected a further design of imposing on their necks that penal code which weighed so heavily on their brethren in England. Their fears were first awakened by successive proclamations enforcing the penalties of recusancy; they were confirmed by the copy of a real or pretended act transmitted from the council in England to that in Ireland;<sup>4</sup> and an additional alarm was excited by the extraordinary exertions of the lord deputy to secure a majority in the house of Commons.

<sup>1</sup> The project, orders, and survey, may be seen in Harris. Dr. O'Connor observes that the account given by Cox should be corrected by the statements in the *Desiderata curiosa Hiberniæ*, Address, ii. 296. But if we may believe Lord Wentworth in the next reign, no faith is to be given to the measurements. He found that most of the undertakers had obtained ten times as much land as was stated in their patents, and at the same time neglected to fulfil their contracts.—Stafforde Papers, i. 132, 405.

<sup>2</sup> Selden, part ii. p. 821, 906, 910. "My father," says Thomas Shirley to the king, "being a man of excellent and working wit, did find out the device of making baronets, which brought to your majesty's coffers well nigh 100,000*l.*, for which he was promised by the late Lord Salisbury, lord treasurer, a good recompence, which he never had."—Dalrymple, i. 69.

<sup>3</sup> In the six years ninety-three patents were sold, raising in all one hundred and one thousand eight hundred and thirty-five pounds.—See Abstract of the King's Revenue, 36—38. It was promised in the patents that no new title of honour should ever be created between barons and baronets, and that when the number of two hundred had been filled up, no more should ever afterwards be added.—Somers's Tracts, ii. 254.

<sup>4</sup> By it the punishment of high treason was to be enacted against all priests who should remain in the kingdom after the term of forty days from the conclusion of the parliament; and every person harbouring or aiding a priest, was for the first offence to pay forty pounds, for the second to incur a præmunire, for the third to suffer death.—See it in *Hibernia Dominicana*, 619.

Since the last parliament seventeen new counties had been formed, and forty new boroughs had been incorporated, though most of the latter consisted only of a few scattered houses built by the undertakers in Ulster. The lords of the pale presented a petition to the council, remonstrating in strong though respectful language against these illegal incorporations, and demanding that all laws which had for their object to force consciences should be repealed.<sup>1</sup> What answer was returned is unknown; but the parliament met. On a division respecting the choice of a speaker, it appeared that the Protestants had a majority of more than twenty members; but their adversaries objected to many of the returns, they seceded from the house, and so specious was their cause, so menacing their appearance, that the lord deputy did not venture to proceed. He prorogued the parliament, and the two parties appealed to the justice of the king.

During the contest the Catholics had presented a remonstrance containing the catalogue of their religious grievances. They complained that obsolete statutes had been of late revived and carried into execution; that their children were not allowed to study in foreign universities; that all the Catholics of noble birth were

excluded from offices and honours and even from the magistracy in their respective counties; that Catholic citizens and burgesses were removed from all situations of power or profit in the different corporations; that Catholic barristers were not permitted to plead in the courts of law; that the inferior classes were burdened with fines, excommunications, and other punishments, which reduced them to the lowest degree of poverty. In conclusion they prayed that, since persecution could not wean them from their religion, the king would adopt a more moderate course, which might restore tranquillity, and provide, at the same time, for his interests and those of his people.

After the prorogation they sent the lords Gormanstown and Dr. Boyle in the name of the Catholic peers, and two knights and two barristers in the name of the commons to lay their petition at the foot of the throne. To defray the expense of this mission a general collection was made throughout the kingdom, and all classes contributed their portion in the face of a prohibitory and menacing proclamation.<sup>2</sup> By James the deputies were graciously received but his itch of talking soon changed him from a judge to a party; he answered their arguments and refused their claims.<sup>3</sup> A commission of

<sup>1</sup> The Catholics, in the petition presented by their deputies, complained that they, the ancient nobility and gentry of the pale, were "vilipended, set at nought, and disgraced by men newly raised to place and power; that the new boroughs were incorporated with the most shameful partiality;" and that their representatives were attorneys' clerks and servants: they requested the king to weigh the discontent created by such measures, and the danger to be feared from the "evil-affected, which were numbers, by reason of the already settled and intended plantations;" and to pacify the nation, lest a civil war, fomented, perhaps, by some foreign power, should be the consequence.—See it in Leland, ii. 450.

<sup>2</sup> O'Sullivan, iv. 247. *Hibernia Dominicana*, 625.

<sup>3</sup> The English council sought to intimidate the petitioners (Winwood, iii. 463, 464) and, as usual, committed two of the deputies, Luttrell to the Fleet, and Talbot to the Tower. The Jesuit Suarez had lately asserted the deposing power. Several tracts from his work were laid before Tallot with an order to give his opinion of the truth or falsehood. He sought to evade the task by declaring, that on points of faith he thought with the Catholic church. In point of loyalty, he acknowledged James to be lawful and undoubted king of England, Scotland, and Ireland, and to him would bear true faith and allegiance during his life. This answer was pronounced with great offence; and after several other answers, to which more or less objection was made, Talbot was brought before the Star



ry was, however, granted; and the king, having received the report, pronounced his approval of the conduct of the lord deputy, while he left that the inferior officers of the government open to further investigation. Chichester himself, with the earl of Comond, Denham the chief justice, Oliver St. John, the master of the chancery, attended in England; the complaints of the recusants were repeatedly debated during two months; but it was conceded that two of the returns to parliament were illegal, and that the representatives of boroughs incorporated after the writs were issued, had no right to sit during the session. To the remaining complaints a particular answer was returned; and James, sending for the deputies, and several Irish lords and gentlemen who had joined them, pronounced a severe reprimand, and was proceeding to tax them with disloyalty on the ground of religion, when Lord Delvin, kneeling on his knees, protested that he and his always would be faithful to the king, but that no consideration could ever induce him to abjure the worship of his fathers; wherefore, if it was supposed that the profession of the Catholic faith could not be reconciled with the loyalty of a good subject, he begged permission to retire to some foreign country, where he might serve his God without constraint to his conscience or offence to his sovereign. The king was disconcerted by this interruption; but recovering himself, he said it was not to Delvin, but to the others that his words had been directed, who, by their resistance to his deputy, had incurred his high displeasure; but that he would allow them to return to Ireland, in the

number. The result we know not. But it is confessed that his last answer had given no satisfaction, and he was probably displeas- ed with an admonition.—Bacon, iv. 420. *Hibernia Dominicana*, 626—628. Plowden, i. App. xvii.

In the convocation the clergy adopted a

hope that their future submission would justify his present lenity.<sup>1</sup>

The appearance of another proclamation, leaving to the Catholic clergy of Ireland the option between self-banishment or death, taught the public to believe that the lord deputy had gained a complete victory over his opponents. But, however anxious James might feel to strengthen the Protestant interest in the island, he saw that additional persecution, without a larger force than he could maintain, would only provoke a general and perhaps successful rebellion. He sent Chichester back with instructions to soothe rather than irritate; the recusants received private assurances of forbearance and indulgence; and when the parliament met again, both parties appeared to be animated with the spirit of reconciliation and harmony. Every attempt to revive the late controversy was silenced; and the two houses joined in a petition that Catholic barristers might be permitted to plead, in defiance of the law. With similar unanimity, an act was passed recognizing the right of James to the crown; the attainder of Tyrone, Tyrconnel, and O'Dogherty, with their accomplices, and the plantation of Ulster were confirmed by law; all statutes establishing distinctions between Irishmen of the two races were abolished, and a liberal subsidy was cheerfully granted to the crown.<sup>2</sup>

Chichester was succeeded in the office of deputy by Oliver St. John, and St. John by Carey, Viscount Falkland. Under the former an attempt was made, by order of the English council, to enforce the legal fine for absence from church, and the

code of doctrinal articles for the use of the Irish church, compiled chiefly by the celebrated Ussher. They amount in number to one hundred and four, and lean much more to the opinions of Calvin than the thirty-nine articles of the church of England.—See them in Wilkins, iv. 445—454.

judges were instructed to begin by reporting the names of a few Catholics in each county, likely from the timidity of their disposition to submit, and from the influence of their station to find imitators among the people. By Falkland a most menacing proclamation was published, commanding every Catholic clergyman to quit the kingdom within fifty days, under the peril of incurring the royal indignation, and of suffering the severest penalty enjoined by the law. But the policy of such measures was very questionable. They could produce no benefit, because it was impossible to carry them into execution; and they served to irritate, because they proved the hostile and intolerant disposition of the government.<sup>1</sup>

James himself was convinced that before he could extirpate the Catholic worship, it would be necessary to colonize the other provinces after the example of Ulster. New inquiries into defective titles were instituted, and by the most iniquitous proceedings it was made out that almost every foot of land possessed by the natives belonged to the crown.<sup>2</sup> First the sea coast between Dublin and Waterford was planted; then came the counties of Leitrim and Longford; next followed King's County, Queen's County, and Westmeath. James had required that three-fourths of the

lands should be restored to the original occupiers, but his orders were disregarded; the native was fortunate who could recover so much as one-fourth; many were stripped of every acre which they had inherited from their fathers, and several septs were transplanted from the soil that gave them birth, to the remotest parts of the island.<sup>3</sup> From Leinster the projectors travelled westward, and claimed for the king the whole province of Connaught, and the adjoining county of Clare, as having formerly belonged to the earl of Ulster. In the reign of Elizabeth it had been agreed that the occupiers of this extensive district should surrender all their lands, and receive them back on certain conditions. The agreement was performed by the inhabitants; but the patents, for some unknown reason were not delivered. To supply this defect, in the thirteenth of James they made a second surrender, received the patents, and paid three thousand pounds as the price of enrolment in Chancery. Within few years it was discovered that, through the malice or neglect of the officers the enrolment had not been made, and James was advised to take advantage of the omission, and reassert his right to the whole county. But the firm and menacing language of the occupiers alarmed the mind

<sup>1</sup> Hibernia Dominicana, 636, 637.

<sup>2</sup> Carte's Ormond, l. 26. "Where no grant appeared, or no descent or conveyance in pursuance of it could be proved, the land was immediately adjudged to belong to the crown. All grants taken from the crown since 1 Edward II. till 10 Henry VII. had been resumed by parliament, and the lands of all absentees and of all that were driven out by the Irish, were by various acts vested again in the crown.....Nor did even later grants afford a full security; for if there was any former grant in being at the time that they were made,.....or if the patents passed in Ireland were not exactly agreeable to the fiat, and both of these to the king's original warrant transmitted from England; in short, if there was any defect in expressing the tenure, any

mistake in point of form, any advantage be taken from general savings and clauses in the patents, or any exceptions to be made in law (which is fruitful enough affording them), there was an end of grant and of the estate that was claimed under it."

<sup>3</sup> No fewer than seven septs were removed from Queen's County to Kerry, and forbidden to return under martial law. The seignory of Torbert was given by the king to Sir Patrick Crosby, on condition that he should lease out one-fourth to the newcomers on reasonable rates. A few, and only a few leases were made.—See St. John's Despatches, i. 69. See another account in Carte, which, he says, for injustice and cruelty is scarcely to be paralleled in the history of any age or country (i. 27—32)

the king; they protested against the injustice of the measure, and hinted resolution to keep by the sword what they had rightly inherited from their ancestors. A composition was proposed. James renewed the patents for a double annual rent, and a fine of ten thousand pounds; and the inhabitants congratulated themselves on their fortunate escape from the rapacity of the projectors and of the overreign.<sup>1</sup>

Such was the state of Ireland at the death of the king. Civil injury had been added to religious oppression. The natives, whom the new system had despoiled of their property, or driven from the place of their birth,

<sup>1</sup> Carte, i. 22—27.

retained a deep sense of the wrongs which they suffered; and those who had hitherto eluded the grasp of the servitors and undertakers pitied the fate of their countrymen, and execrated a government from which they expected in a few years a similar treatment. There was indeed a false and treacherous appearance of tranquillity; and James flattered his vanity with the persuasion that he had established a new order of things, the necessary prelude to improvement and civilization. In a short time his error became manifest. He had sown the seeds of antipathy and distrust, of irritation and revenge; his successor reaped the harvest, in the feuds, rebellions, and massacres which for years convulsed and depopulated Ireland.

### CHAPTER III.

PERSECUTION OF THE CATHOLICS, PURITANS, AND UNITARIANS—BACON—BUCKINGHAM—THE FAMILY OF THE LAKES—SIR WALTER RALEIGH—THE PALATINE ELECTED KING OF BOHEMIA—PROCEEDINGS OF PARLIAMENT—IMPEACHMENTS—DISGRACE OF BACON—WILLIAMS MADE LORD KEEPER—HOM CIDE BY ARCHBISHOP ABBOT—DISSENSION BETWEEN THE KING AND THE COMMONS—MARRIAGE TREATY WITH SPAIN—THE PRINCE AT MADRID—THE MATCH BROKEN OFF—PARLIAMENT—SUPPLY—IMPEACHMENT OF THE LORD TREASURER—INTRIGUE AGAINST BUCKINGHAM—PREPARATIONS FOR WAR WITH SPAIN—MARRIAGE TREATY WITH FRANCE—DEATH OF THE KING.

UNDER archbishop Bancroft the church had been "purged" of the non-conformist ministers. Fines and imprisonment and deprivation had taught a wholesome lesson, and the less obstinate persuaded themselves that it was lawful to submit in silence to that which, though they might condemn, they could not prevent. At the death of Bancroft the prelates recommended for his successor Andrews, bishop of Ely; James preferred Abbot, bishop of London, not however, as he told him, in reward of his own merit, but of that of his

patron, the earl of Dunbar.<sup>1</sup> Abbot did not inherit that stern spirit of orthodoxy which distinguished his predecessor; though he approved of the established discipline himself, he respected the scruples, and connived at the disobedience of others; and his moderation, as it was called by his friends, though his enemies termed it a culpable and treacherous indifference, encouraged some of the Puritan preachers to establish separate and independent congregations on

<sup>1</sup> Birch, Negotiations, 338.

the following basis: 1. That it was unlawful to adopt in the worship of God any form or ceremony not expressly warranted in scripture; 2. that each congregation is a distinct church, independent of all others; 3. that the pastor of every such congregation is supreme under Christ, and exempt from the control or censure of any other minister.<sup>1</sup>

In proportion as the metropolitan inclined towards puritanism, he displayed the most active antipathy against the professors of the ancient faith. But his vehemence was checked by the moderation of James, who, less prodigal of human blood than his female predecessor, less willing to pass in the estimation of foreign princes for a sanguinary persecutor, preferred more lenient punishments to that of death. Though the prisons were crowded with priests,<sup>2</sup> yet during the long lapse of eleven years, from 1607 to 1618, the number of those who suffered as traitors for the exercise of their functions amounted only to sixteen; a most lamentable falling off in the estimation of men who had been accustomed to feast their zeal with an equal number of similar executions in the course of twelve months.<sup>3</sup>

The lay Catholics were still liable to the fines of recusancy, from which the king, according to his own account, received a net income of thirty-

six thousand pounds per annum.<sup>4</sup> But the statute of 1606 had severely aggravated their sufferings. They were repeatedly summoned to take the new and disputed oath of allegiance. Non-attendance at church was visited with excommunication, and the civil consequences of that ecclesiastical sentence; and the refusal of the oath subjected them to perpetual imprisonment and the penalties of premunire. When the king in 1616, preparatory to the Spanish match, granted liberty to the Catholics confined under the penal laws, four thousand prisoners obtained their discharge. Such at least was the number according to the Puritan writers, whose zeal most bitterly laments that so many idolaters should be let loose to pollute a soil, purified by the true doctrines of the gospel.<sup>5</sup>

Another grievance arose from the illegal extortions of the pursuivants. Armed with warrants from the magistrates or the under-sheriff, they selected a particular district, and visited every Catholic family, under the pretext of enforcing the law. From the poor they generally exacted the sacrifice of their furniture or their cattle; to the more wealthy they repeatedly sold their forbearance for large sums of money. Experience proved that it was most prudent to submit. The very show of resistance

<sup>1</sup> Neal's History of the Puritans, part ii. ch. i.

<sup>2</sup> They were four hundred in 1622.—Ellis, Original Letters, iii. 128.

<sup>3</sup> Challoner, ii. 16—120.

<sup>4</sup> Hardwicke Papers, i. 446.

<sup>5</sup> Neal, part ii. c. 2. Of the intolerant principles which prevailed at this time, the reader may form a notion from the following instance. On the 7th of May, 1613, several persons were arraigned in the Star-chamber on a charge of having defamed the earl of Northampton and six other lords of the council, by asserting that they had solicited the king to grant toleration to the Catholics, but had been successfully opposed by Archbishop Abbot and the lord Zouch. When

the lords delivered their opinions, Sir Edward Coke asserted that the conduct attributed to Lord Northampton was little short of high treason, because to advise toleration was to advise the king against the rights and dignity of his crown; the bishop of London and the earl of Shrewsbury prayed that they might never live to see the day when toleration should be granted; and the archbishop said, he would fearlessly declare that in such case the king would cease to be the defender, and would become the betrayer, of the faith. In conclusion the delinquents were severally adjudged to lose one ear, to pay a large fine, and to suffer perpetual imprisonment.—Extract from a private letter in my possession, dated London, May 9, 1613.

generally provoked a forced search, in which plate, jewels, and the most valuable effects were carried off as superstitious articles, and the owner was conducted to prison, unless he would redeem himself by the payment of a large bribe.<sup>1</sup> These excesses attracted the notice of parliament; a promise of redress was given; and a royal proclamation proved, but did not abolish, the prevalence of the evil.<sup>2</sup>

Besides the Catholics and Puritans there was a third class of religionists obnoxious to the law,—the Unitarians, few in number, but equally unwilling to abjure their peculiar doctrines. One of these, by name Bartholomew Legat, was convented before the episcopal court in St. Paul's, and charged with a denial of the Trinity. His obstinacy was proof against the arguments of the prelate; it resisted even the theology of the king. The bishop delivered him over to the secular power, and James ordered him to be burnt in Smithfield. Three weeks later, Edward Wrightman, who to the denial of the Trinity added the assertion that he was himself the holy spirit promised in the scriptures, suffered a similar fate at Norwich.<sup>3</sup> "God," observes Fuller, "may seem well pleased with this seasonable severity; for the fire thus kindled quickly went out for want of fewell." Yet another Unitarian was discovered and condemned to expiate his errors at the stake; but James, informed by the murmurs uttered by the spectators at the former executions, prudently saved him from the flames, and immured him in a dun-

geon for life.<sup>4</sup> In this conduct he persevered to the end of his reign, and the fire went out, not through want of fuel, but through the policy or the humanity of the sovereign.

From these instances of religious intolerance we may turn to the civil transactions which filled up the residue of James's reign. While the king was in Scotland, Bacon had taken possession of his office. The vanity of the new lord keeper, the state which he displayed, and the consequence which he assumed, excited ridicule and contempt. But his preferment was an instructive lesson to Sir Edward Coke, to whom the favourite had offered his protection, as soon as he would consent to the marriage of his daughter (a rich heiress) with Buckingham's brother, Sir John Villiers. Coke at first had refused; he now signified his acquiescence through his friend Winwood the secretary. The jealousy of Bacon was alarmed. He wrote to dissuade the king from giving his consent, and encouraged the opposition of Lady Hatton, the wife of Coke, whose pride it was to mortify her husband. The two ladies, the mother and daughter, disappeared, and were secreted first at the house of Sir Edmund Withipole, near Oatlands, and next in that of Lord Argyle, at Hampton Court. Coke's application for a search warrant was refused by Bacon, but granted by Winwood; and the father, with the aid of twelve armed men, brought away his daughter from her retreat. In the search some acts of violence had occurred, strictly lawful in the

<sup>1</sup> From private letters in my possession. "Neither pot nor pan, nor bedding nor change, nor jewels, nor anie thing escapeth their hands."

<sup>2</sup> "Under colour of certain general dormant warrants they have committed many outrages, abuses, and misdemeanors, as well in searching the houses of divers our honest and well-affected subjects without just cause of suspicion, and taking and seizing goods, plate, and jewels, no way

leading to superstitious uses, yet pretending them to be the goods of Jesuits and others, and also in discharging, and wilfully suffering sundry Jesuits and other popish priests and dangerous and evil-affected persons to escape for bribes and rewards underhand given to them."—Rymer, xxii. 213. Also Bacon's Works, vi. 210.

<sup>3</sup> See the writs for their execution in Howell, ii. 731, 736, and at the end of Truth brought to Light. <sup>4</sup> Fuller, l. x. p. 62—64.

opinion of Coke, breaches of the peace in that of Bacon. The former was called to answer for his conduct before the council, and threatened with a prosecution in the Star-chamber; but the king undertook his defence, and the pride of Bacon was soon humbled in the dust. James wrote to him a letter of reprimand, Buckingham one of reproach, with a very significant hint that he who had made, could also unmake him at pleasure. The answer of the lord keeper was submissive and deprecatory; but it unfortunately contained an expression which was deemed insulting both to the monarch and the favourite, a dark insinuation that, as Buckingham was running the same course, he might meet with the same fate, as Somerset.<sup>1</sup> This second affront called for additional punishment, which Bacon only escaped by acts of degradation and protestations of repentance. On the king's return he solicited, and was refused, access to the royal presence. He waited on Buckingham, was detained several hours in the ante-chamber, and was then dismissed without any apology. He returned the next day: his servility softened the resentment of his patron; and the lord keeper, falling at the feet of the young favourite, most piteously implored forgiveness. A reconciliation of all the parties followed: Coke was again sworn of the privy council; Villiers received the hand of his wealthy but reluctant bride; and Bacon, as the reward of his repentance, obtained the appoint-

<sup>1</sup> See the letter in Bacon's Works: "I know him to be naturally a wise man, of a sound and staid wit; and again I know he hath the best tutor in Europe. Yet I was afraid that the height of his fortune might make him too secure; and, as the proverb is, a looker-on sometimes sees more than the gamester."—Bacon's Works, vi. 158. The king's answer may be seen, p. 162. Buckingham took no notice of the above, but announced his displeasure thus: "In this business of my brother's I understand you have carried yourself with much scorn and neglect towards myself and my

ment of lord chancellor, with a pension of one thousand two hundred pounds a year, besides the emoluments of his office,<sup>2</sup> and the title of Lord Verulam.

Buckingham now reigned without control. He had rapidly obtained the dignities of baron, viscount, earl, and marquess; had been made privy councillor and knight of the Garter; and had succeeded to the place of master of the horse on the removal of the earl of Worcester, which he afterwards exchanged for that of lord high admiral on the forced resignation of the earl of Nottingham. Peerages were created, offices distributed, and ecclesiastical preferments conferred at his pleasure: his influence extended into the court of law, and every department of government; and crowds of applicants for his favour,—peers, prelates, and commoners, were all careful to purchase it by large presents of money, or the grant of an annuity on their salaries and emoluments. James appeared to rejoice in the wealth and authority of his favourite, was never happy but in his company, and made him both the depository of his secrets and the arbiter of his pleasures. Under the auspices of Buckingham, the court assumed a gayer appearance than had worn of late years; balls, and masks, and festivities, hastily followed each other; and with them were intermixed, to gratify the taste of the monarch, the most quaint conceits, low buffoonery, and ridiculous deceptions.<sup>3</sup> James had already scandalized

friends; for which, if it proved true, blame not you, but myself, who was your assured friend. G. Buckingham."—Ibid. 165. On their reconciliation, the earl assured him that he was obliged to go to his knees and conjure the king not to put any public disgrace upon him (172). See Bacon's Works, vi. 167—173, and Weldon 127, 132.

<sup>2</sup> The chancellorship was worth two thousand seven hundred and ninety pounds per annum.—Secret History of James, i. 45 note.

<sup>3</sup> Weldon 91, Aul. Coq. 263. Wilson

the Puritans by the allowance of certain pastimes on Sundays:¹ this round of dissipation at Whitehall filled them with pain and horror. They declaimed against the libertinism of the court, exaggerated the danger to which female virtue was exposed amidst a crowd of licentious gallants, and openly accused the king of knowing and abetting the flagrant immoralities of his favourite.²

Buckingham had soon weeded out the friends and dependants of the fallen Somerset; he now ventured to attack his father-in-law, the earl of Suffolk, lord treasurer, charging him with peculation in the discharge of his high office. James expressed an inclination to spare the earl a trial on his submission; but Suffolk stood on his innocence, and was condemned in the Star-chamber to imprisonment in the Tower, and a fine of thirty thousand pounds. In a short time the fine was moderated, and the prisoner retained his liberty, but with an intimation that the king expected his two sons to resign their places in his household, which he meant to bestow on the dependants of the favourite. But the earl had too much spirit to submit, and he forbade his sons, whatever might be the consequence to himself, to part with their offices unless by absolute force.³

Another trial, singular in all its circumstances, occupied at the same time the attention of the king. William Cecil, called in right of

his mother Lord Roos, had married the daughter of secretary Lake; and the next year, quitting the kingdom without leave, sent a challenge from Calais to her brother. It was at first given out that his departure had been caused by a dispute respecting the settlement on his wife; afterwards it was attributed to her detection of an incestuous commerce between him and Frances, the second wife of his grandfather, the earl of Exeter. That lady was indignant at a report so injurious to her honour; she traced it to the Lady Lake and her daughter, and immediately appealed for justice to the court of the Star-chamber. The defendants produced in their favour a written instrument, purporting to be a confession of guilt in the handwriting of the countess herself; asserted that she had delivered it to them in the presence of Lord Roos and his Spanish servant Diego, standing at the great window in the long room at Wimbledon; and brought forward Sarah Swarton, the chambermaid, who swore that, being concealed behind the hangings at the opposite end, she had seen and heard all that passed. James, who prided himself on his sagacity in the detection of forgery and imposture, determined to unravel this mystery. He privately despatched a messenger to Lord Roos in Italy, who with Diego took his oath on the sacrament that the whole tale was a fabrication.⁴ With this ground

1, 104. It was probably in allusion to some of these sports that in the correspondence between James, the queen, and Buckingham, the king was frequently addressed with the title of "your sowship."

² Collier, ii. 711. During his return from Scotland he publicly declared his pleasure that after the end of divine service the people should not be letted from any lawful recreation on Sundays, such as dancing ther of men or women, archery for men, juggling or any other such lawful recreation, or from having May-games, Whitsun-ales, and Morris-dances, and the setting up of May-poles, and other sports therewith used, and that women should have leave to carry

rushes to the church for the decorating of it according to their old custom." This permission, however, was not to extend to recusants, nor even to conformists, if they had not on the same day attended divine service. May 20, 1618.—Somers's Tracts, ii. 55.

³ "There is not a lobby or chamber (if it could speak) but would verify this."—Peyton, 369, also 354, 355. Wilson, 728.

⁴ See two spirited letters from him to the king and to Buckingham, in Cabala, 362.

⁵ He died very soon afterwards; and, if report deserve credit, of poison.

for suspicion, the king compared the written document with the letters of the countess, and discovered a discrepancy in the hands; and then riding unexpectedly to Wimbledon, convinced himself from actual inspection of the locality, that Swarton could not have been concealed behind the hangings, nor have heard what was said at the window. The British Solomon now took his seat among the judges in the Star-chamber; five days were occupied with the pleadings; on the sixth day Lady Roos acknowledged that the instrument had been forged with the privity of her father and mother; and judgment was pronounced that, in consideration of her repentance and confession, she should only suffer confinement during the royal pleasure, that Swarton should be whipped at a cart's tail, and do penance at the church of St. Martin, and that Sir Thomas and Lady Lake should pay a fine of ten thousand pounds to the king, and damages to the amount of five thousand pounds to the countess, and should also be imprisoned till they made their submission.<sup>1</sup> It is probable that the court came to a correct decision with respect to the guilt of the parties; but, whether it did or not, the case taken in all its bearings will leave a very unfavourable notion of the morality of the age; and, if we couple it with the scene of iniquity disclosed by the history and trials of the earl and countess of Somerset, will convince us that at this period the most shameful and degrading vices were not uncommon among persons of the first rank and consideration in the state.<sup>2</sup>

<sup>1</sup> Carleton's letters, 169, 170, 192. Aulicus Coquin, in the Secret History of James, ii. 190—197. Camden, annis 1617, 1618, 1619. Bacon's Works, vi. 233.

<sup>2</sup> The Spanish ambassador interceded in favour of Lady Lake. But James replied that she was, he dared to say, guilty of the seven deadly sins, and that to grant her any indulgence at that time would be to

About the same time a more interesting, but more distressing scene was opened to the public by the late adventures and the subsequent fate of the gallant but unprincipled Sir Walter Raleigh. After his conviction in 1603, he had remained thirteen years a prisoner in the Tower; but the earl of Northumberland, the Meccenas of the age, had converted the abode of misery into a temple of the muses. Raleigh was gradually inspired by the genius of the place; first he endeavoured to solace the tedium of confinement by the study of chemistry; thence he proceeded to different branches of literature, and two years before his enlargement published his celebrated History of the World. The appearance of this work turned every eye once more upon him. Men had hitherto considered him as an adventurer and courtier; they now stood in astonishment at his multifarious acquisitions, his deep research, his chronological knowledge, and his various acquaintance with the Grecian and rabbinical writers; though in reality that acquaintance appears to have been derived from versions in the Latin language. Admiration for his talents begot pity for his fate; and Prince Henry was heard to say, that no man besides his father would keep such a bird in a cage.<sup>3</sup>

For a long time his confinement was attributed to the influence of his political enemy, the earl of Salisbury. But James appeared equally inexorable after the death of that minister; his resolution was proof against the intercession of his son, of his queen, and of his brother-in-law the king

acknowledge his judgment unjust, and break his promise to Lady Exeter in a matter of justice.—Ellis, Original Letters, iii. 120.

<sup>3</sup> His History of the World was published in 1614. It commences with the creative reviews the three first monarchies, and ends about a century and a half before the birth of Christ.



Denmark; it yielded only to the solitations of his favourite, whose services had been purchased by the prisoner, on the condition that he should pay one thousand five hundred pounds to Buckingham's uncles, Sir William St. John and Sir Edward Villiers. Still Raleigh remained under sentence of death. James gave him liberty, but refused him pardon; and fearful of his talents, mistrustful of his loyalty, he sought to contain him within the bounds of duty, by reminding him that his fate still depended on the mere pleasure of his sovereign.

In 1584, Raleigh had obtained from Queen Elizabeth a patent, the copy of one previously granted to his uterine brother Sir Humphrey Gilbert, and probably drawn after the papal grants of former ages. It gave to him, his heirs and assigns, full power to discover and subdue foreign and heathen lands not in the possession of any Christian prince, nor inhabited by any Christian people; to hold them of the English crown by the payment of one-fifth of all the gold and silver ore that might be extracted; to resist and expel by force of arms all persons who should attempt to settle within two hundred leagues of the place where he or his dependants might fix their habitation within the six following years; and to surprise and capture all ships which should attempt to trade in the rivers or on the coasts within the limits aforesaid.<sup>1</sup> In consequence of this most ample grant, Raleigh sent to the shores of North America several expeditions, which proved ruinous

to the projector, though beneficial to the country, inasmuch as they led to the colonization of Virginia. In 1595, he sailed in person, but his object was of a different nature,—the discovery of the fabulous empire of Guiana, its incalculable riches, and its golden city of Manoa, called by the Spanish adventurers El Dorado. At Trinidad he was received by the Spaniards, as on his voyage to Virginia, and exchanges in the way of trade were amicably made between the strangers and the garrison; but Raleigh watching his opportunity, surprised and massacred the guard, reduced to ashes the town of St. Joseph, and carried away Bereo, the governor, who had previously made an establishment in Guiana.<sup>2</sup>

With this officer for a guide, and without apprehension of an enemy to intercept his return, he sailed fearlessly to the mouth of the Orinoco, and advanced in boats above a hundred miles up the river, giving out to the natives that he was their friend and protector, who had come in search of the Spaniards, the common enemy of both. Four weeks were spent in the survey of the country and in communications with the inhabitants, when the waters suddenly rose, the boats could no longer stem the rapidity of the current, and the adventurers, abandoning themselves to the stream, were carried back through a thousand perils to their vessels. The discoveries which he had made rather irritated than satisfied the curiosity of Raleigh. He had gained little to indemnify him for the expense of the voyage, but he had seen enough to quicken his hopes,

<sup>1</sup> Hakluyt, iii. 243.

<sup>2</sup> He shall be heard in vindication of this conduct. "To be revenged of the former wrong [it was said that on some former expedition to Trinidad, Bereo had made prisoners of eight Englishmen under a Captain Whiddon], as also considering that to enter Guiana by boats, to depart four or five hundred miles from my ships, and

to leave a garrison in my back interested in the same enterprise, who also expected daily supplies out of Spain, I should have savoured very much of the ass: therefore taking a time of most advantage, I set upon the corps de garde," &c. That he might not savour of an ass, he became a murderer!

and to stimulate him to further exertions.

The account which he published after his return proves him to have been a master in the art of puffing.<sup>1</sup> The riches of the natives, the fertility of the soil, and the salubrity of the climate, were painted in the most seductive colours; numbers offered to share with him the charges of another expedition; and several ships successively sailed to Guiana, and returned to England, but without forming any settlement, or making any additional discovery. These failures Raleigh attributed to the inexperience or misconduct of the leaders; *he* was acquainted with the natives, and the situation of their mines; were *he* permitted to go out, he would make Guiana to England what Peru had been to Spain. It was a bold and hazardous boast; for his own narrative shows that of the gold-mines he knew nothing more than what he conjectured from the appearance of the surface, and what he inferred from the casual assertion of a native, the guide of Captain Keymis. But he continued to press the subject on the attention of secretary Winwood, till that minister, dazzled by the prospect, presented his petition to the king, and obtained for him the permission which he sought.

Gondomar, the Spanish ambassador,

was supposed to have acquired considerable influence over the royal mind by the adroitness of his flattery and the brilliancy of his wit. He was not slow to discover the design of Raleigh and complained to the king that he had authorized that which was in reality a piratical expedition against the Spanish settlements in South America. James sent for the paper revised and corrected it with his own hand. While he gave to the adventurers the power of trading and defending themselves, he refused them of invading or subduing others.<sup>2</sup> He even limited their trade to countries inhabited by savage and infidel nations; not content with this, he expressly forbade Raleigh to offer an offence to the subjects of his allies particularly to those of the king of Spain; and for greater security required from him a statement of the writing of the place where he proposed to trade, and of the force which he intended to take out. Gondomar by means with which we are unacquainted, obtained a sight of the paper; and a copy of it, with a reinforcement of soldiers, was forwarded to his brother, the governor of St. Thomas.<sup>3</sup>

While Raleigh's ship, the "Discovery," of thirty-six guns, lay in the river, he received some visits from Desmaretz, the French ambassador

<sup>1</sup> "The common soldier shall here fight for gold, and pay himself, instead of pence, with plates of half a foot broad, whereas he breaks his bones in other wars for provant and penury. Those commanders and chieftains that shoot at honour and abundance, shall find here more rich and beautiful cities, more temples adorned with golden images, more sepulchres filled with treasure, than either Cortez found in Mexico, or Pizarro in Peru."—See "The Discovery of the large, rich, and beautiful Empire of Guiana, with relation of the great and golden city Manao," &c. London, 4to. 1596, in Raleigh's Works, by Birch, ii. 137.

<sup>2</sup> Rymer, xvi. 789. Raleigh's Works, by Birch, ii. 365.

<sup>3</sup> James has been severely censured for allowing Gondomar to see this paper. The

ambassador may have procured it from others; but if it were from James, the king may still be without blame. It is manifest, from the very words of Raleigh that throughout the negotiation he deceived his sovereign. "I acquainted his majesty with my intention to land in Guiana, yet I never made it known to his majesty that the Spaniards had any foothold there. Neither had I any authority from my patent to remove them from thence. Therefore his majesty had no interests in the attempt of St. Thomas by any for knowledge in his majesty."—Address to Lord Carew. See Cayley's correct copy, ii. 138.

<sup>4</sup> It was about this time (April 24) that Concini, *maréchal d'Ancre*, the favourite of the queen regent of France, who appeared

They may have originated in curiosity, but they attracted the notice of James, and awakened unfavourable suspicions in his breast. The expedition, consisting of fourteen sail, was compelled to put into Cork, whence, after a long and tedious voyage of four months, during which the elements seemed to have conspired against the adventurers, it reached the coast of Guiana. Two ships were missing; a considerable number of men had died of a contagious disease; and more, among whom was the commander-in-chief, were reduced by sickness to the last state of debility. To add to their distress they learned that a Spanish fleet was cruising to intercept them in the neighbouring seas. Under these circumstances it was determined that the fleet should remain at anchor, while two hundred and fifty men in boats, under the guidance of Keymis, and the command of Raleigh's nephew, should proceed up the Orinoco, and take possession of the supposed mine. They landed near the settlement of St. Thomas; a battle ensued; the governor was killed, and the town was occupied by the conquerors.<sup>1</sup> But to cross a branch of the river, and to advance to the mountains in the face of the enemy, was an

enterprise of great difficulty and danger; and, after a short consultation, the adventurers set fire to the town, and repairing to their boats, hastened to rejoin their countrymen at Trinidad.

Their return plunged the unfortunate Raleigh into the deepest distress. His son had fallen in the attack of the town; the mine, on the existence of which he had staked his head, had not been even discovered; and the plunder of the settlement was too inconsiderable to atone for his disobedience to the royal command. In the anguish of his heart he poured out a torrent of invective against Keymis, who, having endeavoured in vain to pacify his commander, retired to his cabin and put an end to his life. Raleigh's only remaining hope was to redeem his character by some desperate enterprise, and to return to England with sufficient spoil to purchase his pardon. But with the loss of his good fortune he had forfeited the confidence of his followers; ship after ship abandoned his flag; the men under his immediate command mutinied and split into parties; and, after an unsuccessful attempt to slink away on the coast of Ireland, he returned

to govern both her and the kingdom, was murdered in cold blood by Vitry, captain of the body-guard, with the permission of the king, who was only in his sixteenth year, and at the instigation of Albert de Luysnes. The following letter on the subject will show how apt men are to measure the morality of actions by their own partialities. "Those who condemn this action as most impious and inhuman, do not consider that it was at the choice of the king (Louis XIII.) whether he would neglect the safety of his person and the preservation of his crown, both which must have fallen if Ancre had stood, or proceed, as he did, sine forma et figura iudicii, by martial law against the usurper of his crown and state. But what opinion soever private men.....have of this action, his majesty (James) is pleased to approve of it; which doth appear not only by the outward demonstration of his exceeding joy and contentment, when he first received the news thereof, but also by letters which with his

own hand he hath written to the French king. Besides, Mr. Comptroller hath express order to congratulate with Vitry, that by his hands the king his master was delivered out of captivity, and mis hors de page."—Secretary Winwood to Dudley Carleton; Carleton's Letters, 128. Buckingham also wrote to the ambassador at Paris to let Vitry know "how glad King James was that he had been the instrument to do his master so good service."—Birch, 402. Little did Buckingham think, while he thus congratulated the murderer, that he was doomed to meet a fate similar to that of d'Ancre.

<sup>1</sup> In their defence it was alleged that they were attacked by the Spaniards, as they were peaceably proceeding in search of the mine. This is doubtful: but were it true, it makes little difference. To land and march through the country in martial array, and without permission, was certainly an act of aggression.

to the harbour of Plymouth; but whether by choice or compulsion is uncertain.<sup>1</sup>

Here misfortune seemed to have subdued his courage and perplexed his understanding. He hesitated between the different expedients which suggested themselves to his mind, till he precipitated himself into the snare which had been prepared by his enemies. He was certain of an asylum in France, and a bark lay ready to convey him across the Channel. He proceeded towards it, turned back, fixed another evening for the attempt, and then refused to keep his appointment. In a short time, he was arrested by his kinsman Stukeley, vice-admiral of Devon, who had been commissioned to conduct him to London. The horrors of the Tower immediately rushed on his imagination: from Manourie, a French empiric, his warder, he purchased drugs that provoked the most violent retchings, and aqua fortis, with which he produced pimples and blisters on his forehead, nose, breast, arms, and legs; he was found in his shirt on all-fours on the ground, gnawing the rushes, and personating madness; and three physicians whom Stukeley consulted agreed in pronouncing him in great though not immediate danger. He was then in the neighbourhood of Salisbury. James lay in that city, and unwilling to introduce a prisoner under an infectious disease into the Tower, the king assented to the petition of his friends that he might be confined for a short time to his own house. This was his real object. Captain King was instantly despatched to provide a ship for his escape; but Manourie, to whom he had confided the secret, betrayed it to Stukeley; and Raleigh, observing that he was

more closely watched, purchased the promise of connivance from his kinsman with the present of a valuable jewel, and a bond for the payment of one thousand pounds. But Stukeley was a traitor, acting under instructions to procure, by every device in his power, evidence of Raleigh's connection with France, and daily advertizing the council of every transaction regarding his prisoner. At Brentford, Raleigh received a visit from De Chesne, secretary of Le Clerc, the French resident; in London he had a private interview with that minister himself, who offered him the use of a French bark in the river, with a letter addressed to the governor of Calais. He preferred, however, the ship provided for him by Captain King, and at the appointed time disguised himself, and being accompanied by King, Stukeley and Stukeley's son, took a boat to sail down the river to Gravesend. A wherry which appeared to follow then excited his apprehensions: the tide failing, they were obliged to land at Greenwich; and Stukeley, as soon as he was joined by the men from the wherry, arrested King, and conducted Raleigh to a neighbouring tavern. The next day the fugitive was committed to the Tower; Le Clerc was forbidden the court, and soon afterwards sent out of the kingdom.<sup>2</sup>

On the first receipt of the intelligence from America, Gondomar had repaired to James, exclaiming, "Piratas, piratas, piratas." His sense of the insult offered to his sovereign was quickened by resentment for the blood of his brother; nor did he cease to demand satisfaction till he was recalled to Spain, with an intimation that this was the last appeal which his master would make to the justice of the king of Great Britain.<sup>3</sup> But

<sup>1</sup> See his letter to Winwood, his apology to the king, and "the declaration of the demeanour and carriage of Sir Walter Raleigh," &c. in the second volume of Cay-

ley, 106, 115, App. 82.

<sup>2</sup> Cayley, ii. App. 94—104. Somers's Tracts, ii. 431—436. Raumer, ii. 235.

<sup>3</sup> Bacon's Works, vi. 205.

the anger of James required no incitement from others. In his estimation, the conduct of Raleigh amounted to personal injury. That adventurer had invaded the territory of a friendly power, and endangered the amity between Spain and England, in defiance of the prohibition of James himself, and with the knowledge that the royal word had been pledged for peaceable demeanour. With this feeling, the king offered to the choice of Philip, to send the offenders at once to Spain, or to inflict on them prompt and exemplary punishment in England. Five weeks elapsed before the answer was received, and during that interval Raleigh was incarcerated in the Tower with repeated examinations before a committee of privy councillors, and subjected to the perfidious friendship of his keeper, Sir Thomas Wilson, who had received the usual instructions, to form himself into the confidence of his prisoner, to note down every unguarded expression which fell from his lips, and to draw from him, by artful questions or suggestions, such particulars as might justify the fate to which he was already doomed. But the caution of Raleigh balked the genuinity of the spy; and in his answers to the commissioners, though he admitted the deceit which he had practised on the king by feigning sickness, he maintained the uprightness of his intentions, and explained away the most questionable parts of his conduct.<sup>1</sup> At length arrived the answer of Philip, that in his opinion the punishment ought to be inflicted where the engagement was originally contracted. James then consulted the judges, who replied, that Raleigh, remaining under sentence of death, had all along been dead in law; he could not, therefore, be brought to trial for any subsequent offence, but,

in contemplation of his more recent conduct in sacking and burning the town of St. Thomas, the judgment passed on him in the first year of the king, might with justice be carried into execution. Four days later he was placed at the bar of the King's Bench: he pleaded that his commission, by giving him power of life and death over others, was equivalent to a pardon; but the chief justice interrupted him, saying, that in cases of treason pardon could not be implied, but must be expressed; and after a suitable exhortation conceived in terms of respect unusual on such occasions, ended with these words, "execution is granted."<sup>2</sup> Raleigh, from the moment he despaired of saving his life, displayed a fortitude worthy of his character. "He was," says the divine who attended him, "the most fearless of death that was ever known, and the most resolute and confident; yet with reverence and conscience. When I began to encourage him against the fear of death, he made so slight of it that I wondered at him. When I told him that the dear servants of God, in better causes than his, had shrunk back and trembled a little, he denied not, but gave God thanks he never feared death, and much less then; for it was but an opinion and imagination: and the manner of death, though to others it might seem grievous, yet he had rather die so than of a burning fever."<sup>3</sup>

His cheerfulness on the scaffold proved that these were not idle vaunts. Holding his notes in his hands, he enumerated and refuted several charges which had been made against him; that he had received a commission from the king of France, had spoken disrespectfully of his own sovereign, had accused the lords Doncaster and Carew of advising him to escape, and

<sup>1</sup> Jardine, 486—496.

<sup>2</sup> Howell's State Trials, ii. 33.

<sup>3</sup> Hearne's Hemingford, i. App. clxxxv.

had formerly, at the execution of Essex, openly rejoiced at the fall of his enemy. But his speech disappointed the curiosity of his hearers. He made no allusion to the treason for which he had been originally condemned, nor sought to justify the conduct which had brought him to the scaffold.<sup>1</sup> Having taken his leave of the lords who were present, he asked for the axe, and, feeling the edge, observed with a smile, that it was a sharp medicine, but a physician for all diseases. He then laid his head on the block, and gave the signal; but the slowness of the executioner provoked him to exclaim, "Why dost thou not strike? Strike, man!" At the second blow his head was severed from his body.

The fate of Raleigh excited much commiseration. There was a general belief that he had been unjustly condemned in the first instance, and the national antipathy to Spain made light of his more recent offence. The king was accused of having sacrificed to the interested representations of Gondomar one of the most gallant officers and most enlightened men among his subjects. Yet, if we impartially consider the circumstances under which the expedition originated, and the illegal manner in which it had been conducted, we must confess that the provocation was great, and the punishment not undeserved.

<sup>1</sup> His speech in Cayley, ii. 169. Somers's Tracts, ii. 438. Tounson's Letter in Hemmingford.

<sup>2</sup> Cayley, ii. 156. Wilson, 719. Dalrymple, i. 78. Balfour, ii. 72. Perhaps I ought here to mention the arrival in England of that distinguished convert Marco Antonio de Dominis. Educated by the Jesuits, and employed by them as public professor at Verona and Padua, he was quickly preferred to the bishopric of Segna, and thence translated to the archbishopric of Spalatro. During the contest between the pope and the republic of Venice, he took part with the latter. The displeasure of Paul V. and the danger of a prosecution

Raleigh indeed alleged that the Spanish town was built on the king's own land, of which he had taken possession for the English crown in 1584. But this plea could not be maintained. If discovery gave right, the Spaniards were the first discoverers; if possession, they had been in possession upwards of twenty years.

Among those who took an interest in the fate of Raleigh was the queen. Her passion for public amusement had long ago ceased; and the latter part of her life was passed in privacy at Greenwich and Hampton Court. Of her history after the death of her eldest son we know little more than that she recommended Villiers to the king, and afterwards requested him in return to intercede for the life of Raleigh. She was even then suffering under a dropsical complaint which in a few months consigned her to the grave. By the vulgar her death was supposed to have been announced by the appearance of a comet in the preceding autumn, while the more learned, with equal credulity, considered that phenomenon as the harbinger of the events which I must now call the attention of the reader.<sup>2</sup>

During sixteen years James I. wielded the sceptre in peace: before the close of his reign he was reluctantly dragged into a war by the ambition of his son-in-law and the

for heresy, induced him "to take the wing of a dove," and seek an asylum in England in 1617. (His declaration, Somers's Tracts, ii. 19.) He was graciously received, conformed to the established church, and was made dean of Windsor, and master of the Savoy. After a few years he solicited pardon from the pope, Gregory XV., returned to Italy, and publicly abjured the Protestant creed in 1622. The next year he died: but his language had given occasion to doubt his orthodoxy; judgment was pronounced against him by the Inquisition, and the dead body was burnt in the piazza di campo di Fiori.—See Somers's Tracts, ii. 30; Dalrymple, i. 140—148; Fuller, i. p. 93.

enthusiasm of his people. The cause originated in a distant clime, in a quarrel respecting the site of churches amid the mountains of Bohemia; but that quarrel was connected with religion; and in an age mad with religious fanaticism, the most trifling revocation was sufficient to array one half of Europe in battle against the other. The fifth article of the edict of peace published by the Emperor Rodolph had established freedom of religion in Bohemia: by an agreement between the communicants under one kind and the communicants under both kinds (so they were distinguished), it was stipulated that the latter should have liberty to erect churches on the royal demesnes; and some years later certain Calvinists, pretending that the church lands came under this denomination, began to build on the property of the archbishop of Prague, and on that of the abbot of Brunow. The two prelates appealed to the Emperor Matthias, who decided in their favour; but the chiefs of the Calvinists were dissatisfied: in defiance of the imperial prohibition, they assembled in the Carolin college, spent the next day in fasting and prayer, and on the third day entered the castle of Prague in arms, threw the leading members of the council of state out of the windows, and took forcible possession of the capital. At the same moment, as if by a simultaneous movement, their partisans rose in different districts. Two armies were formed; and most of the strongholds fell into their hands. This movement was confined to the Calvinists: both Catholics and Lutherans, though they did not offer any opposition, remained loyal to their sovereign.<sup>1</sup>

It was in vain that Matthias, an aged and infirm prince, sought to suppress the insurrection by the offer

of an amnesty on certain conditions; that he proposed to refer every subject in dispute to the judgment of four arbitrators, the two Catholic electors of Mentz and Bavaria, and the two Protestant electors of Saxony and the Palatinate; and that he finally solicited an armistice preparatory to a general pacification. Matthias died, and was succeeded by his cousin, Ferdinand of Gratz, who, about two years before, had been, with the unanimous consent of the States, crowned king of Bohemia. Ferdinand notified his accession to the insurgents with a ratification of their privileges, and a declaration of liberty of conscience. But they treated the message with scorn, and offered the Bohemian crown first to John George, elector of Saxony, and then to Frederic, the elector Palatine, who had married the princess of England. The first had the prudence to decline the dangerous present; the second, covering his ambition with the mask of hypocrisy, declared that he saw the finger of God in his election, and dared not oppose the will of the Almighty. He hastened with his family to Prague, and was solemnly crowned by the insurgents king of Bohemia.<sup>2</sup>

It is difficult to describe the delirium of joy which the intelligence excited in England. Archbishop Abbot pointed out the very text of the Apocalypse in which this important revolution had been foretold; the preachers from the pulpit (an engine of no less political influence in those days than the press is found to be in the present) inflamed the passions of their hearers; and the whole nation called on the king to support the interests of his son-in-law, which were, in their opinion, the interests of God. In this general ferment James was cool and collected. He

<sup>1</sup> Belli Laurea Austriaca, 36, 37. Lotichius, 12—15. Cluveri Epitome, 652.

<sup>2</sup> Belli Laurea, 199, 211. Lotichius, 72, 82—88, 93.

saw that to engage in the war was to espouse a cause evidently unjust, to sanction the principle that subjects might lawfully depose their sovereign for difference of religion, and to plunge himself into an abyss of expense, without any human probability of success; for it was idle to expect that the Palatine, with the aid which he might receive from England, could permanently make head against the power of Ferdinand, assisted, as he would be, by the princes of his family, and the Catholic and Lutheran feudatories of the empire. But, on the other hand, it was asked, could he in decency abandon his son-in-law, and sit a silent spectator of the war, which would probably strip him of his hereditary dominions? or was it even safe for himself to resist the clamour of his subjects, and, by his apparent apathy, teach them to doubt his sincerity in religion? Between these conflicting motives the wisdom of the British Solomon was completely at fault. No one could conjecture, he himself seemed to have no notion, what his ultimate resolution might be. One hour he condemned, the next he excused, the conduct of the Palgrave. To the opponents of Frederic he affirmed that he would abandon him to his fate; to his friends that he would take him under the protection of the British crown.<sup>1</sup> After much hesitation he discovered and adopted a middle course, by which, without sinning against the divine right of kings, he might preserve for his innocent grandchildren the inheritance of their guilty parent. He refused every application in favour of Frederic's pretensions to the crown of Bohemia, but granted the aid of an army and a supply of money for the protection of his patrimonial possessions. Four thou-

sand men were despatched as volunteers, under the command of the earl of Essex and Oxford; but this body, even when it had joined the army "of the Protestant union," the German allies of the Palatine, was no match for the more numerous force of the imperialists, led by the celebrated Spinola. By the commencement of autumn the lower Palatinate was lost; about the same time Lusatia submitted to the elector of Saxony, who had been charged with the execution of the ban of the empire against the ambitious but unfortunate Frederic; and the victory of Prague, won by the duke of Bavaria, against the prince of Anhalt, drove the ephemeral king from his newly-acquired throne. The Bohemian states solicited and obtained the pardon of their sovereign; and Frederic wandered with his family through the north of Germany, an exile and a suppliant, till he reached the Hague, where he obtained a pension from the pity or the policy of the States.<sup>2</sup>

A voluntary subscription, and a loan at a high rate of interest, had enabled the king to fit out the expedition to the Palatinate; but the late disaster of his son-in-law called for more powerful aid, and the zeal of the people clamorously demanded a crusade for the support of the Protestant interest. The ministers advised him to avail himself of their enthusiasm. Let him convoke a parliament. That assembly could not refuse those supplies, without which it was impossible to negotiate with dignity, or to wield the sword with success. Under this impression James gave his consent, but with reluctance and misgiving. He knew the reforming temper, the daring spirit of the popular leaders. The time no longer existed when the threat of

<sup>1</sup> Tillieres, in Raumer, ii. 237—245. The Viscount Dowcastle, so often mentioned in Raumer, was Hay, Viscount Doncaster.

<sup>2</sup> Lotichius, 209—211. Cluveri Epitome, 655, 656.



the royal displeasure used to appal the stoutest hearts; nor did the crown possess that extensive patronage which afterwards enabled it to secure a majority in both houses. Many consultations were held; and it was determined, as the most eligible expedient, to soothe the country party by concessions, and to bribe them to supply the wants of the exchequer, by the spontaneous offer of those benefits, for which former parliaments had petitioned in vain.<sup>1</sup>

The session was opened with a conciliatory speech from the throne. But James exhorted and supplicated in vain. The first care of the Commons was to gratify the call of religious animosity, to make the Catholics at home suffer for the success which had attended the arms of the Catholics abroad. With the concurrence of the Lords, they petitioned the king to banish all recusants to the distance of ten miles from London, to restrain them from attending at mass in their own houses, or in the private chapels of ambassadors, and to carry all the penal laws, which had been enacted against them, into execution. In addition, that they might perform their own part, they prepared a bill in aid of the former statute, which gave to the crown two-thirds of the property of popish recusants.

From religion they turned to the consideration of their privileges. Four members, they complained, had been imprisoned at the close of the last parliament for their conduct in that house. Precedents might, indeed, be alleged in vindication of the king; but all such precedents were the illegal acts of arbitrary power; to the house itself belonged the right of

judging and punishing every breach of decorum committed within its walls; were that right to reside elsewhere, freedom of speech would be a dream or a fiction. The subject was pursued with a warmth which alarmed the ministers; they contended that the apprehensions of the house were unfounded; and the ferment was at length allayed by a solemn assurance from James that, as he had already granted, so it was his intention to maintain, that liberty of speech which was demanded by his faithful commons.<sup>2</sup>

Hitherto the question of supply had been held in suspense; on the receipt of this message, they voted two subsidies, but without tenths and fifteenths. It was a trifling sum, confessedly inadequate to the object for which it was given; but they deemed it politic to keep the king dependent on their bounty, that he might the more readily submit to their demands. James himself concealed his feelings. Affecting to look on the vote as a pledge of reviving confidence, he returned them thanks in the most grateful terms, exhorted them to attend to the redress of the national grievances, and assured them that they would always find him ready "to do more than meet half way."<sup>3</sup>

It was not long before his sincerity was put to the test. A committee of inquiry had already been established: witnesses were now summoned and examined; and the conduct of the officers of the crown, of the judges and of their dependants, was subjected to the most minute and jealous investigation. All the popular members entered into the inquiry with warmth; but no one took a

<sup>1</sup> Bacon, v. 531, 532.

<sup>2</sup> Journals, 522. The next day, to prove their power of punishing their own members, they expelled Shepherd from the house, because in a speech against the bill for restraining abuses of the Sabbath day, he had contended that the Sabbath was the

Saturday, not the Sunday; that the bill was contrary to Scripture, which recommended dancing as a part of the divine worship. It was maintained that the mover of the bill, by opposing the king's ordinances on the subject, was a perturber of the peace.—Ibid. 523—525. <sup>3</sup> Journals, 523.

more decided part than Sir Edward Coke, whose long experience and great legal knowledge gave weight to his authority; though it was whispered by his enemies that his zeal for the public good was sharpened by the recollection of the treatment which he had received from the court. But whatever were the motives of the reformers, it must be confessed that their exertions were useful. They contributed to eradicate abuses which had long crippled the freedom of trade, and polluted the administration of justice; and they revived in the Commons the exercise of an invaluable privilege, which had lain dormant for centuries, that of impeaching public offenders before the house of Lords, as the highest tribunal in the kingdom.

The first abuse to which the Commons turned their attention, was that of monopolies granted by patent. Many, indeed, had been abated at the remonstrances of preceding parliaments; but so ingenious was the avarice of the projectors, so powerful the influence of their patrons, that in the place of one which was eradicated several sprung up, equally useless to the prince, and equally injurious to the subject. Patents, which secure to the authors of improvements the profits of their own ingenuity, act as a stimulus to industry and talent; but these patents had for their object the private emolument of certain favoured individuals, to whom they gave, under the pretence of public utility, the control of some particular branch of trade, with authority to frame regulations, and to enforce obedience by fines and imprisonment.

The committee began with three patents, the one for the licensing of ale-houses, another for the inspection of inns and hostelries, and a third for the exclusive manufacture of gold and silver thread; and the investiga-

tion disclosed a scene of fraud and oppression, which is seldom to be found under the most despotic governments.<sup>1</sup> All three were declared national grievances; and the patentees, Sir Giles Mompesson and Sir Francis Mitchell, were denounced as criminals in a conference with the Lords. They fled for shelter to the protection of the favourite: he had received their money for his service in procuring the patents; and his half-brother, Sir Edward Villiers had been a partner in the profits. To save them, it was at first determined to dissolve the parliament but the imprudence of such a measure was demonstrated in a written memorial by Williams, dean of Westminster, whose ambition sought to earn, by this appearance of zeal, the good-will both of the monarch and his favourite. Under the guidance of his new adviser, Buckingham abandoned his friends to their fate, and affecting the stoicism of a patriot expressed a hope, that if his brother had shared in their guilt, he might also share in their punishment. But Villiers was already beyond the sea in the employment of government and could not reasonably be condemned without the opportunity of making his defence. Even Mompesson, probably through the influence of his patron, found the means to escape from the custody of the serjeant-at-arms. The Lords, however, passed judgment both on the fugitive and on Mitchell, his colleague, that they should suffer imprisonment, pay fines, and be degraded from the honour of knighthood. The king now came forward to complain of the deceit which had been practised on his credulity; and, as a proof of his indignation against the men whom he had secretly laboured to save, commuted, by his own authority, the

<sup>1</sup> See Journals, 530, 538, 540, 541, 617.

imprisonment of Mompesson into perpetual banishment.<sup>1</sup>

But the patentees were comparatively ignoble game; the lord chancellor, Sir Francis Bacon, offered a higher and more reputable quarry. Nature had designed him to rule a master spirit in the world of letters; but ambition led him to crouch at court in search of wealth and preferment. Neither did he fail in his object: industry and perseverance had enabled him to overcome the jealousy of Elizabeth, the favouritism of James, and the intrigues of his competitors. He was not only in possession of the great seal; in addition to the rank of baron, he had recently obtained, as a new proof of the royal favour, the title of Viscount St. Alban's. But, when he found the ascent to greatness slow and toilsome, his fall was sudden and instantaneous. He had not borne his honours with meekness. Vanity led him into great and useless expenses; his extravagance was supported by rapacity; and the suitors at his court, even the successful suitors, complained that they were impoverished by the venality of the judge. His enemies echoed and exaggerated the charge; and report made the value of presents which he had received during the three years of his chancellorship amount to one hundred thousand pounds.<sup>2</sup> James, who, while he admired the minister, felt no esteem for the man, indirectly hastened his fall by assuring the Lords that, while he hoped that the chancellor might be able to prove his innocence, he was determined to inflict on him the severest punishment, if it were shown that he was guilty.<sup>3</sup>

It was not pretended that Bacon had been the first of these high officers to accept presents from the suitors in his court. The abuse was of long standing; it had been known and sanctioned by the last sovereign. But it was truly observed, that no succession of precedents could justify a practice illegal in itself, and destructive of impartiality, one of the first qualifications in a judge. The Commons presented their bill of impeachment, charging the Viscount St. Alban's with bribery and corruption in two-and-twenty instances himself, and with allowing acts of bribery and corruption in his officers. This stroke unnerved him: after an unsatisfactory interview with the king, he shrunk from the eyes of his accusers, and, under the pretence of sickness, retired to his bed; whence he wrote to the house a letter acknowledging the enormity of his offences, and soliciting mercy for the repenting sinner. The Lords required a distinct answer to every separate charge. He obeyed, confessing that each was substantially true, but alleging in extenuation that few of the presents were received before the decision of the cause, and that the larger sums were taken as loans of money to be afterwards repaid. He was spared the mortification of kneeling as a criminal at the bar of that house where he had so long presided as chancellor; but the judgment pronounced against him was sufficiently severe to deter his successors from a repetition of the offence. It bore, that he should pay to the king a fine of forty thousand pounds, should be imprisoned during the royal pleasure, and should be incapacitated for life from coming within

<sup>1</sup> Hacket's Life of Williams, 49, 50. Journals of Lords, 72, 73.

<sup>2</sup> He thus notices the report in a letter to Buckingham:—"It is an abominable falsehood. I never took penny for any benefice or ecclesiastical living: I never took penny for releasing any thing I stopped at the

seal: I never took penny for any commissions or things of that nature: I never shared with any servant for any second or inferior profit. My offences I have myself recorded, wherein I studied as a good confessant guiltiness and not excuse."—Bacon, vi. 391.

<sup>3</sup> Journals, 563.

the verge of the court, from sitting in parliament, and from serving his country in any office of dignity or emolument.<sup>1</sup>

I may be allowed to pursue through a few lines the history of this extraordinary man. Of his guilt there was no doubt; but, had he submitted with patience to his fate, had he devoted to literary pursuits those intellectual powers which made him the prodigy of the age, he might have redeemed his character, and have conferred immortal benefits on mankind. He revised, indeed, his former works, he procured them to be translated into the Latin language, and he wrote a life of Henry VII.; but these were unwelcome tasks, suggested to him from authority, and performed with reluctance. He still looked back to the flesh-pots of Egypt, the favours of the court; and, in addition to the restoration to liberty and the remission of his fine, boons which were granted, he solicited with unceasing importunity both a pension and em-

ployment. With this view he continued to harass the king, the prince and the favourite, with letters; pleaded his former services, he sought to move pity by prayers the most abject, and to win favour by flattery the most blasphemous. But his petitions were received with coldness, and treated with contempt; the repeated failure of his hopes soured his temper and impaired his health; and he died the victim of mistaken and disappointed ambition, in the fifth year after his disgrace.<sup>2</sup>

Four other impeachments were carried before the Lords during this session. Sir John Bennet, judge of the Prerogative Court of Canterbury, was charged with having granted for money the administration of writs contrary to law; Field, bishop of Landaff, with brocage of bribes; Sir John Yelverton, attorney-general, with having aided the patentees, Morpesson and Mitchell, in their illegal proceedings;<sup>3</sup> and Floyd, a Catholic barrister and prisoner in the Fleet

<sup>1</sup> Lords' Journals, 53, 75, 84, 98, 106. In a letter to the Lords, 9 March, 1620, he says that as chancellor he was accustomed to make two thousand decrees and orders in a year.—Ellis, 2nd ser. iii. 237.

<sup>2</sup> This meanness of Bacon, so unworthy of his talents and acquirements, appears from the whole tenour of his letters written between his disgrace and his death.—Bacon, vi. 280—394. On one occasion he entertained a design of maintaining that the judgment against him was not valid: 1. Because it passed in a session in which the royal assent was not given to any bill except that of the subsidy; whence he inferred that all the proceedings were only "inchoate and not complete." 2. Because it had not been entered on record, and was only to be found in the journals written by the clerk. He consulted the learned Selden, who replied that he thought with him on the second point, but differed from him on the first (vi. 308—310). He is said to have died poor. The numerous and valuable legacies in his will, dated only a few weeks before his death, would prove the contrary, were it not that his executors refused to act, which may induce a suspicion that he left not wherewith to pay them.—Ibid. 411—419.

<sup>3</sup> J. Bennet eluded his accusers by demanding time to prepare his defence.

Before it expired the parliament was prorogued, and in the next session the charges and the punishment were forgotten. So afterwards Bennet was fined twenty thousand pounds in the Star-chamber, but obtained a pardon from the king.—Bacon vi. 383. 2. Field had bound a suitor chancery, under the penalty of ten thousand pounds, to place six thousand pounds in his disposal, provided a favourable decree should be obtained from the lord chancellor, through the influence of his patron the marquess of Buckingham. But the anger of the house was disarmed by the entreaties of the archbishop; and, as could not be proved that he was to receive a share of the money, the prelate was left to the censure of his ecclesiastical superiors in the upper house of convocation. 3. Yelverton defended himself with spirit, and hinted that he should not have been a prisoner, had it not been for the enmity of Buckingham, and his influence with the king. James instantly demanded justice for this double slander: the original charge against the attorney was forgotten, and for his recent offence he was condemned to pay a fine to the king, another to the favourite, and to be imprisoned at the royal pleasure. The fines were remitted. From the strange account of this matter, in the despatches of the French ambassador Tillieres (Raume

with having expressed his satisfaction that goodman Palsgrave and goodwife Palsgrave" (the Palatine and his consort) had been driven from the city of Prague. The three first cases may be dismissed as of minor importance; but the last demands the attention of the reader, as it served to discriminate the respective duties of the two houses, to confirm to the Lords their judicial rights, and to confine to the Commons the mere power of impeachment. Floyd's offence was not one of the first magnitude, but it awakened the spirit of religious vengeance. As soon as it was mentioned, the Commons resolved to punish the papist who had sacrilegiously presumed to rejoice at the disasters of Protestant princes; the pillory, whipping, nailing of his ears, and boring of his tongue, were moved by different speakers; and he was at last condemned by the house to pay a fine of one thousand pounds, to stand in the pillory in three different places two hours each time, and to be carried from place to place on horseback with his face to the horse's tail.<sup>1</sup> Floyd immediately appealed to the king, who the next morning sent to enquire on what precedents the Commons grounded their claim to judge offences which did not concern their privileges; and by what reasoning it could be shown that a court which could not receive evidence upon oath could justly condemn a prisoner who denied the offence with which he was charged. The message disconcerted

the popular leaders: to proceed was to encounter the opposition of the king and of the Lords; and to retrace their steps was to confess that they had exceeded their powers. Several days passed away in unavailing debate; and at last, in a conference of the two houses, it was agreed that the accused should be arraigned before the Lords; and that a declaration should be entered on the journals, that his trial before the Commons should not prejudice the just rights of either house.<sup>2</sup> But, if their defeat was evident, their vengeful feelings were abundantly gratified. The Lords added to the severity of the first judgment, and besides the pillory, a fine of five thousand pounds, and imprisonment for life, they degraded Floyd from the estate of a gentleman, declared him infamous, and condemned him to be whipped at the cart's tail from the Fleet prison to Westminster Hall. A punishment so enormously disproportionate to the offence, if it were any offence at all, did not pass without animadversion: the next morning, on the motion of the prince, it was agreed that the whipping should not be inflicted, and, as an atonement for the precipitancy of the house, an order was made, that in future, judgment should not be pronounced on the same day on which it was voted.<sup>3</sup>

By this time the patience of James was exhausted. The parliament had continued four months; but what with impeachments and inquiries into grievances, and the preparation of

(55), I cannot form a very favourable notion of the judgment or accuracy of that envoy.

<sup>1</sup> Journals of Commons, 599, 602. There was often something ridiculous in the punishment inflicted by the house of Commons. Thus they adjudged Moore and Lock, two officers, to "ride upon one horse, barebacked, back to back, from Westminster to the Exchange, with papers on their breasts with this inscription, For arresting a servant to a member of the Commons house of parliament."—*Ibid.* 633.

<sup>2</sup> The Commons maintained that their house was a court of record, could administer an oath, and consequently give judgment: the Lords would not enter into these questions, but denied that the case of Floyd was within their cognizance. By the Lords it was understood that at last the judgment of Floyd was referred to them: but this the Commons would not admit; they had judged Floyd; they hoped the Lords would judge him also.—*Journals*, 610, 619, 624.

<sup>3</sup> Lords' Journals, 149.

bills of grace and reform, no further notice had been taken of the royal wants, no attention had been given to the king's request of a second and more liberal supply. It was thought that the country party looked on the sovereign as reduced by his distress for money to a dependence on their pleasure; to their astonishment and dismay a message announced his intention to adjourn the parliament at the conclusion of the week. Several violent and querulous debates ensued; the Commons resolved to petition for a longer time; and then, when a fortnight was offered, with the petulance of children (to use the king's expression) they refused the favour. On the appointed day the parliament was adjourned to November by commission; and immediately each house adjourned itself.<sup>1</sup>

In this session, or convention, as the king affected to call it, much had been done which might claim the gratitude of the nation. The prosecutions for bribery alone conferred on the people an invaluable benefit, by introducing into the ecclesiastical courts and the courts of equity that pure administration of justice which was acknowledged to prevail in the courts of common law. Yet the members of the lower house were ashamed to return to their constituents. They seemed to have forgotten the great object for which they had been sent to parliament, and which interested so warmly the religious feelings of the people. That they might, however, seem to do something, a few minutes before the adjournment a member proposed a declaration that unless the troubles in Germany

were satisfactorily arranged by treaty during the recess, they would, on their return to the house, be ready to sacrifice their fortunes and their lives for the restoration of the Prince Palatine, and the support of the true religion. It was voted by acclamation; and to confirm it with the solemnity of religious worship, Sir Edward Coke, falling on his knee recited, with great emphasis and many tears, the collect for the king and royal family from the Book of Common Prayer.<sup>2</sup>

The king's first solicitude after the adjournment was to appoint a successor to Bacon. There were three candidates; Ley and Hobart, the two chief justices, and Sir Lionel Cranfield, a merchant from the city, who by marrying a relative, had purchased the favour, of Buckingham. Williams, dean of Westminster, if we may believe his biographer, secretly aspired to the place, but openly supported the pretensions of Cranfield under the expectation that the incompetency of the latter might induce the king and the favourite to turn their thoughts on himself. This policy succeeded; when the seal was offered to him he pretended surprisingly modestly objected his inexperience in matters of law, and acquiesced, with apparent reluctance, on condition that two judges should sit with him as assistants, and that he should not be considered as in actual possession, but only upon trial, for eighteen months. James first named him to the vacant bishopric of Lincoln, and then gave him the custody of the great seal, with the title of lord keeper. It was long since a churchman had presided

<sup>1</sup> It was held, as appears from the journals, that there was this difference between adjournment and prorogation: that to adjourn was only to suspend, to prorogue was to terminate the session: in the one case the business before the committees, and the bills in progress or awaiting the royal assent, remained in statu quo; in the other

everything was quashed, and all past proceedings rendered of no effect. The king therefore, preferred an adjournment, to the parliament at the next meeting might take up the business in the state in which it had been left at this.

<sup>2</sup> Journals, 639. Cobb. Parl. Hist. 1294.

the Chancery; the lawyers looked on his elevation with displeasure, and treated him with contempt. But their reluctance yielded to considerations of interest; and in a short time they submitted to plead before him after the usual manner.<sup>1</sup>

Williams had scarcely accepted his office, when an occurrence took place which threw the whole church into confusion, and even perplexed the theological abilities of the king. Archbishop Abbot had joined the lord Zouch on a hunting party at Bramshill Park in Hampshire. One morning, having singled out a buck, and warned the company to be on their guard, he took his aim, and through mistake or want of skill, shot the keeper of the park, who was accidentally passing on horseback. The coroner's inquest returned a verdict of unintentional homicide; but it was still contended that by the canon law the archbishop had become irregular, and consequently incapable of holding any ecclesiastical preferment, or of exercising any ecclesiastical function. The solution of this question depended on another; whether the amusement which led to the accident were allowable in a person of his rank and character. By his friends it was alleged that the canons permitted clergymen to hunt, provided it were done with moderation, and for the sake of health; and that the laws of the land ratified the custom by giving to bishops parks and free warrens.

His opponents replied, that the same canons expressly prohibited all hunting in which deadly weapons were employed; and that, if the law secured to the prelates the right of the chase, it was an appendage to their secular baronies, and to be exercised, like all other secular rights, not by themselves in person, but by their lay servants and deputies.<sup>2</sup>

It chanced that at this very time there were four bishops elect, all of whom refused to receive consecration from the hands of the metropolitan as long as this question remained undetermined. They founded their objection on scruples of conscience; though it was maliciously whispered that two at least of the number, Williams, lord keeper, and Laud, bishop of St. David's, cherished a stronger motive,—the hope of succeeding Abbot in the archiepiscopal dignity, if he were pronounced incapable of executing its duties.<sup>3</sup> James appointed a commission of prelates and canonists, but they could not agree in opinion, and proposed that Abbot should be absolved from all irregularity *ad majorem cautelam*. But where was the ecclesiastical superior to absolve the metropolitan? In this unprecedented case it was answered that the king, as head of the church, possessed that plenitude of power which in Catholic countries was held to reside in the pope. James, therefore, having first granted him a pardon in law, issued his commands

<sup>1</sup> Such is the account given by Hacket, his biographer; but Williams himself asserts that he had no expectation of the office when it was conferred upon him.—Rymer, xvii. 297. "It was rumoured every where that he too grate familiaritey with Buckingham's mother procured him these grate favors and preferments one a sudaine."—Balfour, ii. 93.

<sup>2</sup> See the apology for Abbot and the answer in Howell's State Trials, 11.

<sup>3</sup> I give little credit to the story told by Hacket (i. 63) of the unwillingness of James

to give a bishopric to Laud. He had long been the king's chaplain; he was also confessor to Buckingham; he had been chosen to accompany them both into Scotland, and only three weeks before his appointment, James had accused himself of neglect, and had promised him preferment.—Laud's Diary, p. 4. By the statutes of St. John's College, of which he was president, he could no longer hold that office. James absolved him from the oath by which he was bound to observe the statutes (Rymer, xvii. 328); but Laud scrupled to avail himself of the absolution and resigned.—Diary, p. 4.

to eight bishops, who, assuming for the ground of their proceedings that the "hunting aforesaid was decent, modest, and peaceable, and that every possible precaution had been employed to prevent accident," absolved the metropolitan from all those censures which he might have incurred, and for greater security restored to him the offices and rights which he before held.<sup>1</sup> But Abbot had never been a favourite. He now appeared before the king marked with the stigma of homicide; his facility in licensing books which bore hard on the ceremonies and discipline of the church, gave continual offence; and towards the end of his life he never appeared at court except on occasions of parade and ceremony.

But the chief anxiety of the king was to prepare for the approaching session of parliament. That he might silence the complaints of the popular leaders, and prevent their intended attacks upon his prerogative, he adopted the advice of Williams, abolished by proclamation six-and-thirty of the most obnoxious patents, appointed commissioners to inquire into the causes which led to the disappearance of the gold coin, and framed regulations for the increase of trade in the principal outports. On the continent his ambassadors were seen posting to almost every court of Europe, where they employed arguments, bribes, and supplications in

<sup>1</sup> Laud's Diary and Wilk. Con. ii. 462. Rymer, xvii. 340.

<sup>2</sup> For some years the Turkish pirates from the Mediterranean had occasionally made prizes in the Channel, and repeatedly carried off the inhabitants of the coast of Ireland into slavery. To punish their insolence, the king proposed a joint expedition at the expense of the different Christian powers; and the last summer he had been persuaded to send out a squadron under the command of the vice-admiral Sir Robert Mansell, with instructions to burn the piratical vessels within the harbour of Algiers. The attempt was made with that bravery which always distinguishes British seamen (1621, May 24),

favour of the Palatine. But all the efforts of the king were frustrated by the stubbornness of that prince, the uncontrollable temper of his chief partisan, Count Mansfield, and the ambition of the duke of Bavaria, who sought to annex the Palatinate to his own dominions. James could, however, boast that, if Heidelberg, Mannheim, Frankendale, and Worms still acknowledged the sway of their native sovereign, it was owing to his exertions in maintaining within their walls five thousand men under Sir Horace Vere, and in having prevented the defection of Mansfield's sixteen thousand mercenaries by a seasonable present of forty thousand pounds. Under these circumstances he indulged a hope that his concession would mollify the obstinacy of the Commons, and that his remittance to the Palatinate would convince them of his attachment to the Protestant interest in Germany, and his sincere desire to preserve the dominions of the unfortunate Frederick.

When the parliament re-assembled the royal commissioners (the king indisposed at Newmarket) called upon the lower house to redeem the pledge which had been given at the close of the last session, and to enable the sovereign to interpose with weight and efficacy in favour of the Palatine. But they spoke to dissatisfied and irritated minds. Among the popular orators in former debates, no perso-

but the assailants had no sooner retired than the inhabitants, aided by a heavy shower of rain, extinguished the flames and the whole loss of the Turks amounted only to two vessels which had been consumed. The booms which they now threw across the harbour, and the additional batteries which they mounted on the mole deterred Mansell from a second attempt. The pirates in the course of the year repaired their loss by the capture of thirty-five English merchantmen; and the whole kingdom rung with complaints of an expedition which served only to injure the trade and to bring disgrace on the character of the nation.—Cabala, 323. Rushworth, Camden, 653, 653.



had distinguished themselves more than Sir Edward Coke and Sir Edwin Sands. But, 1. the riches which Coke had amassed while he remained in office, had awakened suspicions of his integrity; and his intemperate language and overbearing carriage had created him numerous enemies. At the instigation of Bacon and Lady Hatton, inquiries had been made into his conduct as judge, and during the recess a prosecution was commenced against him on a charge of misdemeanor under eleven heads. 2. Sir Edwin Sands had uttered several bold and violent speeches during the last session, and to screen himself from the royal indignation, had obtained from the house, before the adjournment, a declaration that he had only done his duty, and had never transgressed the bounds of decorum.<sup>1</sup> He was, however, arrested, with Selden his legal adviser, examined on some secret charge before the council, and after a detention of a month, restored to liberty. Their friends did not conceal their suspicions. They represented Coke and Sands as martyrs in the cause of the people, and declaimed with bitterness against the mean and despotic vengeance of the court. The Commons took up the question with extraordinary warmth. They ordered the accusers of Coke to be taken into custody by the serjeant-at-arms, appointed a committee to examine witnesses, and made an attempt to establish the fact of a conspiracy against him, originating in motives of hostility to his political conduct. Sands at the opening of the session was confined by sickness to his bed; but his case was brought forward by his friends; and, though the secretary of state declared that his arrest had no connection with his behaviour in that house, two members were ap-

pointed to visit him, and to solicit from him a disclosure of the truth.<sup>2</sup>

While the Commons remained in this temper of mind, it was easy to spur them on to a quarrel with the sovereign. They had evinced some disposition to grant the king a single subsidy, but resolved to present previously, and according to their custom, a petition against the pretended growth of popery. It asserted that the pope aspired to universal dominion in spirituals, the king of Spain in temporal; that to these two powers the English papists looked for the support of their religion; that their hopes had been elevated by the disasters of the Palatine, and the report of an intended marriage between the prince of Wales and the infanta of Spain; that they resorted in crowds to mass in the chapels of foreign ambassadors, sent their children to be educated in foreign parts, and were allowed to compound for their forfeitures on easy terms; whence it was to be feared that connivance would beget toleration, toleration would be followed by equality, and equality would soon be improved into ascendancy. On these accounts the house prayed that the king would enter vigorously into the war in Germany, would order an expedition to be sent against some part of the Spanish territory, would marry his son to a Protestant princess, would appoint a commission to put in force all laws made and to be made against papists, would recall the sons of noblemen and gentlemen from parts beyond the sea, would order all children, whose fathers and mothers were Catholics, to be taken from their parents and brought up Protestants, and would annul, if it could be done by law, all inadequate compositions hitherto made for the forfeitures of recusants.

<sup>1</sup> Journals, 636.

<sup>2</sup> Ibid. 643, 644, 662.

James furtively received a copy of this petition almost as soon as it was drawn. It threw him into a paroxysm of rage. To complain of the growth of popery was not uncommon, but to embody in it insinuations against the honour of his ally the king of Spain, to advise the invasion of the territories of a prince who had given no cause of offence, to dictate to the sovereign in what manner he was to dispose of the prince in marriage, were, in his opinion, instances of presumption which had no precedent, invasions of his prerogative which demanded the most prompt and energetic resistance. He wrote immediately to the speaker, complaining of the influence possessed by certain "fiery, popular, and turbulent spirits" in the lower house, forbidding them to inquire into the mysteries of state, or to concern themselves about the marriage of his son, or to touch the character of any prince his friend or ally, or to intermeddle with causes which were submitted to the decision of the courts of law, or even to send to him their petition, if they wished him to hear or answer it. As for Sands, they should know that his public conduct was not the cause of his commitment, but at the same time should recollect that the crown possessed and would exercise the right of punishing the misbehaviour of the members both in and out of parliament.

From the angry tone and menacing language of this letter, the popular leaders might have inferred, that not only the rights which they claimed, but their personal safety, were at stake. But they knew the weak and vacillating disposition of the king. If he were passionate, he was also timid; if prompt to threaten, yet slow to execute. In strong but respectful terms they presented to him a justification of their conduct; and James, instead of replying with

the brevity and dignity of a sovereign, returned a long and laboured, though bitter and sarcastic, answer. A war of petitions and remonstrances, messages and recriminations, was commenced; one controversy begot another; the Commons termed their claims the birthright of the nation, the king pronounced them favours conceded by the indulgence partly of his predecessors, and partly of himself. Yet, as had been foreseen, his warmth began to cool; he lowered the lofty tone which he had assumed; he even sought by a conciliatory message to waive every existing subject of debate. But his opponents were of a more unyielding character. That very day, the eve of the Christmas recess, they entered a protestation on their journals, that "the liberties and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; that arduous and urgent affairs concerning the king, the state, and defence of the realm, and the church of England, the making and maintenance of laws, and the redress of grievances, are proper subjects of counsel and debate in parliament; that in the handling of these businesses every member hath and ought to have freedom of speech; that the Commons in parliament have like liberty to treat of these matters in such order as they think proper; that every member hath like freedom from all impeachment, imprisonment, and molestation (other than by the censure of the house itself) concerning any bill, speaking or reasoning touching parliament matters; and that if any be complained of for anything said or done in parliament, the same is to be showed to the king by assent of the Commons, before the king give credence to any private information." This measure revived the former jealousy and irritation in the breast of James. Sending for the journals, he

ore out with his own hand the obnoxious protestation in the presence of his council, and a few days later dissolved the parliament.<sup>1</sup>

Few of the popular leaders escaped the king's resentment. The earls of Oxford and Southampton from the upper house, and Coke, Philips, Pym, and Mallory, from the lower, were summoned before the council, and committed, some to the Tower, some to the Fleet, and others to the custody of private individuals. The cause of their committal, though manifest, was not avowed; and the pretended offences brought forward by the ministers, showed that they dared not openly oppose the liberties, the exercise of which they laboured covertly to suppress. There were four other members of the Commons, Diggs, Crew, Rich, and Perrot, equally obnoxious to the court and equally marked out for vengeance. But their previous conduct defied the scrutiny of their adversaries; who, unable to charge them with any criminal offence, resolved to send them into exile under the pretext of an honourable employment. They received orders to proceed to Ireland, and were joined in a commission with certain persons resident in that kingdom, to inquire into the state of the army, the church, and places of public education; into abuses in the collection of the revenue; into illegal and injurious patents; and into the numerous frauds committed by the undertakers of the new plantations. It was in

vain to remonstrate; they were told that the king had a right to employ the services of his subjects in any manner which he thought proper; and these men, however bold they had felt themselves in the company of their colleagues in parliament, dared not as private individuals engage in a contest against the crown. They submitted to their punishment, and Coke, to mollify the displeasure of his sovereign, offered to accompany them on their mission, and to aid them with his advice. The offer was refused; but he, as well as the other prisoners, regained his liberty after a short confinement and a suitable submission.<sup>2</sup>

While James condemned as a sovereign the ambition of the Palatine, he felt as a parent for the misfortunes of his daughter and her children. Hitherto all his efforts in their favour had proved unsuccessful; the late quarrel with his parliament had added to his embarrassment, and he rested his last hope on the friendship and mediation of the king of Spain. Several years ago he had sought to connect himself with France by soliciting the hand of the princess Christine for his eldest son Henry, and on the death of Henry, for his next surviving son Charles.<sup>3</sup> But Christine was already contracted in private to Philip, prince of Spain, whom she afterwards married on the same day on which her brother Louis married Anne of Austria, the sister of Philip. But besides Anne there was another

<sup>1</sup> Rushworth, i. 40—56. Journals, 200. On the 19th, parliament was adjourned by royal commission in the house of Lords. The Commons were not present; and when the fact was announced, replied that they would adjourn themselves.—Ibid. "The same day his majestie rode by coach to Theobalds to dinner, not intending, as the speech is, to returne till towards Easter. After dinner, ryding on horseback abroad, his horse stumbled and cast his majestie into the New River, where the ice brake: he fell in, so that nothing but his boots were seene: Sir Richard Yong was next,

who alighted, went into the water, and lifted him out. There came much water out of his mouth and body. His majestie rid back to Theobalds, went into a warme bed, and, as we heare, is well, which God continue."—Ellis, Original Letters, iii. 117.

<sup>2</sup> Rushworth, i. 55.

<sup>3</sup> Henry died on the 6th of November; on the 9th Charles was offered to the princess in his place; so eager was James for the alliance, and so little did he appear to feel for the death of his son.—Birch, 372.

infanta, Donna Maria, and her the Spanish minister, the duke of Lerma, offered to Prince Charles in the place of Christine, though there is reason to believe that he had no intention to conclude the match, and threw out the project merely as a bait to seduce the English king from his near connection with the French court. By James, however, the proposal was cheerfully entertained, under the idea that the riches of the father would supply a large portion with the princess, and his superior power would render him a more valuable ally. His views were eagerly seconded in England by Gondomar, the Spanish, and in Spain by Digby, the English ambassador; both of whom considered the accomplishment of the marriage as a certain pledge of their future aggrandizement. By their exertions the chief difficulty,—difference of religion, was apparently surmounted: twenty articles, securing to the princess the free exercise of the Catholic worship in England, received the approbation of the two monarchs; and James was induced to promise that he would never more suffer Catholic priests to be executed for the sole exercise of their functions, and that he would grant to the Catholic recusants every indulgence in his power.<sup>1</sup> Though the negotiation was kept secret, its general tendency transpired; the clergy and the more zealous of their hearers maintained that religion was in danger from the restoration of popery; and the result was that petition of the Commons which provoked the dissolution of the late parliament.

The misfortunes of the Palatine added a new stimulus to the exertions of James, who saw in a family alliance with Spain the only probable means of preserving the patrimonial dominions of his son-in-law. But his eager-

ness was most vexatiously checked by the proverbial tardiness of the Spanish cabinet, and by the reluctance of Philip to trust his daughter a child only twelve years old, in a court where she might perhaps be seduced from the religion of her fathers. But Philip died; and the accession of his son, the fourth of the same name, revived the hopes of the British monarch. Both James and Charles wrote to the new king and his favourite Olivarez; Gondomar was persuaded to return to Spain; Digby, now earl of Bristol, followed to accelerate the negotiation; and a favourable answer was returned, stating the earnest desire of Philip to conclude the marriage of his sister and his willingness, at the request of James, to interpose his good offices in behalf of the Palatine.<sup>2</sup>

As a preparatory step, a dispensation was solicited from the pope by the Spanish king, through the agency of his ambassador, the duke of Albuquerque, and of the Padre Maestro, the chief clergyman attached to the Spanish legation in England. It had been agreed that James should not appear in the negotiation; but such was his impatience, that he despatched George Gage, a Catholic gentleman, to Rome, with letters to the pope, and to the cardinals Ludovico and Bandini, while his favourite Buckingham, employed for the same purpose Bennet, a Catholic priest, the agent for the secular clergy.<sup>3</sup> To the request of these envoys the pontiff replied, that he could not dispense with the canons, unless it were for the benefit of the church: that though James had promised much to the late king of Spain, he had yet performed nothing; but let him, as he had offered, relieve the Catholics from the pressure of the penal laws, and then

<sup>1</sup> See the letter in Prynne's *Hidden Works of Darkness*, p. 8.

<sup>2</sup> Rushworth, i. 56.

<sup>3</sup> See Appendix, KKK.

ufficient ground would be laid for the dispensation.<sup>1</sup>

This suggestion was not lost on the English monarch. He ordered the lord keeper to issue, under the great seal, pardons for recusancy to all Catholics who should apply for them in the course of five years, and instructed the judges to discharge from prison, during their circuits, every recusant able and willing to give security for his subsequent appearance. His indulgence awakened the fears of the zealots; and Williams, to silence their complaints, alleged, 1. that some modification of these severities had become necessary to satisfy the Catholic princes, who threatened to enact against the Protestants in their dominions, laws similar to those under which the Catholics groaned in England; 3. that it was in reality a very trifling relief; for if the recusants were no longer in prison, "they had still the shackles about their heels," and might be remanded at pleasure; and 2. that it could create no danger to the Protestant ascendancy, as it did not extend to any prisoner confined for those religious acts which the law had converted into capital offences. But, though his arguments might appease the Protestants, they alarmed the Catholics; a suspicion was provoked that James acted with his former duplicity; and, if Gondomar boasted in Spain that four thousand Catholics had been released from confinement,

it was replied, that "they had still the shackles about their heels," and would enjoy their liberty no longer than might suit the royal convenience.<sup>2</sup>

While the king was negotiating in favour of the Palatine, the enemies of that prince had taken the field. Heidelberg surrendered: Manheim was threatened; and there was every appearance that, in the course of a few weeks, the last remnant of his patrimony would be torn from him for ever. The news aroused the spirit of James, who complained that he had reason to expect a very different result from the interposition of the Spanish court, and ordered Bristol to return to England, unless he should receive a satisfactory answer within ten days.<sup>3</sup> But Philip was able to show that the blame ought not to be imputed to him; he ordered his forces in the Palatinate to co-operate with those of James, and the treaty of marriage proceeded rapidly towards its conclusion. The religious articles respecting the infanta, with several corrections made in Rome, were subscribed by James and his son; who, moreover, promised, on the word of a king and a prince, that the English Catholics should no longer suffer persecution or restraint, provided they confined to private houses the exercise of their worship.<sup>4</sup> It was agreed that the dower of the princess should be fixed at two millions of ducats; that the espousals should be cele-

away without additional orders, "though," says James, "publicly and outwardly you give out the contrary, that we may make use thereof with our people in parliament, as we shall hold best for our service."—Prynne, 20.

<sup>4</sup> These articles and corrections are published in the *Mercure François*, ix. 517, and in *Du Mont, Corps Diplomatique*, v. partie ii. p. 432; but more correctly by Prynne, p. 4, where the first column contains the articles agreed upon by James and Philip III., the second the same, corrected by Gregory XV.—See also *Clarendon Papers*, i. 4—7.

<sup>1</sup> MS. letter from Bennet in my possession. Prynne, p. 8. It appears from the *Hardwicke Papers*, that during these negotiations the king wrote two letters to different popes. The greatest secrecy was observed. Of their contents the only thing mentioned is a request that the pontiff would withdraw the Jesuits out of the British dominions.—*Hard. Papers*, i. 458, 469.

<sup>2</sup> *Dodd*, ii. 439. *Cabala*, 293—295. *Rushworth*, i. 63. *Prynne*, 13, 14, 15.

<sup>3</sup> To this despatch, however, was added a private note, forbidding Bristol to come

brated within forty days after the receipt of the dispensation; and that the departure of the princess, under the care of Don Duarte of Portugal, should follow in the course of three weeks. Even the two last points in debate, the time for the consummation of the marriage, which the Spaniards sought to delay for a few months, and the intervals between the several payments of the portion, which one party wished to prolong, the other to contract, were, after some dispute, amicably arranged; and Bristol and his colleague Aston, the resident ambassador, congratulated themselves that they had brought this long and difficult negotiation to a successful issue.<sup>1</sup>

It was at this moment that two strangers, calling themselves John and Thomas Smith, arrived in the dusk of the evening at the house of the earl of Bristol, in Madrid. They were the prince of Wales and the marquess of Buckingham, who had left England without the privy of any other person than the king, and had travelled in disguise, with three attendants, to the capital of Spain.<sup>2</sup> The project of this extraordinary journey had originated with Gondomar, during his embassy in the preceding summer; its execution had been hastened by despatches received from him in the preceding month. To the youthful mind of Charles it presented a romantic, and therefore welcome adventure, far superior in point of gallantry to the celebrated voyage of his father in quest of Anne

of Denmark; to Buckingham it promised something more than pleasure—the glory of completing a treaty which for seven years, had held the nation in suspense, and the opportunity of establishing a powerful interest, not only in the heart of the prince, but also of his expected bride.<sup>3</sup>

Bristol received his distinguished guests with the respect due to the rank, but without any expression of surprise. From the conversation of Gondomar he had previously collected sufficient to infer that such a journey was in contemplation; and, to prevent it, had recently despatched a messenger, who passed the traveller in the vicinity of Bayonne.<sup>4</sup> But though he assumed an air of satisfaction, he felt the keenest disappointment. Buckingham had interposed between him and the completion of his labours; and he foresaw that the arrogance and licentiousness of the favourite did not interrupt the treaty, his rapacity and ambition would reap all the benefit and monopolize the glory.

The king, the nobility, and the population of Madrid seemed at a loss to testify their joy at this unexpected event. The prince was received with every complimentary honour, which Spanish ingenuity could devise; the prisons were thrown open; the disposal of favours was placed in his hands; he was made to take precedence of the king himself; and two keys of gold gave him admission, at all hours, into the royal apartments.<sup>5</sup> His visit was considered

<sup>1</sup> Hardwicke Papers, 400, 404, 496—498. Prynne, 14—25. Clarendon Papers, i. App. xxx.

<sup>2</sup> Sir Francis Cottington, Endymion Porter, and Sir Richard Graham.

<sup>3</sup> Howell's Letters, tenth edition, p. 132. Ellis, Original Letters, iii. 134. The earl of Bristol asserted before the Lords that the journey was planned between Buckingham and Gondomar, and that he would prove it to their conviction.—Journals, 586, 640. Buckingham, however, told Gerbier, that it originated with himself. He hoped by it

to procure the Palatinate, or at least to bring the sincerity of the Spaniards to the test.—D'Israeli, iii. 442, from Sloane MS. 4181.

<sup>4</sup> The prince stopped him, and opened his despatches; but being unable to decipher them, suffered him to proceed.—Hardwicke Papers, i. 403.

<sup>5</sup> Ellis, iii. 142. James observes on the subject:—"The newis of youre glorious reception thaire, makes me afraied that y will both miskenne your olde Dade here after" (p. 139).

not only as a proof of his reliance on Spanish honour, an earnest of his attachment to the Spanish princess, but also as a prelude to his conversion to the Catholic faith. Such hopes had already been held out by Gomara, and, there is reason to believe, not entirely without foundation. From the contradictory assertions of Buckingham and Bristol, who afterwards charged each other with having advised that measure, it may be difficult to elicit the truth; but the two travellers, in the first letter which they despatched to the king to announce their arrival, requested to know how far he could be induced to acknowledge the authority of the pope. Whatever might have been their object in putting this extraordinary question, it was marred by the resolute answer of James.<sup>1</sup> Still the prince hesitated not, in reply to a letter from the pontiff, to promise that he would abstain from every act of hostility to the Roman Catholic religion, and would seek every opportunity of accomplishing a reunion between the two churches.<sup>2</sup>

In England the sudden disappearance of the prince had excited surprise and alarm; the intelligence of his arrival in Spain, though celebrated at the royal command with bonfires and the ringing of bells, was received with strong expressions of disapprobation. But James remained faithful to his word. He refused to listen to those who condemned or remonstrated;<sup>3</sup> he forwarded to Charles officers, and chaplains, and jewels; and he raised Buckingham to the higher title of duke, that he might equal in rank the proudest grandee in the Spanish court. In addition (so blind was the confidence of the doating monarch), he assented to the request of the adventurers that their proceedings should be concealed from the knowledge of his council, and, by a solemn promise in writing, engaged to ratify whatever they might conclude with the Spanish minister.<sup>4</sup> Never did sovereign deceive himself more miserably. Baby Charles and his dog Steenie (such were the elegant appellations which they gave to themselves in their letters) proved unequal

<sup>1</sup> "If the pope will not grant the dispensation, then we would gladly have your directions how far we may engage you in the acknowledgment of the pope's special power; for we almost find, if you will be contented to acknowledge the pope chief head under Christ, the match will be made without him." March 19. On the 25th James replies that he knows not what they mean by acknowledging the pope's spiritual supremacy. He is sure they would not have him renounce his religion for all the world. Perhaps they allude to a passage in his book, where he says, that if the pope would quit his godhead and usurping over kings, he would acknowledge him for chief bishop, to whom all appeals of churchmen ought to lie en dernier ressort. That is the furthest his conscience will permit him to go. He is not a monsieur, who can shift his religion as easily as he can shift his shirt when he cometh from tennis.—Hard. Papers, ii. 402, 411.

<sup>2</sup> "Ab omni demum actu temperabimus, qui, aliquam præ se speciem ferat nos à Romanâ Catholicâ religione abhorrere, sed omnes potius captabimus occasiones, quo ..... in ecclesiam unam unanimiter coalescamus."—Ibid. i. 453. "This letter," says

Lord Clarendon, "is by your favour more than a compliment;" and Urban VIII. calls it "litteras testes suæ in Romanos pontifices voluntatis."—Rushworth, i. 95.

<sup>3</sup> Among these was Archbishop Abbot, whose letter proved the bitterness of his zeal as a divine, and the soundness of his principles as a statesman. "By your act," he says to the king, "you labour to set up that most damnable and heretical doctrine of the church of Rome..... you show yourself a patron of those doctrines which your conscience tells yourself are superstitious, idolatrous, and detestable. Add to this what you have done in sending your son into Spain without the consent of your council or the privity of your people. Believe it, sir, howsoever his return may be safe, yet the drawers of him to that action will not pass away unquestioned, unpunished. Besides, this toleration which you endeavour to set up by proclamation, it cannot be done without a parliament, unless your majesty will let your subjects see, that you will take to yourself a liberty to throw down the laws of your land at pleasure."—Prynne, 40. Rushworth, 85.

<sup>4</sup> Hardwicke Papers, 410, 417, 419. Cabala, 129. Ellis, Original Letters, iii. 139.

to the task which they had assumed. Charles was imprudent, Buckingham resentful: instead of accomplishing the marriage, they dragged the unsuspecting king into a war; and his disappointment and vexation contributed not only to embitter, but to shorten his days.

It was not without reluctance that Olivarez had agreed to the conditions proposed by Bristol and Aston. He knew that the clergy and nobility of Spain objected to the match; the king was still a minor in his twentieth year; and the whole responsibility of the measure rested on his own shoulders.<sup>1</sup> The arrival of the royal stranger suggested the hope of obtaining more favourable terms. His inexperience would render him less cautious, his ardour less stubborn; he had rashly placed himself at the mercy of the Spanish ministry, and must submit either to purchase his bride at any price, or to incur the disgrace of having passed the sea on a visionary and sleeveless errand.

In private conversation with Charles and Buckingham, Olivarez insinuated that the negotiation with Bristol had been more for show than reality; that now was the time to treat in good earnest, when every difficulty might be surmounted by the presence of the prince and the wisdom of his adviser.<sup>2</sup> The young men suffered themselves to be duped by the flattery and cunning of the Spaniard. In defiance of the remonstrances of the two ambassadors, the discussion was reopened; the articles already agreed upon were reconsidered; and Olivarez was careful to supply new subjects of debate, while Buckingham, looking on Bristol as a rival, rejected his ad-

vice, and treated him with scorn and neglect.

The dispensation had been granted but, at the request of Olivarez, it was accompanied with two sets of instructions to the nuncio Massimi, one to be made public, the other to be communicated to no one but the Spanish minister. By the first the nuncio was forbidden to part with the dispensation till he had obtained as previous conditions promises of the conversion of the prince to the Catholic faith and of the repeal of the penal law against the Catholic worship: not without any expectation that such demands would be granted, but that the refusal on the part of the prince might supply a pretext for keeping back the dispensation as long as might suit the views of the Spanish cabinet. By the other he was ordered to procure for the British Catholic every indulgence in his power, but to deliver the dispensation to the king of Spain whenever it should be required.<sup>3</sup> By this artifice a new field was opened for discussion and delay. Every proposal was first debated between the parties, then carried before the council, and thence transmitted to a junta of divines, to whom, if the question concerned the king's conscience, Olivarez contended that the decision properly belonged. The result was a public and a private treaty.<sup>4</sup> The first, according to the former agreement, stipulated that the marriage should be celebrated in Spain and afterwards ratified in England; that the children should remain till the age of ten years under the care of their mother; that the infanta and her servants should possess a church and chapel for the free exercise

<sup>1</sup> Hard. Papers, i. 424, 426. Howell's Letters, 124, 125. Lords' Journals, 226.

<sup>2</sup> See in the Lords' Journals Buckingham's proofs that the Spaniards were insincere, and Bristol's proofs to the contrary, 221, 226, 683. It is plain, that if the former

were conclusive, they refer chiefly to the negotiation under Philip III.

<sup>3</sup> MS. despatch of Card. Ludovisio, 18th April, 1623, N. S.

<sup>4</sup> Du Mout, v. part ii. 440. Prynne, 4 Clarendon Papers, i. App. xxiv.—xxviii.



their religion; and that her chaplains should be Spaniards living under canonical obedience to their bishop. The private treaty contained four articles: that none of the penal laws for religion should be executed; that the Catholic worship in private houses should be tolerated; that no attempt should be made to seduce the princess from the faith of her fathers; and that the king should exert all his influence to obtain the repeal of the penal statutes in parliament. Both James and the lords of the council swore to the observance of the public treaty in the royal chapel at Westminster;<sup>1</sup> the king alone to that of the secret treaty, in the house of the Spanish ambassador, and in the presence of four witnesses.<sup>2</sup>

The royal oath did not, however, give entire satisfaction. The conduct of James at a more early period had imprinted on his character the stigma of insincerity; and the doubts of Philip were nourished by the despatches of his ambassadors.<sup>3</sup> He proposed that the marriage should be consummated in Spain, and that both the princess and the dower should remain there till the following spring, as a security that the promised indulgence should in the mean time be actually granted to the Catholics.

But by this time the patience of the prince was exhausted, and both interest and pride induced his companion to advise his return to England. 1. Buckingham had learned that his real but secret enemies in England were more numerous than he had supposed. His absence had emboldened them to whisper occasionally in the royal ear instances of his indiscretion and abuse of power, and the friends of Bristol were eager to paint in the most vivid colours the insults offered to that able minister by the arrogance and presumption of the favourite. Aware also of the easy and credulous disposition of his master, he knew not what impression might be made by the repeated charges of his enemies; and began to listen to the entreaties of his dependants, who admonished him, as he tendered his own greatness, to hasten back to England, and to resume his former place near the person of his sovereign.<sup>4</sup> 2. To prolong his stay at Madrid was become irksome to his feelings, perhaps dangerous to his safety. His frequent quarrels with Olivarez, though apparently suppressed at the command of Philip and Charles, had created a deadly enmity between the two favourites; the levity of his

<sup>1</sup> Archbishop Abbot, notwithstanding his letter, took the oath with his colleagues, a condescension which delighted the king: "Now I must tell you miracles: our great primate hath behaved himself wonderfully well," &c.—Hard. Papers, i. 428.

<sup>2</sup> James previously protested that he did not mean to resign the power of enforcing the laws against the Catholics, if they should embroil the government; that he swore safely to the repeal of the laws, because he was sure that he could not effect it, and that he should not be bound by his oath, if the marriage did not take effect.—Prynne, 47. Hardwicke Papers, i. 428—430. Clarendon Papers, i. 10. He would not have sworn at all, had he not promised to ratify every agreement made by Charles at Madrid.—Ellis, Original Letters, ii. 154.

<sup>3</sup> For this there is some reason. When the ambassadors desired the king to issue a proclamation forbidding all persecution

of Catholics on the ground of conscience, he replied that a proclamation was but a suspension of the law, which might be made void by another proclamation, and did not bind a successor: he would rather grant them an immunity from all penalties for the time to come, and forbid the magistrates, judges, and bishops to put the laws in execution against them. But when this was intimated to the lord keeper, he refused to issue the prohibition, as being a thing unprecedented in the kingdom.—Hardwicke Papers, i. 437. Cabala, 297. Rushworth, 101.

<sup>4</sup> See a letter in Cabala, 128. "My lord of Bristol hath a great and more powerful party in court than you imagine; insomuch that I am confident, were the king a neuter, he would prevail."—Ibid. 129. Laud was very active in his correspondence with the duke, informing him of the cabals against him.—Heylin, 105, 113.

manners, the publicity of his amours, and his unbecoming familiarity with the prince, daily shocked the gravity of the Spaniards; and the king himself had said, or was reported to have said, that his sister never could be happy as a wife, if so violent and unprincipled a man continued to enjoy the confidence of her husband. The duke knew that he had forfeited the esteem of the Spanish court; and resentment on the one hand, interest on the other, led him at last to oppose that match, which it had hitherto been his great object to effect.<sup>1</sup>

A new cause of delay had arisen from the unexpected death of Gregory XV. As no use had been made of the dispensation granted by that pontiff, it was held necessary to procure another from his successor. In the meanwhile another treaty was concluded and signed, by which the prince engaged to marry the infanta at Madrid, on the arrival of the answer from Rome, the king to send her to England on the first day of the following month of March.<sup>2</sup> Charles, however, had no intention to be bound by this agreement; he assured his father that he would never consent to any ceremony of marriage, unless with the assurance that his wife should accompany him home, and to further his project, he requested a royal order for his immediate return. Its arrival rendered a new arrangement necessary. It was stipulated that the espousals should

take place before the feast of Christmas; that at the ceremony the prince should be represented by Philip his brother Don Carlos, and the procurator with full powers to that effect should be deposited with the earl of Bristol, and be delivered to that minister to the king within ten days after the receipt of the papal answer. These articles were reciprocally confirmed by oath; the infanta assumed the title of princess of England, and a court was formed for her corresponding to her new dignity. Philip and Charles parted from each other as brothers, with professions of the warmest attachment; the favourites with the open avowal of their enmity. "To the king, the queen, and the princess," said Buckingham, addressing Olivarez, "I shall always prove myself an humble servant; to you never." "I am honoured by the compliment," was the reply of the Castilian.<sup>3</sup>

Notwithstanding these oaths and appearances, the projected marriage was already broken off in the determination of Buckingham, probably in that of Charles. From Segovia Clerk, a dependant of the favourite, returned to Madrid, and under the pretext of sickness, was received in the house of the earl of Bristol. His unexpected appearance excited surprise;<sup>4</sup> but he suffered not his purpose to transpire till, deceived by an ambiguous expression of his host, he persuaded himself that the papal

<sup>1</sup> "The truth is, that this king and his ministers are grown to have a great dislike against my lord duke of Buckingham, —they judge him to have so much power with your majesty and the prince, to be so ill affected to them and their affairs..... unless you find some means of reconciliation, or let them see that it shall not be in his power to make the infanta's life less happy," &c.—Bristol to the king, Hard. Papers, i. 477, also 479. Cabala, ii. 98, 99, 271, 276, 368, 358. Howell's Letters, 138. Journals, 224.

<sup>2</sup> In consequence of this agreement, a public bull-fight, and a most gorgeous jeu

de cannas, in which the king, his brother and nobles, displayed all their magnificence was exhibited at Madrid.—See the description in Somers's Tracts, ii. 532—540.

<sup>3</sup> Somers's Tracts, ii. 545. Hard. Paper i. 432—436, 476, 479, 489. Cabala, 35. Rushworth, 103. Prynne, 49. Clarendon Papers, i. App. xxv.—xxix.

<sup>4</sup> "He is one of the D. of Buckingham creatures, yet he lies at the E. of Bristol house..... We fear that this Clerk has brought something to puzzle the business.—Howell's Letters, 148. Hardwicke Papers, i. 481. Lords' Journals, 643. Cabala 107, 216.

escript had been received. Immediately he put into the hands of Bristol a letter from the prince for bidding him to deliver the procuration to the king, till security had been obtained that the infanta would not, after the marriage contract, retire into a convent. That there was any ground for such a suspicion were not told; but the real object of the letter was to prevent that marriage to which Charles had bound himself by his oath. The mistake of Clerk afforded time to Bristol to defeat the artifice. He demanded an audience of the king, obtained from him every security that could be wished, and sent by express the unwelcome intelligence to the British court.<sup>1</sup>

The failure of this expedient suggested a second. James, at the persuasion of Buckingham, commanded Bristol to deliver the procuration at Christmas, "that holy and joyful time most fitting so notable and blessed an action as the marriage." The earl saw that the credulity of his sovereign had been deceived, and informed him by express that the powers conferred by the deed would then have expired; that to present it only when it had ceased to be in force, would be to add insult to bad faith; that the papal approbation was already signed at Rome; and that, unless he should receive orders to the contrary, he should deem himself bound, by the treaty and by his oath, to deliver the proxy at the requisition of the king of Spain. In the course of a fortnight the dispensation arrived at Madrid: Philip appointed the 29th of November for the espousals—the 9th of the

next month for the marriage: the Spanish nobility received invitations to attend; a platform covered with tapestry was erected from the palace to the church; and orders for public rejoicings were despatched to the principal towns and cities. It wanted but four days to the appointed time, when three couriers, pressing on the heels of each other, reached Madrid; and from them Bristol received a prohibition to deliver the proxy, an order to prepare for his return to England, and instructions to inform Philip that James was willing to proceed to the marriage whenever he should pledge himself under his own hand to take up arms in defence of the Palatine, and fix a day when his mediation should cease, and hostilities begin. The feelings of the Spanish monarch were hurt. He replied that such a demand at such a moment was dishonourable both to himself and his sister. The treaty had been signed, the oaths taken. Let the king and the prince fulfil their obligations—he would faithfully perform his promises. The preparations for the marriage were immediately countermanded; the infanta resigned with tears her short-lived title of princess of England; and Charles and Buckingham triumphed in the victory which they had obtained over Bristol, and the wound which they had inflicted on the pride of Spain.<sup>2</sup>

A short time previously to their departure, they had received powers to treat respecting the Palatinate; but Philip had interrupted the discussion by saying that, in contemplation of the marriage, he would give

<sup>1</sup> Hardwicke Papers, i. 481. "The countess of Olivarez broke it to the infanta, who seemed to make herself very merry that any such doubt should be made; and said she must confess she never in all her life had any mind to be a nun, and hardly thought she should be one now, only to avoid the prince of Wales."—Clar. Papers, i. App. xix.

<sup>2</sup> Hardw. Papers, 485—490, 411, 422. Clarendon Papers, i. 13. Cabala, 3, 100, 107, 263. Prynne, 55—61: Lords' Journals, 643. See the attempt of Charles to justify himself, though the instrument contained a clause disabling him from revoking the procuration.—Journals, 228.

the king of England a blank paper, and would assent to any conditions which *he* might prescribe. Now, when his anger was cooled, he listened to the representations of Bristol, and though he refused, as indecorous, to declare war against his nephew the emperor before he received an answer to his mediation, he pledged himself in writing never to cease from the pursuit till he had procured, by arms or negotiation, the restitution of the Palatine's hereditary dominions. The ambassadors deemed this assurance satisfactory; but nothing could satisfy men who had already determined to kindle a war between the two crowns.

If Buckingham hated, he also feared, the earl of Bristol. He had seen the representation of his conduct, which that minister, in defiance of the prohibition of Charles, had sent to the king; and was aware that the presence of so able an adversary might shake his authority, and disconcert the plans which he had formed. Bristol received an order to discontinue his services in the Spanish court, but to take his leisure on his way back to England. Philip warned him of the dangers which menaced him at home, and offered to make for him the most ample provision if he chose to remain on the continent; but the earl replied that he would rather lose his head with a clear conscience in England, than live, under the imputation of treason, a duke of Infantado in Spain. He hastened his return; but, on his landing, received an order to repair to his house in the country, and to consider himself a prisoner. All his entreaties were fruitless. James, though he wished it, never found the opportunity of hearing him, and the disgraced minister was not suffered either to visit the

court, or to take his seat in parliament during the remainder of this reign.

From a careful review of all the proceedings connected with the Spanish match, it may be fairly inferred, 1. That, had the treaty been left to the address and perseverance of the earl of Bristol, it would have been brought to the conclusion which James so earnestly desired; 2. that the Spanish council had ministered ample cause of offence to the young prince by their vexatious delays, and their attempts to take advantage of his presence; 3. that he nevertheless entered spontaneously into sole engagements, from which he could not afterwards recede without a breach of his word; 4. and that, in order to vindicate his conduct in the eyes of the English public, he was compelled to employ misrepresentation and falsehood. But the greatest misfortune was the baneful influence which such proceedings had upon his character. He was taught to intrigue to dissemble, to deceive. His subjects, soon after he mounted the throne, discovered the insincerity of their prince: they lost all confidence in his professions; and to this distrust may, in a great measure, be ascribed the civil war which ensued, and the evils which befel both the nation and the sovereign.

James had received the knights errant, so he called them, with congratulations on their safe return, but observed with grief the alterations which had taken place in their political opinions. He shut himself in solitude at Newmarket, abstained from his favourite amusements of hunting and hawking, and refused to accept the usual compliments of the courtiers on the first and fifth of November. Nothing could persuade him that hostility with Spain would

<sup>1</sup> Cabala, 45, 127, 128. Lords' Journals, 586. Buckingham attempted to have him sent to the Tower; but the duke of Rich-

mond and the earl of Pembroke opposed —Ibid. 587.

procure the restoration of the Palatine; and under this impression he proposed to Frederic a new arrangement, that he should make his submission to the emperor; should offer his eldest son, who was to be educated in the English court, in marriage to the daughter of that prince; should receive, in quality of tutor or administrator, possession of his former dominions, and should be content to leave the dignity of elector to the duke of Bavaria for life, on condition that it should afterwards revert to himself and his heirs. Of the consent of Frederic and Philip the king entertained no doubt; but the Palatine, encouraged by the known sentiments of Charles and his adviser, returned an absolute refusal.<sup>1</sup>

During the holidays at Christmas James required the opinion of his privy council on the two following questions: Had the king of Spain acted insincerely in the late treaty, or had he given sufficient provocation to justify a war? To both a negative answer was returned; to the first by all, to the second by a majority, of those present. Buckingham did not conceal his dissatisfaction; to Williams, the lord keeper, and Cranfield, the lord treasurer, he held out menaces of vengeance. It was not that they had distinguished themselves by the violence of their hostility, but he had been accustomed to consider them as his creatures, and had hitherto found them obsequious to his will. They were, however, men who had no other conscience than interest. During his absence in Spain

they began to doubt the permanence of his power, and from that time their fidelity had fluctuated with the contradictory reports of the court. One day they ventured to oppose his views, the next they sought a reconciliation with tears and entreaties.<sup>2</sup>

The king had cherished the hope of relieving his pecuniary embarrassments from the portion of the infant; the failure of this resource compelled him to summon a parliament. In respect of Buckingham it might appear a hazardous experiment; but his late opposition to the match had atoned in the eyes of its adversaries for his temerity in conducting the prince into Spain; and through the agency of Preston, a Puritan minister, and chaplain to the prince, he had formed a coalition with his former enemies of the country party. Several private conferences were held between him and the earl of Southampton, the lord Say and Sele, and other leaders of the opposition in both houses; former injuries were reciprocally forgiven; the duke secured impunity to himself by surrendering his faithless dependants to the vengeance of his new friends; and it was agreed that a plentiful supply should be granted to the king, on condition that he put an end to the treaty, and declared war against Philip of Spain.<sup>3</sup>

The reader must be aware that in ancient times the Commons entertained the most humble notions of their duties and abilities. They presumed not to pry with unhallowed gaze into the mysteries of state; and if their advice was occasionally asked

<sup>1</sup> Cabala, 192, 266—269.

<sup>2</sup> Hacket, i. 165—169. Cabala, 274. See a whining letter from Williams, excusing his past conduct, and begging the duke to receive his soul in gage and pawn. Feb. 2, 1624.—Cabala, 298. It is dated Feb. 2. On the sixth day they were reconciled; on the day before the opening of parliament Williams made his submission to Buckingham.—Laud's Diary, 10.

<sup>3</sup> Ibid. 170. This was in conformity with the advice given to him by Bacon, to seek friends by condescension, to remember that "a good bowler has almost the knee on the ground."—Bacon, vi. 362. The calling of parliament was taken as a proof of Buckingham's power. "Now there is an end to saying the match must break or his fortune break: he ran with the stream of the king's ways: now that he goeth cross-ways, he may soon lose his own way."—Ibid. 363.

by an indigent monarch, they uniformly replied that such matters were far above their capacity. But time had levelled many of the distinctions which had formerly marked society; with the diffusion of education political knowledge had also been diffused; and as the Commons could no longer be guided by the nod of the sovereign, it became necessary to coax them by flattering their pride, and admitting their importance. It was, however, with reluctance that James submitted to the advice of his son and favourite, and consented to divide with parliament what he deemed the chief prerogative of the crown. But, worn out by their prayers and remonstrances, he allowed them to lay the state of the negotiation with Spain before the two houses, that after mature deliberation the Lords and Commons might give him their united advice.

He opened the parliament in a more humble tone than he had been accustomed to assume. Remembering former misunderstandings, he had brought with him, he said, an earnest desire to do his duty, and to manifest his love for his people. He had been long engaged in treaties; he had sent his son with the man whom he most trusted into Spain, to discover the true intent of that court; he had received proposals from it since their return; all that had passed should be submitted to their consideration, and he should entreat their good and sound advice *super totam materiam*. One thing he must not forget. Let them judge him charitably, as they

would wish to be judged. In every public and private treaty he had always made a reservation for the cause of religion; sometimes, indeed he had thought proper to connive at the less rigorous execution of the penal statutes; but to dispense with any, to forbid or alter any that concerned religion, he exclaimed, "I never promised or yielded—I never thought it with my heart, nor spoke it with my mouth."<sup>1</sup> In conclusion he bade them to beware of jealousy; to remember that time was precious and to avoid all impertinent and irritating inquiries.<sup>2</sup>

Within a few days a general conference was held between the two houses. Before them Buckingham delivered a long and specious narrative of the proceedings with Spain. The prince (so early was he initiated in the art of deception) stood by him to aid his memory, and to vouch for his accuracy; and the two secretaries attended to read a few garbled extracts from despatches which tended to support his statement.<sup>3</sup> The only man who could have exposed the fallacy, the earl of Bristol, was by order of the council confined to his house; but the Spanish ambassador protested against the speech of the duke, as injurious to their sovereign and asserted that, had one of their countrymen spoken in the same manner of the king of England in Spain he would have paid with his head the forfeit of his insolence. The two houses, however, defended the conduct of Buckingham; declared that his words regarded the acts of the

<sup>1</sup> Was he not perjured then, when he swore on the 20th of July, "quod nulla lex particularis contra Catholicos Romanos lata, nec non leges generales sub quibus omnes ex æquo comprehenduntur, modo ejusmodi sint, quæ religioni Romanæ repugnant, ullo unquam tempore, ullo omnino modo aut casu, directe vel indirecte, quoad dictos Catholicos Romanos executioni mandabitur?"—Prynne, 44. Hard. Papers. i. 428, 430.

<sup>2</sup> Lords' Journals, 209.

<sup>3</sup> His highness the prince, says the lord keeper, upon very deep reasons, doubt whether it be safe to put all upon the parliament, for fear they should fall to examine particular despatches, where they cannot but find many contradictions. He wishes to draw on a breach with Spain with[out] ripping up of private despatches.—Cabala, 299. The despatches in the Hardwicke Papers show the prudence of this counsel.

Spanish ministers, not of the king; and, in an address to the throne, pronounced their opinion that neither the treaty for the marriage, nor that for the restoration of the Palatinate, could be continued with honour or safety.<sup>1</sup>

James shuddered at the prospect which opened before him, but had not the spirit to oppose the precipitate counsels of his son and his favourite. After some faint and ineffectual struggles, he submitted to his fate, and suffered himself to be borne along with the current. In answer to the address, he observed that there were two points for consideration,—one, whether he could with honour and conscience engage in war, and that regarded himself exclusively; the other, whether he possessed the means of prosecuting it with vigour, which depended upon them. His debts were enormous, his exchequer was empty, his allies were impoverished, and the repairs of the navy, the charge of the army, and the defence of Ireland, would each require considerable sums. However, if they were to vote a grant of money, he promised that it should be placed under the control of commissioners appointed by themselves, and that no end should be put to the war till he had previously taken their advice; concessions, the reader will observe, by which, for that time at least, he transferred to the houses of parliament two branches of the executive authority.<sup>2</sup>

This speech called forth a second address, in which both Lords and Commons offered, in general terms, to support him with their persons and

fortunes. To present it was the lot of the archbishop of Canterbury,—a welcome task to one who, but six months before, had, with a trembling hand and heavy heart, sworn to the religious articles of the Spanish treaty. But, when he congratulated James on “his having become sensible of the insincerity of the Spaniards,” —“Hold!” exclaimed the monarch, “You insinuate what I have never spoken. Give me leave to tell you, that I have not expressed myself to be either sensible or insensible of their good or bad dealing. Buckingham hath made you a relation on which you are to judge; but I never yet declared my mind upon it.”<sup>3</sup>

The king, in conclusion, required a present aid of seven hundred thousand pounds, to begin the war, and an annual supply of one hundred and fifty thousand pounds, towards the liquidation of his debts. The amount shook the resolution of the Commons, but the prince and the duke assured them that a smaller sum would be accepted, and they voted three hundred thousand pounds, to be raised within the course of twelve months. This vote was coupled with another address in vindication of Buckingham, against the complaints of the Spanish ambassadors, and was followed by a royal proclamation announcing that both the treaties with Spain were at an end.<sup>4</sup>

The proceedings after the Easter recess may be arranged under three heads: 1. A joint petition was presented to the king, praying him to enforce the penal statutes against Catholic priests and recusants.<sup>5</sup> James

<sup>1</sup> Lords' Journals, 220—247.

<sup>2</sup> Ibid. 250.

<sup>3</sup> Ibid. 259, 261, 265. But had he not previously complained of the insincerity of the Spanish court?—Vaughan, Stuart Dyn. 247. Certainly not in the speech to which the address was an answer. It was expressive of confidence rather than distrust.

<sup>4</sup> Ibid. 275, 278, 282. Journals of Com-

mons, 770. The earl of Rutland, to the general surprise, voted against the grant of money for the war.—Compare Laud's Diary, March 22, with the Journals, 273.

<sup>5</sup> The constitutional reader should be told, that the Commons had resolved to petition the king for a proclamation, ordering the due execution of the laws against recusants; but the Lords objected to it,

once more called God to witness that he never intended to dispense with those laws, and promised that he would never permit, in any treaty whatsoever, the insertion of any clause importing indulgence or toleration to the Catholics.<sup>1</sup> A proclamation was issued commanding all missionaries to leave the kingdom against a certain day, under the penalty of death. The judges and magistrates received orders to put in execution the laws as in former times; the lord mayor was admonished to arrest all persons coming from mass in the houses of the foreign ambassadors; and James asked the advice of the bishops and his council respecting the most eligible means of educating the children of Catholics in the reformed doctrines.<sup>2</sup> But the Commons were not satisfied. Every member was called upon to state the names of all persons holding office in his county, and known or suspected to be Catholics. The list, after several erasures and alterations, received the approbation of the house, and a petition for the immediate removal of these persons from their situations was unanimously voted. But the Lords, when it was sent up to them, returned for answer, that it was the custom of their house to receive evidence upon oath, and to hear the parties accused; that to concur in the petition would be to judge and condemn without sufficient proof; and

therefore it was thought better that the prince should communicate privately to the king, as a matter of state which deserved his most serious attention. In this they acquiesced the petition was read to James and then forgotten.<sup>3</sup>

2. The Commons revived their committee of grievances, and all persons holding patents from the crown received orders to send them in for inspection. After a long and tedious scrutiny, some were returned as innocuous, several were pronounced illegal, and the remainder was reserved for examination in the subsequent session. When they presented their grievances, eleven in number, to the king, he begged in return to present his grievances to them:—They had encroached on his ecclesiastical authority, they had condemned patents of undoubted utility, and in all their inquiries they had suffered themselves to be directed by the lawyers, who, he would say it to their faces, of all the people in the kingdom, were the greatest grievance to his subjects; for where the case was good to neither of the litigants, they took care that it should prove beneficial to themselves.<sup>4</sup>

3. The leaders of the country party hastened to avail themselves of their compromise with Buckingham, and began with the prosecution of Cranfield, earl of Middlesex, lord treasurer and master of the Court of Wards.

"lest posterity should hereafter deem that the execution of the laws were slackened by proclamation."—*Journals*, 297. The petition proposed by the Commons was, in the language of James, "a stinging one;" but he had sufficient influence with the Lords to procure the substitution of another more moderate.—See *Rushworth*, i. 140.

<sup>1</sup> On this occasion Charles also professed, and bound himself with an oath, "that whensoever it should please God to bestow upon him any lady that were popish, she should have no further liberty but for her own family, and no advantage to the recusants at home."—*Journals of Commons*, 756.

<sup>2</sup> *Lords' Journals*, 317.

<sup>3</sup> *Lords' Journals*, 397. *Journals of Commons*, 754, 776, 788, 792. This list was divided into two parts: the first contained the names "of popish recusants or non-communicants, that had given overt suspicion of their ill affection in religion, or that were reported or suspected to be so;" it contained thirty-three names: the other, of those "that had wives, children, or servants that were recusants or non-communicants, or suspected or reported to be so." The names were thirty-six.—See them in the *Journals*, 394.

<sup>4</sup> *Cobbett's Parl. Hist.* i. 1503.



The reader will recollect that the treasurer was one of the two whom the favourite had threatened with his vengeance. James wished, but had not the courage, to save him. He admonished Buckingham to beware how he put into the hands of the Commons a weapon which they might one day wield against himself;<sup>1</sup> he wrote to the lower house that the earl of Middlesex, instead of advising, as they supposed, the dissolution of the last parliament, had on his knees begged for its continuance;<sup>2</sup> and he reminded the Lords that the treasurer held an office in which he could not be faithful to his prince without creating enemies to himself; that in many things he had no will of his own, but was merely the minister of the royal pleasure; and that amidst a multiplicity of business it was very possible for the most upright mind to commit error, through want of information or fallibility of judgment. But the influence of Buckingham was irresistible. Petitions were presented against Middlesex, and the Commons impeached him before the Lords of bribery, oppression, and neglect of duty. On his trial he maintained his innocence, repelled the charges with spirit, and loudly complained of the inequality between his prosecutors and himself. They had been allowed three weeks to prepare the charge, he but three days to prepare his defence; they relieved each other in turn, he was compelled, day after day to stand for eight hours at the bar till his strength was totally exhausted; they had the aid of the most experienced

lawyers, he was left to himself without the benefit of counsel. By many he was believed innocent; the Lords acquitted him on two, but pronounced him guilty on four of the charges, and he was condemned to pay a fine of fifty thousand pounds, to be imprisoned during pleasure, and to be forever excluded from parliament and from the verge of the court. However, his complaint of hardship, though useless to himself, proved serviceable to others. The Lords, aware that they might hereafter stand in his place, ordered, that in all subsequent impeachments, the accused should be furnished with copies of the depositions in his favour and against him, and that, at his demand, he should be allowed the aid of counsel learned in the law.<sup>3</sup>

The other great officer who had been threatened was the bishop of Lincoln, lord keeper; but the petitions against him were suffered to lie dormant till the end of the session, when the committee reported to the house, that of those which had been examined, some were groundless, and the others furnished no matter for a criminal charge. He owed, however, his safety to his own prudence and humility. Of a less unbending disposition than Cranfield, he was no sooner aware of the danger, than he sought a reconciliation with the duke, solicited the intercession of the prince, made his submission in person, and received this cold yet consolatory answer, "I will not seek your ruin, though I shall cease to study your fortune." This was at the commencement of parliament; during its con-

<sup>1</sup> "The king told the duke that he was a fool, and was making a rod for his own breech, and the prince that he would live to have his belly full of impeachments."—Clarendon, i. 23.

<sup>2</sup> Journals of Commons, 768.

<sup>3</sup> Lords' Journals, 307—383, 418. The king had ordered Sir Richard Weston to present to him any petition from the earl. On the 29th of May that nobleman gave

Weston a petition for his enlargement; but he dared not present it till he had received instructions from Buckingham.—See his letter in Cabala, 403. He next solicited the remission of the fine; it was lowered to thirty thousand pounds. So small a reduction surprised him. (Ibid. 404.) He paid, however, twenty thousand pounds, and the rest was forgiven.—Depêches de d'Efflat apud Carte, 132.

tinuance chance threw in his way the opportunity of doing a service to Buckingham, which called for the gratitude, though it did not restore the affection of the offended patron.<sup>1</sup>

For three months the Spanish ambassadors, the marquis Ynoiosa and Don Carlos Coloma, had sought a private audience of the king, but were never permitted to see him, unless in the company of the prince and Buckingham. At length Coloma contrived to withdraw their attention, while Ynoiosa placed a note in the hands of James, who immediately secreted it in his pocket. The consequence was, that the same evening the earl of Kelly clandestinely conducted to the royal apartment Carendolet, the secretary of the legation, who stated to the king in the name of the ambassadors, that he was a prisoner in his own palace, surrounded by spies and informers; that none of his servants dared to execute his commands, or to give him their advice without the previous approbation of Buckingham; and that the kingdom was no longer governed by its sovereign, but by a man who, to gratify his own revenge, sought to draw his benefactor into an unjust and impolitic war. The king promised secrecy, but it happened that at this very time the bishop of Lincoln kept in his pay the mistress of Carendolet, from whom he heard of the furtive interview between her lover and James, and immediately

transmitted the information to the prince.<sup>2</sup>

Three evenings later Carendole waited a second time on the king with a written statement, that Buckingham concerted all his proceeding with the earls of Oxford and Southampton, and those members of the Commons who had been punished for their insolence at the conclusion of the last parliament; that for this purpose he was in the habit of meeting them at suppers and ordinaries, where he revealed to them the secret of state, the king's private oath, and the important negotiation respecting Holland;<sup>3</sup> that it had been their joint determination, if James should oppose their designs, to confine him in a house in the country, and to conduct the government under the name of the prince as regent; and that the duke, with the hope of drawing the succession to the crown into his own family, proposed to marry his daughter to the eldest son of the Palatine, whose wife was next heir after Charles. James frequently interrupted him with broken sentences. There was, he owned, something suspicious in the conduct of the duke, yet no one had hitherto brought an charge against that nobleman, nor could he believe that either his son or his favourite sought to do him harm, or had sufficient power to resist his authority. His son, he said, had been formerly attached to Spain, but was now "strangely carried away to

<sup>1</sup> I may here add that in this parliament an act was passed lowering the rate of interest from ten to eight per cent., but with a proviso that "it should not be construed to allow the practice of usury in point of religion or conscience."—Stat. iv. 1223.

<sup>2</sup> Buckingham thus expresses his discontent to James: "In obedience to your commands, I will tell the house of parliament that you have taken such a fierce rheum and cough, as not knowing how you will be this night, you are not yet able to appoint them a day of hearing; but I will

forbear to tell them that, notwithstanding of your cold, you were able to speak with the king of Spain's instruments, though not with your own subjects."—Hardwicke Papers, i. 460. The hearing to which he alludes was granted the next day, the 23rd.—Lords' Journals, 317.

<sup>3</sup> It is plain that in contemplation of the Spanish match, James had made to Philip through Buckingham, a proposal respecting Holland, which he was most anxious to conceal from the public.—Hard. Papers, 405, 428.

ash and youthful conceits, following the humour of Buckingham, who had never known how many devils in him since his return." The communication, however, made a deep impression on his mind. In the morning he appeared pensive and melancholy; though he took Charles with him in his carriage, he refused to admit the duke, and soon afterwards, bursting into tears, lamented that in his old age he was deserted by those on whom he had fixed his fondest affections.<sup>1</sup>

By whose agency these feelings had been excited in the king was sufficiently known; but to unravel the plot, to discover the particulars of the intrigue, was reserved for the policy of Williams, "who felt himself engaged, like a woman in travail, till he should know the truth." To procure an interview with Carendolet, he ordered the arrest of a Catholic priest, the intimate acquaintance of the Spaniard, who immediately came to intercede for his friend, and looking on the lord keeper as one whose safety depended on the ruin of Buckingham, solicited his aid in support of the project. At such a moment it was not difficult for Williams to worm the whole secret out of Carendolet. He transmitted the information to the prince, gave it as his advice, that he or the duke should never lose sight of the king, and added a written memorial, in which he had carefully answered each of the charges advanced by the Spaniards.

<sup>1</sup> See Cabala, 276. Buckingham told the archbishop of Embrun, that the proposal of marriage came from the Palatine, and that the king was not averse. He saw that Boukinkan y penchoit fort.—Relation d'Embrun, 364. It was to this offer that the Spaniards attributed Buckingham's determination to break off the match between Charles and the infants. "On the same day he received letters from the most illustrious princesse Palatine, he caused the procuratorie to be revoked; and a few days after, on the coming of the aforesayd princesse's secretary, and the confirmacion

The perusal of this paper, aided as it was by the remarks of Charles, shook, though it did not entirely remove, the suspicions of James. The next Sunday he entered the council-chamber with a bible in his hand, swore all present to speak the truth, and commanded them to answer certain questions which he had prepared relative to the supposed designs of the duke.<sup>2</sup> They all assumed an air of surprise, and pleaded ignorance. Buckingham complained of the insult offered to his loyalty; but such was the agitation of his mind, that he fell, or pretended to fall, into a fever, and was confined a fortnight to his chamber. The king pitied him, required the ambassadors to produce the names of their informers, and took their refusal for a complete justification of his favourite. Ynoiosa, however, assumed a bolder tone, he demanded an audience of the king; and, when he was told that he must explain his mind to the ministers, asked for a ship to leave the kingdom. James was anxious to see him, but Charles and Buckingham objected: he departed without the usual presents, and, on his arrival in Spain, found that an accusation had already been lodged against him by the English ambassador.<sup>3</sup> In his justification he maintained that Carendolet had advanced nothing by his orders but what was true; that no credit ought to be given to those counsellors who pretended ignorance, because they were accomplices; and that he could

of his hope of having his daughter married to her highness sonne, all things were utterly dashed to pieces."—Archæol. xvii. 282. Cabala, 275.

<sup>2</sup> On this subject Charles wrote to Buckingham, advising him to acquiesce in the king's design of interrogating the counsellors upon oath.—Hardwicke Papers, 456.

<sup>3</sup> "So as to the great joy and exultation of all the coblers and other bigots and zealous brethren of this town, he this day comes to Ely House, and to-morrow to Dover."—Strafford Papers, fol. edition, i. 21.

mention several officers about the court both able and willing to prove the guilt of Buckingham, were they not silenced by the fear of his vengeance and the pusillanimity of the king. By the influence of his cousin Olivarez he was restored, after a restraint of a few days, to the favour of his sovereign.<sup>1</sup>

The visible reluctance with which James had assented to the proceedings in the two houses, provoked a general suspicion that the duke held his power by a very precarious tenure.<sup>2</sup> Secure, however, of the support of the prince, and confiding in their united influence over the easy mind of the king, he despised the intrigues, and laughed at the predictions of his enemies. One of his chief objects, after the rising of parliament, was to provide for the recovery of the Palatinate. Ambassadors hastened from England to one-half of the courts in Europe, and arguments, promises, and presents were employed to raise up enemies against the house of Austria. 1. The long truce between Spain and the States had expired: war was already kindled in the Netherlands; and Buckingham seized the opportunity to conclude a defensive, but not offensive league, between the king of Great Britain and the Seven United Provinces. It was stipulated that, in the case of foreign invasion, each of the contracting parties should be bound to aid the other, the king with an army of six, the States with one of four thousand men; and that, at the conclusion of the war, the expenses of

the auxiliary force should be defrayed by that power which had enjoyed the benefit of its services. The news had just arrived of the massacre of the English factory at Amboyna, and the nation resounded with complaints against the avarice and the inhumanity of the Dutch; but, on the other hand, the Spaniards had already formed the siege of Breda, and Charles and Buckingham longed to engage in hostilities with Spain. The cry of vengeance was therefore suppressed, the treaty signed, and the aid of six thousand men immediately furnished.<sup>3</sup>

2. To the kings of Sweden and Denmark, and the Protestant powers in Germany, the English envoys submitted the plan of a crusade for the depression of the Catholic power in the empire. They made a strong appeal to the religion and the interest of these princes; and there were few who refused, on the promise of a liberal subsidy, to subscribe to the holy alliance. 3. Though the Catholic states of France, Venice, and Savoy deemed it dishonourable to enter publicly into a Protestant league against the professors of the same faith with themselves, their enmity to the house of Austria led them to contribute towards its success; and they privately engaged to distract, by the demonstration of hostilities, the attention of Spain, to furnish money towards the support of the army of the Palatine, and to allow auxiliary forces to be levied in their own dominions. 4. Count Mansfield, the celebrated adventurer, and the chief

<sup>1</sup> For this singular transaction, compare Hacket's Narrative, i. 195—197, with the letters in the Cabala, 13, 300, 343, and the despatches of Velarezzo, the Venetian ambassador, quoted by Carte, iv. 117.

<sup>2</sup> Strafford Papers, i. 20.

<sup>3</sup> Clarendon Papers, i. 21—25. Dumont, 453. The king of France aided them at the same time with money, one million two

hundred thousand livres for the first, one million for the second, and the same sum for the third year, to be repaid in equal portions between the third and ninth year after the peace. Louis asked in return that his subjects in Holland should have the free exercise of their religion. It was granted only within the house of his ambassador, and on the condition that no natives were present.—Ibid. 463.

rop of Frederic's declining fortune, came to England. Towards the payment of his army he obtained a promise of twenty thousand pounds per month; and, as a reinforcement to his French and German mercenaries, twelve thousand Englishmen were pressed into the service and placed under his command. From Dover, where their excesses could only be checked by summary executions, these recruits sailed to Calais, and hence to the island of Zeeland. But the crowded state of the transports, the inclemency of the season, and the want of provisions and accommodations on shore, generated a contagious disease, which carried off five thousand men in the course of a few weeks; and Mansfield, though he continued to advance in defiance of every obstacle, found his army when he reached the Rhine so weakened by sickness and the casualties of his march, that he was compelled to remain on the defensive.<sup>1</sup>

Of these warlike preparations the king had remained a silent and reluctant spectator; but he took a more lively interest in the new treaty of marriage, which had been set on foot to console him for the failure of that with Spain. When in the preceding year Charles and Buckingham passed through France, they had stopped a day in Paris, and had been admitted in quality of strangers to the French court, where they saw the princess Henrietta Maria at a ball. She was the youngest daughter of the last

king, in her fourteenth year, dark of complexion and short of stature, but distinguished by the beauty of her features and the elegance of her shape.<sup>2</sup> At that time she seems to have made no impression on the heart of the prince; but afterwards, in proportion as his affections were estranged from the infanta, his thoughts reverted to Henrietta; and after his return to England, the lord Kensington was despatched at his request to her brother's court. He appeared there without any official character; but the object of his visit was understood, and he received from the queen mother assurance of a favourable result. As soon as James had dissolved the treaty with Spain,<sup>3</sup> the earl of Carlisle joined Kensington; both took the title of ambassadors; and the proposal of marriage was formally made. The pope Urban VIII. and Philip of Spain made several attempts to dissuade Louis from giving his consent; but that monarch yielded to the influence and the reasoning of his mother, who represented it as a measure likely to prove most beneficial to France. Commissioners were appointed, who, aware that the English king had fixed his heart on the match, and that the power of Buckingham depended on the success of the treaty, gradually rose in their demands. It was agreed that the parties should be married in France after the same manner in which Henry IV. had been married to Marguerite de Valois; that on the

<sup>1</sup> Secretary Conway says, that the 12,000 were to be levied by "press."—Hard. Papers, 533. What is extraordinary, at the same time that these 12,000, and the other 6,000 men were raised in England to be employed against Spain and Austria, 1,500 men were also raised by the lord Vaux to be employed in the service of the archduchess, and consequently in their favour.

<sup>2</sup> See two descriptions of the princess by Lord Kensington, Cabala, 312; Ellis, iii. 177; and Howell's Letters, 190. Sir Simon D'Ewes had the curiosity to go to Whitehall to see her at dinner after her marriage.

He thought her "a most absolute delicate creature. Besides, her deportment amongst her women was so sweet and humble, and her speech and looks to her other servants so mild and gracious, as I could not abstain from divers deepe fetched sighs, to consider that she wanted the knowledge of the true religion."—Apud Hearne, Chron. Dunst. xiv.

<sup>3</sup> Cabala, 311—319. Philip, to the annunciation of this measure, replied, that he considered the treaty of marriage as still in force in consequence of a private agreement between the prince and himself.

arrival of the princess in England, the contract should be publicly ratified without any religious ceremony; that she and her servants should be allowed the free exercise of their religion as fully as had been stipulated for the infanta; that the children should remain under her care till they were thirteen years old; that her portion should be eight hundred thousand crowns; and that she should renounce for herself and her descendants all right of succession to the crown of France. But, in addition, the cardinal Richelieu observed that it would be an affront to his sovereign, if less were conceded in favour of a French, than had been granted to a Spanish princess; and on that ground he required that every indulgence promised to the English Catholics by the treaty of Madrid, should be secured by the treaty pending at Paris. This unexpected demand, after the orders so recently given to the judges, the oath taken by the prince, and the promise made to parliament by James, offered an almost insuperable difficulty. The negotiation was at a stand; different expedients were suggested, and refused; at last the French cabinet acquiesced, or seemed to acquiesce, in the following compromise: that the king of England, in a secret engagement, signed by himself, his son, and a secretary of state, should promise to grant to his Catholic subjects greater freedom of religion than they could have claimed in virtue of the Spanish match, without molestation in their persons, or property, or conscience.<sup>1</sup>

After this agreement, both James and Louis signed the treaty. They had even ratified it with their oaths,

when the French ministers raised an unexpected objection. The secret promise, they said, was conceived in general terms; it bound the king to no specific measure of relief; it left him at liberty to enlarge or restrict the indulgence at his pleasure. By the ambassadors at Paris this complaint was viewed as an attempt to re-open a negotiation which had been definitively closed. They expressed in forcible terms, their surprise and indignation; they advised Buckingham to resist with spirit; they even ventured to foretell that the French court would recede from its pretensions, rather than forfeit the benefit of the marriage. But this to the king and his son appeared a hazardous experiment; they knew that the Spaniards were endeavouring to seduce, by the most tempting offers, the fidelity of Louis; and they shrunk from the disgrace of a second and more vexatious failure. Under such apprehensions, it was deemed best to submit to the imposition, and in the place of the former engagement were substituted the three following articles: that all Catholics, imprisoned for religion since the rising of parliament, should be discharged; that all fines levied on recusants since that period should be repaid; and that for the future they should suffer no molestation on account of the private and peaceable exercise of their worship.<sup>2</sup>

Thus had the king, after nine years of embassies and negotiations, apparently surmounted every obstacle to the marriage of his son with a princess of equal birth and powerful kindred. The duke of Chevreuse had been appointed by Charles his proxy and the duke of Buckingham had

<sup>1</sup> Hardwicke Papers, i. 523—547. Clarendon Papers, ii. App. ii. Lord Nithsdale, a Catholic, was employed to aid the French ambassador in Rome, who solicited the papal dispensation.—See a letter from

him to Buckingham in Cabala, 332, and another from Buckingham to him in Ellis iii. 179.

<sup>2</sup> Ibid. 547—561. Cabala, 320. Prynne 72. Rushworth, i. 173.

ceived orders to conduct the royal bride to England, when, to the surprise and vexation of both parties, the nuncio Spada, by order of Urban, refused to deliver the papal dispensation without some better security for the performance of the three promises in favour of the English Catholics. The French ministers offered to substitute a dispensation by the ecclesiastical authorities in France; but the offer was refused by James, on the ground that in that case the validity of the marriage might afterwards be disputed; and the pontiff was at last satisfied with an oath taken by Louis, by which he bound himself and his successors to employ the whole power of France in compelling, should it be necessary, James and his son to fulfil their engagements.<sup>1</sup> The dispensation was now delivered; but the English king lived not to witness the celebration of the marriage. His indisposition was at first considered a tertian ague, afterwards the gout in the stomach; but, whatever was its real nature, under his obstinacy in refusing medicine, and the hesitation or ignorance of his physicians, it proved fatal. On the eleventh day he received the sacrament in the presence of his

son, his favourite, and his attendants, with a serenity of mind and fervour of devotion which drew tears from the eyes of the beholders.<sup>2</sup> Early on the fourteenth he sent for Charles; but before the prince could reach the chamber, the king had lost the faculty of speech, and in the course of a few hours expired, in the fifty-ninth year of his age, and the twenty-third of his reign. Of his seven children, three sons and four daughters, two only survived him; Charles, his successor on the throne, and Elizabeth, the titular queen of Bohemia.<sup>3</sup>

James, though an able man, was a weak monarch. His quickness of apprehension and soundness of judgment were marred by his credulity and partialities, his childish fears, and habit of vacillation. Eminently qualified to advise as a counsellor, he wanted the spirit and resolution to act as a sovereign. His discourse teemed with maxims of political wisdom, his conduct frequently bore the impress of political imbecility. If, in the language of his flatterers, he was the British Solomon, in the opinion of less interested observers he merited the appellation given to him by the duke of Sully, that of "the wisest fool in Europe."<sup>4</sup>

<sup>1</sup> MS. despatches del Nunzio Spada. Clarendon Papers, ii. App. xxi.

<sup>2</sup> "Being told that men in holy orders in the church of England doe challenge a power as inhærent in their function, and not in their person, to pronounce and declare remission of sins to such as being penitent doe call for the same; he answered suddenly, I have ever beleevved there was that power in you that be in orders in the church of England, and therefore I, a miserable sinner, doe humbly desire Almighty God to absolve me of my sinnes, and you, that are his servant in that high place, to afford me this heavenly comfort. And after the absolution read and pronounced hee received the sacrament with that zeale and devotion, as if hee had not been a fraile man, but a cherubin cloathed with flesh and blood."—His funeral sermon by Williams, Somers's Tracts, ii. 51, edit. 1809.

<sup>3</sup> Hardwicke Papers, i. 562—566. Howell,

173. Laud's Diary, 15. The prayers read to James at his death by the bishop of Lincoln, are in Hearne's Titus Livius, 221—224.

<sup>4</sup> "He was of a middle stature, more corpulent throgke his clothes than in his bodey, zet fatt enough: his clothes euer being made large and easie, the doublets quilted for steletto prooffe, his breeches in grate pleits, and full stuffed. He was naturally of a timorous dispositione, which was the gratest reasone of his quilted doublets. His eyes large, euer roulling after any stranger cam in his presence, in so much as maney for shame have left the roome, as being out of countenance. His beard was werey thin; his toung too large for his mouth, and made him drinke werey vncomlie, as if eatting his drinke, wich cam out into the cupe in each syde of his mouth. His skin was als softe as tatta sarsnet, wich felt so because he neuer washt his hands, onlie rubb'd his fingers

It was his misfortune, at the moment when he took into his hands the reins of government in Scotland, to fall into the possession of worthless and profligate favourites, who, by gratifying his inclinations, sought to perpetuate their own influence; and it is to that love of ease and indulgence which he then acquired, that we ought to attribute the various anomalies in his character. To this we see him continually sacrificing his duties and his interests, seeking in his earlier years to shun by every expedient the tedium of public business, and shifting at a later period the burthen of government from himself to the shoulders of his favourites. It taught him to practise, in pursuit of his ends, duplicity and cunning, to break his word with as much facility as he gave it, to swear and forswear as best suited his convenience. It plunged him into debt that he might spare himself the pain of refusing importunate suitors, and induced him to sanction measures which he condemned, that he might escape from the contradiction of his son and his favourite. To forget his cares in the hurry of the chase, or the exercise of

the golf, in carousing at table, or laughing at the buffoonery and indecencies practised by those around him, seems to have constituted the chief pleasure of his life.<sup>1</sup>

In temper James was hasty and variable, easily provoked, and easily appeased. During his passion he would scream, and curse, and indulge in blasphemous or indelicate allusions: when his passion was cooled he would forgive or sue to be forgiven.<sup>2</sup> Though he was no admirer of female beauty, he is charged with encouraging the immoralities of Somerset and Buckingham; and the caresses which he heaped on his favourites, joined to the indelicacy of his familiar correspondence, have induced some writers to hint a suspicion of more degrading habits. But so odious a charge requires more substantial proof than an obscure allusion in a petition, or the dark insinuation of a malicious libel, or the reports which reached a foreign and discontented ambassador.<sup>3</sup>

From his preceptor, Buchanan James had imbibed the maxim that "a sovereign ought to be the most learned clerk in his dominions." O

ends slightly with the vett end of a napkin. His legs wer vey weake, hauing had (as was thought) some foule playe in his youthe, or rather before he was borne, that he was not able to stand at sein zeires of age; that weaknes made him euer leaning on other men's shoulders."—Balfour, ii. 103.

<sup>1</sup> "He loved such representations and disguises in their maskaradoes as were witty and sudden: the more ridiculous the more pleasant."—Wilson, 104. Of the nature of these sports the reader may judge from the following instance. A sucking pig, an animal which the king held in the utmost abhorrence, was swathed as an infant about to be christened: the countess of Buckingham, disguised as the midwife, brought it wrapped up in a rich mantle: the duke attended as godfather, Turpin, in lawn sleeves, as minister; another brought a silver ewer with water; but just as the service commenced, the pretended child betrayed itself by its cry; and the king turned aside, exclaiming, "Away, for shame."—Wilson, 218.

<sup>2</sup> James demanded of Gibb some papers which had been delivered to his care. Gibb on his kness, protested that he had never seen them. The king cursed, and ever kicked him, and the indignant page left the court. It was then discovered that the papers had been intrusted to another; and James instantly sent to recall Gibb, and falling on his knees, asked his pardon.—Wilson, 219.

<sup>3</sup> See the note in Scott's edition of Somers's Tracts, ii. 488. That, for the amusement of the king, decency was shamefully outraged in the orgies at Buckinghamhouse, cannot be doubted—it is confirmed by the conduct of the favourite at Madrid in presence of the prince (Cabala, 276); but we may be allowed to hope that the picture in the despatches of Tilières has been too highly coloured by the prejudices of the ambassador, or of his informant.—Raumer, ii. 259, 266, 269, 274, 276. The king's partiality for Spain, and the Spanish match, was a constant source of vexation to that minister, and prompted him to exaggerate and misrepresent.



his intellectual acquirements he has left numerous specimens in his works; but his literary pride and self-sufficiency, his habit of interrogating others, that he might discover the extent of their reading, and the ostentatious display which he continually made of his own learning, though they won the flattery of his attendants and courtiers, provoked the contempt and derision of real scholars. Theology he considered as the first of sciences, on account of its object, and of the highest importance to himself in quality of head of the church and defender of the faith. But though he was always orthodox, his belief was not exempt from change. For many years his opinions retained a deep tinge of Calvinism; this was imperceptibly cleared away by the conversation of Laud and Montague, and other high churchmen; and before the close of his reign he had adopted the milder, but contrary, doctrines of Arminius. To the last he employed himself in theological pursuits: and to revise works of religious institution, to give directions to preachers, and to confute the heresies of foreign divines, were objects which occupied the attention, and divided the cares of the sovereign of three kingdoms.<sup>1</sup>

Besides divinity there was another science with which he was equally conversant,—that of demonology. With great parade of learning, he

demonstrated the existence of witches and the mischiefs of witchcraft, against the objections of Scot and Wierus; he even discovered a satisfactory solution of that obscure but interesting question, “Why the devil did worke more with auncient women than others.” But ancient women had no reason to congratulate themselves on the sagacity of their sovereign. Witchcraft, at his solicitation, was made a capital offence, and from the commencement of his reign there scarcely passed a year in which some aged female or other was not condemned to expiate on the gallows her imaginary communications with the evil spirit.

Had the lot of James been cast in private life, he might have been a respectable country gentleman: the elevation of the throne exposed his foibles to the gaze of the public, and that at a time when the growing spirit of freedom and the more general diffusion of knowledge had rendered men less willing to admit the pretensions, and more eager to censure the defects, of their superiors. With all his learning and eloquence he failed to acquire the love or the esteem of his subjects; and though he deserved not the reproaches cast on his memory by the revolutionary writers of the next and succeeding reigns, posterity has agreed to consider him as a weak and prodigal king, and a vain and loquacious pedant.

<sup>1</sup> In the autumn of 1624, the archbishop of Embrun came to England by order of the king of France, and had several conferences with James and Buckingham respecting the treaty of marriage. In one of these, the king assured the prelate that he had nothing more at heart than to establish liberty of conscience in his dominions, and that for this purpose he had devised a meeting of English and foreign (probably French) divines to be holden at Dover or

Boulogne, who should issue a declaration on which so important a concession might be founded. I think this is all that can be fairly concluded from the words of the king, as related by the archbishop, though he certainly inferred from them, that James wished to effect a reunion between the two churches, and to hold this theological assembly as a preparatory measure.—See Relation de M. l'Arch. d'Embrun, subjoined to Deageant's Memoirs, 327—377.

## CHAPTER IV.

## CHARLES I.

## CONTEMPORARY PRINCES.

<i>Emperors.</i>	<i>K. of France.</i>	<i>K. of Spain.</i>	<i>Popes.</i>
Ferdinand II. ...1637	Louis XIII. ....1643	Philip IV.	Urban VIII. ...16
Ferdinand III.	Louis XIV.		Innocent X.

THE KING'S MARRIAGE—HIS FIRST PARLIAMENT—UNSUCCESSFUL EXPEDITION AGAINST CADIZ—SECOND PARLIAMENT—IMPEACHMENTS OF BRISTOL AND BUCKINGHAM—WAR WITH FRANCE—DISGRACEFUL EXPEDITION TO THE ISLE OF RHÉ—THIRD PARLIAMENT—PETITION OF RIGHT—ASSASSINATION OF BUCKINGHAM—MINISTERS—LAUD, BISHOP OF LONDON—EXPEDIENTS TO RAISE MONEY—PEACE WITH FRANCE AND SPAIN—PROCEEDINGS IN FAVOUR OF THE PALATINE.

CHARLES was in his twenty-fifth year when he ascended the throne. His accession caused no material alteration among the members of the council, or in the policy of the government. The world had seldom seen the same individual monopolize the favour of two succeeding monarchs; but Buckingham possessed the confidence of the son as firmly as he had enjoyed that of the father. The death of James was even in his favour. The old king had begun to feel uneasy under his control; but Charles listened to his counsels with the credulity, and clung to his interests with the obstinacy of youth.

The first question which claimed the attention of the new monarch was the match with France; and on the third day after the decease of his father he ratified as king the treaty to which he had formerly subscribed as

prince. The duke of Chevreuse, a kinsman of the house of Guise, was second time appointed to act as proxy: the cardinal of Rochefort performed the marriage ceremony on a platform erected before the great door of the cathedral of Paris; and the duke of Buckingham hastened to that capital with a numerous retinue to bring home the royal bride. Seven days were spent in rejoicings for an event which was supposed to have cemented an eternal union between the two crowns. After some delay, occasioned by the illness of Louis, the queens, Mary of Medici and Anne of Austria, accompanied Henrietta from her brother's court. At Dover she was received by Charles at the head of the English nobility: the contract of marriage was publicly renewed in the great hall of Canterbury; and the royal cou-

<sup>1</sup> See the French account of the ceremony in Somers's Tracts, iv. 95, and in Balfour, ii. 119—125.

<sup>2</sup> The queen-mother had intended to accompany her daughter to England. Her health not permitting it, she wrote to Charles from Amiens as follows:—"J'estime ma fille heureuze, puis qu'elle sera le lien

et le ciment pour l'union de ces deux couronnes, et je l'estime doublement heureuz non seulement pour ce qu'elle espouse grand roi, mais une personne come la vous. Je vous la recommande comme la creature du monde qui m'est aussi chere, et prie Dieu de tout mon cœur qu'il vous benisse tous deux."—Rymer, xviii. 116.

repaired to Whitehall, and thence to the palace of Hampton Court.<sup>1</sup> Their solemn entry into the metropolis was revented by the ravages of a contagious malady, the most destructive, and it was asserted, in the memory of man.<sup>2</sup>

Charles had little leisure to attend to the entertainment of his young queen. The day after her arrival he met his first parliament, and submitted the state of his finances to its consideration. The supply granted to his father had not covered the moiety of those charges for which it had been voted. James had bequeathed to his successor personal debts amounting to seven hundred thousand pounds; and the accession and marriage of the new king had involved him in extraordinary, though necessary expenses. It was, however, with cheerfulness and confidence that he threw himself on the bounty of his subjects. To him those objections did not apply which had always been opposed to the pecuniary demands of the late monarch. It could not be said of him that he had wanonly plunged himself into debt, or that he had squandered among his minions the revenues of the crown, or that he had awakened the jealousy of the people by preaching up the claims of the prerogative. The money which he solicited was required to carry into execution the vote of the last parliament; those who had advised the war could not reasonably refuse the aids, without which it was impossible a war should be maintained.

There was, however, much in the state of the public mind to damp the ardent expectations of the king. In

the upper house there did not, indeed, exist any formal opposition to the court; but many of the lords looked with an evil eye on the ascendancy of Buckingham, and were ready to vote for any measure which, by embarrassing the government, might precipitate the fall of the favourite. Their real but unavowed head was the earl of Pembroke; and we may perhaps form a pretty correct notion of the strength of the two parties by adverting to the number of proxies intrusted to their leaders. If Buckingham had thirteen, Pembroke could boast of ten.<sup>3</sup>

In the Commons the saints or zealots formed a most powerful phalanx. Austere to themselves, intolerant to others, they sought to reform both church and state, according to their peculiar notions of scriptural doctrine and scriptural practice. They deemed it the first of their duties to eradicate popery, which like a phantom haunted their imaginations by day and night; wherever they turned, they saw it stalking before them; they discovered it even in the gaities and revelries of the court, the distinction of rank in the hierarchy, the ceremonies of the church, and the existence of pluralities among the clergy. Their zeal was always active; but of late it had been fanned into a flame by the publications of Dr. Montague, one of the royal chaplains. Montague, in a controversial argument with a Catholic missionary, had disowned many of the doctrines imputed to him by his adversary. They were, he said, the doctrines of Calvin, not those of the established church. The distinction gave great offence.

<sup>1</sup> As both Catholics and Protestants considered marriage a religious rite, the former would have been shocked if Henrietta had received it from a Protestant, the latter if Charles had received it from a Catholic minister. The reader will observe that by the arrangement adopted both inconveniences were avoided.

<sup>2</sup> In Mead's letter to Stuteville, the weekly deaths in London increased in an alarming manner, from 640 to 942, 1222, 3583, July 30.—Ellis, iii. 203, 205, 207, 209. The number of deaths in London and Westminster during the year was 63,001, of which 41,313 of the plague.

<sup>3</sup> Journals, iii. 431.

Yates and Ward, two Puritan ministers, prepared an information against him to be laid before the parliament, and Montague "appealed to Cæsar" in a tract dedicated to the king. This proceeding raised the indignation of his enemies to the highest pitch; they pronounced him a concealed papist, whose object it was to introduce popery; they suspected that he was encouraged by promises of support from several of the prelates, perhaps from Charles himself; and they sought his punishment with as much eagerness and pertinacity as if on it alone depended the very existence of the reformed faith.

These zealots generally fought under the same banner, and on most questions made common cause with the members of the country party, who, whatever might be their religious feelings, professed to seek the reformation of abuse in the prerogative, and the preservation of the liberties of the people. The perpetual conflict between authority and conscience during the late reigns, aided by the more general communication of political knowledge, had emboldened men to prefer principle to precedent, to dispute the propriety of usages, which were defended only because they existed, and to condemn as an abuse in the crown whatever seemed incompatible with the rights of the people. The advocates of these doctrines easily obtained seats in the lower house; and, as experience had shown that their real strength consisted in the control of the public purse, they had come to a resolution to oppose every grant of money to the sovereign which was not coupled with the abolition of some national grievance, or the renunciation of some arbitrary and oppressive claim.

What rendered the union of the two parties more formidable was the specious colour given to their pretences. They combated for pure reli-

gion and civil liberty: to oppose the was to court the imputation of superstition and of slavery. Hence the very servants of the crown dared to meet them fairly; they gave the credit for the uprightness of their motives; they professed to have in view the attainment of the very same objects; they confined their opposition to the manner rather than the substance, and sought to retard the progress of the reformers by raising collateral difficulties, and predicting future but imaginary evils.

It is true that Charles had acquired the favour of the last parliament; but after its prorogation his popularity had rapidly declined. If he had refused one popish princess, he had substituted another; if he swore to grant nothing more to his future wife than the private exercise of her religion, he had within a few months violated his oath by promising in her favour to ratify to all the Catholics in his dominions. Hence it was concluded that the king had no settled notions of his own; that he was a mere tool in the hands of Buckingham, who had assumed the mask of patriotism during the last year for the sole purpose of gratifying his resentment against Spain.

The session was opened with a glorious speech from the throne; but though it had been customary to give credit to the professions of a sovereign, nothing was heard among the Commons but the misbodings of fanaticism and the murmurs of distrust. The king, at the request of both houses, had appointed a day of public humiliation, fasting, and prayer; they anticipated it by a week that they might give the example to the rest of the nation. They assembled in the church of St. Margaret listened with the most edifying patience to four long and impassioned sermons, and returned in a body the next day to receive the sacrament

The first fruit of their devotion was what they termed "a pious petition," in which they conjured the king, as he valued the advancement of true religion, as he disapproved of idolatry and superstition, to put into immediate execution all the existing laws against Catholic recusants and missionaries. At no time could such an address have proved more unwelcome to his feelings. He had just married a Catholic princess; he had bound himself by treaty to grant indulgence to her brethren of the same faith, and his palace was crowded with Catholic noblemen whom he had invited from France to do honour to his nuptials; but prudence taught him to subdue his vexation, and he returned a gracious and satisfactory answer.<sup>1</sup>

From the Catholics the Commons turned their attention to the theological works of Dr. Montague. In them a committee discovered, or pretended to discover, much that seemed in opposition to the Articles and Homilies; his "Appeal to Cæsar" was voted a contempt of the house, and the unfortunate divine was ordered to be taken into custody by the serjeant-at-arms. Charles dared not resent what he deemed an encroachment on his ecclesiastical supremacy; he even condescended to request that, since Montague was his servant, one of his chaplains in ordinary, the punishment of the offence might be referred to himself. But the favour was refused; and the prisoner gave bail for his appearance in the sum of two thousand pounds.<sup>2</sup>

The third subject of their consi-

deration was the state of the king's finances. He showed that the charges for the equipment of the navy alone had amounted to three hundred thousand pounds; they refused to grant him more than two subsidies, about one half of that sum, for the whole expense of the war.<sup>3</sup> His predecessors, ever since the reign of Henry VI., had received the duties of tonnage and poundage for life; they voted the same to him, but limited the duration to the first year of his reign. Charles received the intelligence with surprise and indignation; but it was too late to recall their attention to the subject; more than twelve hundred persons had died of the mortality in the last week, and the parliament was adjourned by commission, to meet again, after a short recess, in the city of Oxford.

At Oxford it sat but a few days; and they were days of angry debate and mutual recrimination. Charges of perfidy were exchanged between the opponents and the advocates of the court. The king, it was said by one party, had promised to put in execution the penal laws against the Catholics, and yet, in the face of that promise, had granted pardon to eleven priests under prosecution for capital offences;<sup>4</sup> the two houses, it was retorted by the other, had pledged their word to support the late monarch with their fortunes, if he would break the treaty with Spain, and now they refused the supplies required by their own votes. Charles asked at first two subsidies and fifteenths; he descended to the trifling sum of forty

<sup>1</sup> Lords' Journals, 435, 441, 448, 460; Commons', June 21, July 6, 8, 9.

<sup>2</sup> Journals, July 7, 9. Bibliotheca Regia, 206.

<sup>3</sup> Each subsidy was of four shillings in the pound on real property, and two shillings and eightpence on personal estates of three pounds and upwards. But aliens and popish recusants convict were to pay twice the amount paid by others; and Catholics who

had not received the sacrament in the church within the year, were to pay a poll-tax of eightpence.—Stat. v. 10.

<sup>4</sup> It was replied, that the pardon had been promised before, though it was signed after the adjournment; and as a kind of satisfaction, the king ordered the petition of the two houses, with his answer annexed, to be entered on the rolls of parliament.—Journals, 477, 479.

thousand pounds; but the Commons replied that, though they had heard much of the war, they still remained ignorant who was the enemy; that to grant subsidies which must be raised in subsequent years, was to impose upon others the burden which they ought to bear themselves; and that, if forty thousand pounds would suffice for the present necessity, the money might easily be raised by loan without the aid of parliament. Buckingham undertook, in a conference between the two houses, to account for the demands, and to explain the intentions of the king; but he only provoked the malice of his own enemies, who censured his youth and inexperience, charged him with neglect of his duty as lord admiral, and complained of the ambition which led him to unite in his own person so many high offices, the obligations of which were incompatible with each other. Charles was more alive to the interests of his favourite than to his own. The infection had introduced itself into Oxford; and to save the duke from impeachment, he made use of that pretext to dissolve the parliament.<sup>1</sup>

It was not the character of the king to be diverted from his purpose by opposition. He had not yet declared war; the object of his military preparations had been kept secret; and, as he could not obtain pecuniary aid from his subjects, he was still free to remain at peace with his neighbours. But immediately after the dissolution Buckingham repaired to Plymouth to hasten the expedition, while Charles assumed the task of raising money to defray the expense. To this purpose he devoted every

shilling which he could procure for terror or entreaty, or retrenchment the duties on merchandise were levied though the bill had not been passed by the house of Lords;<sup>2</sup> privy seals were issued to the more opulent nobility and gentry; the payment of all fees and salaries was suspended; and to such a state of destitution was the royal household reduced, that, to procure provision for his table, the king was obliged to borrow three thousand pounds of the corporations of Salisbury and Southampton, on the joint security of the lord treasurer and of the chancellor of the exchequer.<sup>3</sup>

At length, in the month of October, this mysterious expedition, consisting of ninety sail, and having on board an army of ten thousand men, left the harbour of Plymouth under Sir Edward Cecil, now created Viscount Wimbledon, a general officer, who, though he had grown grey in the service of the States of Holland, was pronounced by the public voice unequal to so important a command. Its destination was Cadiz, and had it been directed by an officer of more decisive character the shipping in the harbour might have been surprised. The troops, however, were landed; the fort of Puntales was taken by capitulation, and a rapid march was made towards the bridge of Suazzo, to intercept communication between the Island and the continent. But the men, covering on their march several barrels stored with wine, indulged in excess; their insubordination alarmed the feeble mind of the commander, and though no enemy had appeared he led them back with precipita-

<sup>1</sup> Journals, 467—469. Commons, Aug. 1, Aug. 12. "Buckingham has repeatedly said to me, the king would place the defence of him, the duke, before his own interest."—Duplessis, in Kaumer, ii. 293.

<sup>2</sup> It was read a first time (Journals, 463),

and then neglected. The king was willing to receive the duties for a year and the lord keeper Williams prevented the second reading.—Hackett, ii. 17.

<sup>3</sup> Sydney Papers, ii. 363. Rymer, 181. Rushworth, i. 196, 197.

to the fleet. By the next article of his instructions he was ordered to intercept a rich convoy of Spanish merchantmen from the West Indies. It passed him unobserved during the night; and after a fruitless cruise of seventeen days, he returned to Plymouth, with the loss of more than a thousand men, not from the swords of the enemy (for he had seen none), but from the ravages of a pestilential disease, which did not spare a single ship in the fleet. To Charles, who had indulged in dreams of victory and plunder, this disgraceful result was a source of the keenest anguish; he ordered an inquiry; the council examined the commander-in-chief and his inferior officers; but their statements were discordant, their complaints reciprocal; and, after a long investigation, it was deemed expedient to bury the whole matter in silence.<sup>1</sup>

While Buckingham governed the king, he was governed in his turn by Lord Kensington, lately created earl of Holland. With this nobleman in his company he sailed to the Hague, taking with him the crown plate and jewels, on the security of which it was calculated that he might raise three hundred thousand pounds.<sup>2</sup> A treaty offensive and defensive had been already concluded with the States; he negotiated a second with the king of Denmark, who engaged, on the payment of a monthly subsidy by Charles, and of another by the United Provinces, to maintain in the field an army of thirty-six thousand men. Thence Buckingham prepared to proceed to Paris, but was deterred by an unwelcome message from Richelieu,

that his presence in that capital would not be tolerated. Lord Holland and Sir Dudley Carleton were substituted in his place; and the tenor of their instructions shows that the recent marriage had not created a very friendly feeling between the two courts. They received orders to demand the restoration of certain ships formerly lent to the French king, and to mediate a peace between him and his revolted subjects, the French Protestants. If a new alliance should be proposed, they were neither to accept nor refuse it; but in the mean time to hold secret communication with the Protestants in arms; to assure them of protection from England whenever it might be necessary; and to inquire what forces they could raise, if Charles were to engage in war on their account. It is plain that the king already meditated hostilities against France; but the design was defeated by the policy of Richelieu, who made peace with the insurgents, promised to restore the ships which had been borrowed, and offered to send an army into Germany, provided the English monarch would do the same.<sup>3</sup>

At home the king felt himself at a loss how to proceed in regard of his Catholic subjects. The secret treaty in their favour, to which he had sworn at his marriage, was in direct contradiction to his previous protestations, and to his late answer to the parliament, an answer dictated by Buckingham with the hope of mollifying his enemies among the Puritans. But Charles was always influenced by present convenience, and, as the lesser evil, he determined to

<sup>1</sup> Rushworth, i. 195. Howell's Letters, 165. Whitelock, 2. Wimbledon says, that he accepted the command with reluctance; that he foretold the result, and that he acted in opposition to his own judgment, but in obedience to that of the king.—Cabala, 404—406.

<sup>2</sup> Rymer, xviii. 236—240. Strafford

Papers, i. 28. Sydney Papers, ii. 360. "My lord of Holland governs my lord of Buckingham, and so the king. The passages of this place are not fit for letters."—Earl of Pembroke, *ibid.* 361.

<sup>3</sup> Clarendon Papers, i. 27. Rymer, viii. 256. Dumont, v. 478, 482. Journals, April 18, 1626. Hardwicke Papers, ii. 6.

violate the treaty. The magistrates received orders to watch over the strict execution of the penal laws; a commission was appointed to levy the fines due by the Catholics, and to apply them to the charges of the war; and a succession of proclamations enjoined all parents and guardians to recall their children and wards from seminaries beyond the sea; all Catholic priests to quit the kingdom against a certain day; and all recusants to deliver up their arms, and confine themselves within the circuit of five miles from their respective dwellings. The king of France remonstrated by an extraordinary ambassador; he insisted on the faithful observance of the treaty; but Charles, who had pledged his word to call a parliament after Christmas, dared not face his opponents until he had carried into effect the prayer of their petition; and in excuse to Louis alleged, that he had never considered the stipulation in favour of the Catholics as anything more than an artifice to obtain the papal dispensation.<sup>1</sup>

As that term approached, the king laboured to break the strength of the opposition in both houses. The earl of Pembroke submitted, at the royal command, to seek a reconciliation

with the favourite; the distant and scornful behaviour of the sovereign admonished the earl-marshal of the offence which he had given; and the lord keeper received an order to surrender the great seal, which was bestowed on the attorney-general Sir Thomas Coventry. It was not that Williams had been wanting in servility of demeanour, or protestations of attachment; but his former offence had not been forgotten; the merit of his present services was balanced by the discovery of his intrigues with the country party; and it was deemed best to deprive a man whose abilities were feared as much as they were prized, of the power of doing harm, by removing him from office, and marking him out for the object of future vengeance.<sup>2</sup>

With a similar view the king adopted an extraordinary expedient to withdraw the most formidable members of the opposition from the house of Commons. When the judges presented to him the list of sheriffs for the ensuing year, he struck out several of the names, and in their place substituted those of seven individuals who had distinguished themselves by their hostility to Buckingham in former parliaments.<sup>3</sup> The

<sup>1</sup> Rym. xviii. 179, 228, 267. Sydney Papers, ii. 365. Strafford Papers, i. 28. Hardwicke Papers, ii. 4, 7. Rushworth, 196, 198, 202. See also the letter from the king to the archbishops, those of the archbishops to the bishops, and their circulars to the chancellors and archdeacons, ordering them to proceed against recusants in the spiritual courts, and return into the Chancery the names of all the recusants in each diocese.—*Bibliotheca Regia*, 12—16.

<sup>2</sup> Strafford Papers, i. 28. Sydney Papers, ii. 364, 365. Hackett, ii. 16—18.

<sup>3</sup> They were Sir Edward Coke, Sir Thomas Wentworth, Sir Francis Seymour, Sir Robert Phillips, Sir Grey Palmer, Sir William Fleetwood, and Edward Alford. Coke, from his legal knowledge, gave the king considerable trouble. He refused to be sworn, and tendered to the judges four exceptions against the sheriff's oath. Three were rejected as frivolous; they admitted the fourth, that the clause binding the

sheriff "to destroy and make to cease all heresies, and errors, commonly called Lollardies, within his bailwick," was in opposition to the statutes establishing the reformed church, because several of the doctrines were the same as those former called Lollardies. But Charles ordered the clause to be struck out, and Coke took the oath.—Rush. i. 201, 202. It was next suggested that, though the sheriff could not be returned for places with their respective shires, yet they might be as the representatives of other counties boroughs. Wentworth was unwilling to adopt an expedient which might bring him into collision with the royal authority (Strafford Papers, i. 30, 31); but Coke was less timid; he accepted a seat for the county of Norfolk, and the question of his eligibility was repeatedly discussed in the house of Commons. The weight of precedent appeared to be against him; but his friend had sufficient influence to prevent an



rtifice was too gross to escape detection; and it served in the result to hasten that impeachment which the king sought to avert. The new sheriffs could not indeed sit as members; but their friends looked on their exclusion as an unpardonable abuse of power, and longed for an opportunity of visiting it upon the head of the man to whose counsels it was attributed.

At Candlemas the king was crowned,<sup>1</sup> and four days later he met the new parliament. The first care of the Commons was to appoint a committee of religion, a second of grievances, and a third of evils, causes, and remedies; committees, the very names of which disclosed the temper and aim of the leading members. 1. The committee of religion resumed the subjects of popery, and of the heterodox opinions of Dr. Montague. Under the pretext that most of the calamities which oppressed the nation sprung from the increase of popery, it was resolved to enact laws of additional severity against the professors of the ancient creed: schoolmasters were summoned from the most distant parts to answer interrogatories respecting their own sentiments and those of their scholars; and every member in the house was successively called upon to denounce all persons in authority or office who to his knowledge were suspected, or whose wives or children were suspected, of any secret leaning to the Catholic worship.<sup>2</sup> Against Dr. Montague a charge was prepared to be presented to the house of Lords. He had been guilty of the heinous

crimes of acknowledging the church of Rome to be a true church, and of maintaining that the articles in dispute between her and the church of England were of minor importance. The king, notwithstanding the entreaties of Bishop Laud, resolved to leave the obnoxious divine to his fate: from which he was only saved by the intervention of matters of greater interest, and the sudden dissolution of the parliament.<sup>3</sup> 2. The committee of grievances, after a tedious investigation, denounced to the house sixteen abuses, as subversive of the liberties of the people. Of these the most prominent were, the practice of impositions, which had been so warmly debated in the last reign; that of purveyance, by which the officers of the household collected provisions at a fixed price to the distance of sixty miles from the court; and the illegal conduct of the lord treasurer, who persisted in levying the duties of tonnage and poundage without authority of parliament. It was urged in his vindication, that for centuries they had formed part of the annual income of the crown; but the opposite party replied, that if the king could impose one tax by virtue of the prerogative, he might equally impose others; the consent of parliament would be no longer requisite, and the property of the subject would be placed at the arbitrary disposal of the sovereign.<sup>4</sup>

Charles, who watched these proceedings with impatience, reminded the house of his wants, and received in return a promise of three subsidies

favourable decision; and, though he did not take his seat, he was suffered to enjoy all the other privileges of a member.—*Journals*, Feb. 10, 27; June 9, 1626.

<sup>1</sup> Two things were remarked on this occasion. When the people were called upon to "testify by their general acclamation their consent to have Charles for their sovereign, they remained silent, till the earl-marshal told them to shout;" and the unctious, that it might not be seen, was per-

formed behind a traverse by Archbishop Abbot: whence, as notwithstanding his absolution by King James, he was still thought irregular by many, considerable doubts were raised of the validity of the coronation.—See the letter of D'Ewes, in *Ellis*, iii. 214.

<sup>2</sup> *Journals*, Feb. 15, 21; March 7, 9; May 3, 11, 23; June 6, 1626.

<sup>3</sup> *Ibid.* March 17, 19, 20; June 14.

<sup>4</sup> *Journals*, April 27, May 24, June 8.

and fifteenths, as soon as he should give a favourable answer to their prayer for the redress of grievances. His pride spurned the condition. He advised them to hasten and augment the supply, or "else it would be worse for themselves;" he repeated the menace, he wrote to the speaker, he reprimanded the house in the presence of the Lords, and at last extorted the vote of an additional subsidy. But by this time the committee of evils, causes, and remedies had discovered that, as the duke of Buckingham was the real "cause," so his punishment would be the great "remedy" of the national "evils;" and under this impression a resolution was taken to impeach him before the upper house of sundry high crimes and misdemeanors.<sup>1</sup>

It argues an unusual want of prudence, a dangerous obstinacy of character, in the king, that while he was thus at open war with the Commons, he wantonly provoked, and unwisely prolonged, another and useless quarrel with the house of Lords. The reader is aware that he was already offended with the conduct of the earl-marshal. Lord Maltravers, the son of that nobleman, privately married a daughter of the duke of Lennox. The royal license had not been asked; the apology of the earl, that the match was clandestinely concerted between the mothers of the parties, was not admitted; and Arundel, in virtue of a royal warrant, was arrested and conveyed to the Tower. The king attributed it to his good fortune that he was able at this particular moment to exclude from parliament a peer whose hostility to the favourite was avowed, and who, being intrusted with no fewer than six proxies, might have

proved a most dangerous adversary. To his surprise and confusion the Lords voted the imprisonment of the earl, pending the session, an infringement of their privileges; and they presented address after address soliciting his immediate release. Charles returned evasive answers; he sent the attorney-general to plead in favour of his prerogative; he described the conduct of the earl-marshal as personally offensive to himself, and dangerous to the state. But the Lords refused to yield: they passed a resolution to suspend all other proceedings till their colleague had again taken his place; and, after a contest of three months, they triumphed over the pride and reluctance of the king. Arundel was set at liberty, and resumed his seat amidst the loud congratulations of the house.<sup>2</sup>

But the duke had another enemy to fear, one who, though he could not boast of equal influence with the earl-marshal, had the power of inflicting a deeper wound on his character. The reader will recollect the fallacious statement by which Buckingham, with the prince standing at his side, had induced the two houses to break the Spanish treaty. From that moment they had lived in continual terror of the disclosures which might some day be made by the earl of Bristol: the moment he arrived from Spain he had been put under restraint; he was forbidden to appear at court, or to attend his duty in parliament; and the royal displeasure was extended to all who ventured to pay even a casual visit to him in his retirement at Sherburne.<sup>3</sup> Bristol however, was not of a character to bend to oppression; he refused to

<sup>1</sup> Ibid. March 10, 20, 27; April 13, 20; May 2, 8. Rushworth, i. 218-230.

<sup>2</sup> Journals, 526, 528, 552, 558, 562, 564, 566, 580, 581, 594, 630, 646, 650-655. From this number of references the reader may judge

of the spirit and perseverance of the Lords. The privilege which they claimed was freedom from arrest, unless in cases of felony or treason.

<sup>3</sup> See Sydney Papers, ii. 360, 364.

ign the submission proposed to him by the favourite; he watched with patience the growing discontent of the nation; and, when he had ascertained the strength of the opposition in both houses, complained to the peers that, in violation of their common privilege, his writ of summons to parliament had been unjustly withheld. Charles immediately ordered the writ to be issued; but with it Bristol received a letter forbidding him to avail himself of it, under pain of the royal displeasure. This he forwarded to the house; soliciting advice in a case which might hereafter be that of any other peer, and demanding permission to accuse, in his place, of high crimes and misdemeanors, the man who, that he might elude the punishment which he deserved, had for two years deprived another of his liberty and rights. This bold proceeding alarmed both the king and the duke: a new expedient was adopted to silence the accuser; and the next day the attorney-general charged Bristol himself with high treason at the bar of the house. The Lords perceived and defeated the artifice: they ordered that each cause should be heard in succession; and that the charge against the earl should not be held to prevent, prejudice, or impeach his testimony.<sup>1</sup>

The articles which he exhibited against Buckingham, and which he pledged himself to prove by written documents and undeniable testimony, affected the moral as much as the political character of that nobleman. They accused him of having conspired with Gondomar to draw the prince by

false information into Spain, that Charles might there change his religion before his marriage with the infanta; of having, while he resided in the Spanish court, disgraced himself and his country by his contempt of decency and the profligacy of his amours;<sup>2</sup> of having broken off the treaty of marriage solely through a spirit of resentment, because the Spanish council, dissatisfied with his misconduct, had refused to continue the negotiation with so dissolute a minister; and of having, at his return, deceived both his sovereign and the parliament by falsehood and misrepresentation. What answer Buckingham would have made to these charges we know not: the parliament was dissolved before he attempted to defend himself; but that he should allow them to remain without denial on the journals, seems to argue a consciousness that his conduct could not bear investigation.<sup>3</sup>

The charge of treason brought by the king against Bristol, when it was divested of the high-sounding language in which it had been clothed by the attorney-general, dwindled into comparative insignificance. It stated that the earl, in violation of his duty as an ambassador, had falsely assured the late monarch of the sincerity of the Spanish cabinet; that he had, indirectly at least, concurred in the plan of inducing the prince to change his religion; that he had sought to force the marriage upon him by seeking to deliver the procuration to Philip; and that in his letter to the Lords he had given the lie to his sovereign, by terming that

<sup>1</sup> Journals, 537, 544, 563; 567, 578.

<sup>2</sup> This is the charge: "As for the scandal given by his personal behaviour, as also his employing his power with the king of Spain for the procuring of favours and offices, which he conferred on base and unworthy persons for the recompense and hire of his lust, these things as neither fit for the earl of Bristol to speak, nor indeed for the house

to hear, he leaveth to your lordships' wisdoms how far it will please you to have them examined."—Journals, 577.

<sup>3</sup> Journals, 576, 669. Bristol also exhibited articles against Lord Conway, whom he represented as the creature of Buckingham. He charged him with acts of oppression: Conway replied, that whatever he had done was by order of the king.—Ibid. 676.

statement false which Charles had vouched to be true. These charges gave to Bristol that which he had so long sought, the opportunity of vindicating his conduct. His answer, which was entered on the journals, appears full and satisfactory.<sup>1</sup>

If Buckingham neglected to notice the articles exhibited against him by the earl, he attributed the delay to the necessity imposed on him of answering a charge of still greater importance. In defiance of the royal prohibition, the Commons had impeached him before the Lords, and had comprised his offences under thirteen heads: that he had purchased for money, and had united in his own person, several of the highest offices in the kingdom; had diverted to his own use the revenue of the crown; had raised his indigent kindred to wealth and honours; had suffered the trade of the country to fall to ruin by his negligence; had provoked the king of France to make reprisals on the merchants, by unjustly detaining a French ship for his own profit; had extorted ten thousand pounds from the East-India Company; had lent a squadron of English ships to be employed against the French Protestants; and had presumed to administer medicine to the late king without the approbation of the physicians.<sup>2</sup> Sir Dudley Digges opened the charge; it was continued by six other members; and Sir John Elliot, having compared Buckingham to Sejanus in lust, rapacity, and ambition, concluded with this exclamation: "My lords, you see the *man*. By him came all these evils: in him

we find the cause; on him we expect the remedies."<sup>3</sup>

A report had been carried to Charles that the two managers, in allusion to the last of the articles, had thrown out a hint that Buckingham was but the inferior agent; a more illustrious personage had been the chief conspirator against the life of the late monarch. In a transport of passion he ordered Digges and Elliot to be committed to the Tower; and hastening to the house of Lords, called on them to vindicate the character and privileges of their sovereign. He had borne in patience the imputations on the duke, though he could "be a witness to clear him in every one of the articles;" but he would suffer no one to insinuate of himself with impunity that *he* had been privy to the death of his father. The Commons on the other hand, demanded justice for the imprisonment of the two members, and refused to proceed to any business till they should be discharged. In a few days the king's anger cooled: he was persuaded to yield; and both houses declared that they had heard none of the words, the report of which had given such heinous offence.<sup>4</sup>

But at the same time the death of the earl of Suffolk afforded him an opportunity of triumphing over the enemies of his favourite. The chancellorship of the university of Cambridge became vacant; and a royal mandate named Buckingham as successor to Suffolk. The heads promise obedience; the younger members put in nomination the earl of Berkshire. After a severe contest, the duke of

<sup>1</sup> Journals, 582, 632.

<sup>2</sup> This fact was represented by the enemies of the duke as the cause of the king's death. But if we may believe him, it passed in this manner. The king, understanding that the earl of Warwick's physician had prescribed for Buckingham "a plaister and a posset drink," when he was ill of the ague, ordered John Baker, one of the duke's servants, to procure the same for

him. They were brought while Buckingham was absent. At his return, James ordered him to give him the posset drink, which he did in the presence of the physicians, who made no objections.—Lords' Journals, 662

<sup>3</sup> Lords' Journals, 618.

<sup>4</sup> Ibid. 592, 627; Commons', May 12, 1642, 15, 16, 17, 19, 20. Carleton's Letters, xxxvii.—xlvi. Rushworth, i. 364.

ained the office by the small majority of three. The Commons voted the election of a man under impeachment an insult offered to their house; they resolved to inquire into the proceedings; and had prepared an answer to a prohibition from the king, when the dispute was suddenly terminated by the dissolution of parliament.<sup>1</sup>

If Charles had allowed it to sit so long, his only object was that Buckingham might have leisure to prepare his answer with the assistance of Sir Nicholas Hyde. He divided the charges into three classes: some he pronounced to be unfounded in fact, the groundless calumnies of his opponents; some, he affirmed did not affect *him*; they referred to the personal acts of the last, or of the present king; and of others he contended that a sufficient justification would be found in the orders of the sovereign, or the advice of the judges. To one he pleaded guilty,—the purchase of the wardenship of the Cinque Ports, but thought it might be ex-

cused on the ground of public utility: with respect to another,—the delivery of the ships to the officers of the French king, he appeared to falter; not that he was unable to prove the innocence of his conduct, but that it was imprudent to disclose the secrets of the state.<sup>2</sup> This answer was calculated to make a strong impression on the minds of the Lords. It placed the conduct of the duke in a most favourable light, and represented him as a faithful but injured servant, the victim of unmerited suspicion and calumny. The Commons announced their intention of replying; but the king refused to allow them the opportunity. Aware of his object, they hastily prepared a long and energetic remonstrance, repeating their charges against the favourite, and requesting that he might be removed from the royal presence. But Charles, before it was presented, signed a commission for the dissolution of the parliament, and to the prayer of the Lords for a short delay, replied with impatience, "No, not

<sup>1</sup> Ellis, iii. 228—235. Journals, June 5, 8, 7. Biblioth. Regia, 235. Rushworth, 376.

<sup>2</sup> The following is the best account which I have been able to collect respecting this very extraordinary transaction:—The Spaniards, to revenge themselves on the French cabinet, which had aided the Protestants of the Low Countries against them, entered, in October, 1624, into a secret treaty with the duke of Rohan and the prince of Soubize, the leaders of the French Protestants, against the king of France. Soubize, sailing unexpectedly from Rochelle, surprised the isle of Rhé, and captured at Blavet a ship of eighty guns. Louis immediately applied to the king of England and the States of the United Provinces, for maritime aid, and both agreed to supply the number of ships to which they were bound by treaty,—the king eight, the Hollanders twenty. For this purpose Charles pressed seven merchantmen into his service, and placed them under the command of Pennington, in the Vanguard, a ship of war (May 8, 1625). They were next transferred by contract to the service of France; but the men understanding at Dieppe that it was intended to employ them in an expedition against Rochelle, refused to fight, and returned to the Downs. They were twice sent back, and Pennington received a warrant from the king to sink any ship that might attempt to

escape (July 28). One, however, returned; the others, being manned by Frenchmen, were employed, and restored at the termination of the war. The offence said to have been committed by the duke was, that he, as high admiral, had lent English ships for the purpose of opposing the Protestants. The answer given by his friends, and by himself, was, that he and the king had been deceived:—they knew not of the intention of the French cabinet: they supposed that the ships would have been employed against Genoa. That this allegation was false, is evident from the whole tenor of the transaction, from the unwillingness of the duke to give an explanation, from a passage in his letter, dated Paris, May 30, 1625: "The peace with them of the religion depends upon the success of that fleet they [the French] had from your majesty and the Low Countries" (Clarendon Papers, ii. App. xxv.); and from another passage in the instructions given to him on the 17th of October: "We conceive that the work which was required to be done by them [the ships] being the suppression of Soubize, is accomplished."—Rym. xviii. 209. See the treaty of 1610, confirmed in 1620, Rym. xvi. 696. Archæologia, xvii. 12. Prynne, Hidden Works of Darkness, 85. Rush. i. 178. Journals, 603—608, 661. Lord Nugent's Hampden, i. 385.

of one minute." The earls of Arundel and Bristol were immediately placed under confinement, the former in his own house, the latter in the Tower.<sup>1</sup>

The proceedings of this session had kept the king in a state of continual irritation: its dissolution left him to struggle with his pecuniary difficulties, which were daily multiplied by the demands of his Danish and German allies. He had threatened the Commons to pursue "new counsels:" necessity compelled him to execute his threat. 1. Tonnage and poundage, comprising all the duties levied on imports and exports, formed the principal portion of the annual income. No bill authorizing these duties had been passed: nevertheless he ordered the officers of the customs to exact them in the same manner as had been done in his father's reign: not, indeed, that they belonged to him of right, but under the pretext that they would have been granted to him of course if the parliament had not been prematurely dissolved. 2. A commission was appointed to improve the income arising from the crown lands, with authority, in consideration of the actual payment of a large fine, to grant long and profitable leases, to extinguish the more onerous services incident to feudal tenures, and to convert the lands holden by copyright or lease into fee farms at certain annual rents. 3. Other commissioners were invested with powers to inquire into the arrears of the penalties due for religious delinquency, and to secure the annual payment for the future. Their instructions distinguished between the poor and the more opulent recusants. Those of the first class were allowed to compound for their fines, that they might not be reduced to absolute

beggary; from those of the second the commissioners were ordered to take two-thirds of their lands, and to let them on lease to the highest bidder, and in that case to the owner himself, though it was contrary to the law. 4. Privy seals for the loss of money were again issued to noble men, gentlemen, and merchants of reputed property; and an immediate advance of one hundred and twenty thousand pounds was imperatively required from the city of London. 5. Under pretence of the protection of commerce in the narrow seas, the several ports were compelled to provide and maintain, during three months, a certain number of armed vessels, and at the same time the lords lieutenants of the different counties received orders to muster the inhabitants, train them to arms and employ them for the purpose of suppressing civil tumult, or of repelling foreign invasion.<sup>2</sup>

While men expressed their surprise and indignation at these arbitrary proceedings, intelligence arrived which spread a deep gloom over the whole kingdom. A great and bloody battle had been fought at Lutter, between the imperialists under Count Tilly, and the allies of Charles under the king of Denmark. The latter had fled beyond the Elbe; their artillery and baggage had fallen into the hands of the conquerors; and the whole circle of Lower Saxony, abandoned without defence, lay at the mercy of Ferdinand. The cause of the Prince Palatine was at last pronounced desperate: the very existence of Protestantism in Germany was thought to be at stake. Charles seized the favourable moment to execute a measure which he had long meditated, but had not dared to attempt. He resolved to raise

<sup>1</sup> Journals, 592, 655—663, 682.

<sup>2</sup> For these particulars see *Rym.* xviii.

730, 7, 9, 41, 55, 71, 86; and *Rush.* i. 417—421.

forced loan by his own authority; and with this view he appointed commissioners in every county, instructed them to take the book of the last subsidy for their guide, and empowered them to exact from each individual the advance of a sum of money according to the former rate, in the proportion of cent. per cent. on land, and of a mark in the pound on personal property. This demand was of itself sufficiently despotic; it was rendered still more intolerable by the inquisitorial powers with which the commissioners were armed. They received orders to interrogate the refractory upon oath; to require from them an avowal of the motive of their disobedience, and a disclosure of the names of their advisers; and to charge them on their allegiance to keep their answers to these questions secret from all persons whomsoever.<sup>1</sup>

To induce submission, the king published an elaborate proclamation, stating that he had been driven to this extraordinary measure by the exigence of the moment, which did not allow him time to consult his parliament; and promising that every farthing advanced by his loving subjects should be faithfully repaid out of the next subsidies by their grateful sovereign. At the same time he wrote to the clergy, calling on them to come forward in support of the Protestant interest, to preach unanimity and obedience, and to impress on the minds of their parishioners the duty of aiding the king in his necessities.<sup>2</sup> But there were many who refused to listen either to the commands of the sovereign or to the exhortations of their ministers. Their names were returned by the commissioners; the more opulent received

a summons to appear before the council, and were either committed to prison, or confined in private houses at a considerable distance from their homes and families; the poor, that "they might serve with their bodies since they refused to serve with their purses," were forcibly enrolled in the army or navy.<sup>3</sup> Charles refused to show any indulgence. It had been repeatedly said that he was governed by Buckingham; now, that the favourite was absent, he resolved to prove by acts of vigour, or rather of despotism, that he had a will of his own, and was not of that easy and ductile disposition which had been attributed to him by his opponents.

The mission on which the duke was employed had for its object to arm the French Protestants against their sovereign, and to make a descent upon the French coast. But what was the inducement, or rather the necessity, which led the king, at a moment when, in the estimation of every thinking man, there were only two expedients by which he could extricate himself from his difficulties,—a peace with Spain, or a reconciliation with his parliament, to neglect them both, and in addition to provoke a war with the monarch whose alliance he had courted, and whose sister he had married? The motives for this rash step were never openly avowed; they may perhaps be discovered by attending to the following incidents.

1. When Buckingham, two years before, entered Paris as the guide appointed by Charles to conduct the French princess to England, he dazzled every eye with the splendour of his dress, and the number and magnificence of his retinue.<sup>4</sup> Among the ladies at court the gallant English-

<sup>1</sup> Rush. i. 422. Rymer, xviii. 835—842.

<sup>2</sup> Rymer, xviii. 764. Bibliotheca Regia, 299—305. Wilkin's Con. iv. 471.

<sup>3</sup> Rushworth, i. 426. Strafford Papers, i. 36—41.

<sup>4</sup> He took with him "a rich white satin uncut velvet suit, set all over, both suit and cloak, with diamonds, the value whereof is thought to be worth four score thousand pounds, besides a feather made with great

man became the theme of general admiration; he singled out for the object of his attentions the young queen, Anne of Austria, the elder sister of the Spanish infanta. Buckingham had the presumption to love, and to fancy himself beloved; but his steps were watched, and a seasonable hint of danger restrained him within the limits of decorum. When he took leave of Anne on his departure from Amiens, it was observed that his eyes were suffused with tears; and the moment he reached Boulogne, leaving Henrietta to the care of her servants, he returned to that city under the pretence of important business, and boldly intruded, without notice, into the royal bed-chamber. Anne was attended by two of her maids of honour; she heard with apparent anger the protestations of attachment which her lover addressed to her on his knees; and ordered him to depart in a tone of severity, the sincerity of which was suspected by her female biographer. The presumption of the duke could not be concealed; and Louis ordered several of the queen's domestics to be immediately discharged. Buckingham, after his return to England, continued to nourish this extravagant passion, and had recourse to every expedient to procure another invitation to the French court. The reader has seen that he obtained the appointment of ambassador, but was refused admission by the cardinal Richelieu; his confidant, the earl of Holland, who proceeded to Paris, laboured in vain to remove

diamonds, with sword, girdle, hatband and spurs with diamonds: which suit his grace intends to enter Paris with." He had twenty-seven other suits, all "rich as invention could frame or art fashion."—Hardwicke Papers, i. 571. Ellis, iii. 189.

<sup>1</sup> Carte (iv. 132) has attempted to throw discredit on this story, from dates in the *Mercure François*. But there can be no doubt that it is substantially true. It is related by Madame de Motteville in her *Memoirs* (vol. i.), and is confirmed by the

the impediment; and the French courtiers avowed their determination to shed the blood of the foreign minion who sought to defile the bed of their sovereign. Still the duke did not desist. Two other attempts were made; but no persuasion, no artifice could subdue the repugnance of Louis; and the war which followed has been attributed by English writers to the resentment of the disappointed lover; by the confidante of Anne, to his hope of being employed as ambassador to reconcile the two crowns. It is, however, plain that, whatever may have been the secret motives of Buckingham, he must have alleged some very different reason in defence of a measure which threatened to prove so prejudicial to the interests of his own sovereign.<sup>1</sup>

2. When Henrietta reached England, she observed to the king that she was young, without experience and ignorant of the national customs. She might commit many faults, but she begged that he would reprimand her in private, and not publish her misconduct to others. Yet the domestic happiness which they at first enjoyed was soon embittered by a succession of petty and vexatious quarrels. The king complained of the caprice and petulance of his wife, the queen of the morose and antigallican disposition of her husband. He attributed the disagreement to the discontent of her French attendants; she and her relations to the interested suggestion of Buckingham.<sup>2</sup> That the servant of her household met with much

testimony of Clarendon (*Hist.* i. 38), by the celebrated stanzas of Voiture addressed to Anne herself (*Motteville*, i. 231), and by the letters of Holland to Buckingham (*Cabala*, 252, 253). To understand the letters, the reader should observe, that the figure of a crown is meant the king of France, by that of an anchor the duke Buckingham, high admiral, and by that of a heart his sweetheart, the French queen. See also the translation of the *Memoirs* of Cardinal de Retz, iv. 185.

<sup>2</sup> *Motteville*, i. *Cabala*, 252.



exercise their patience, cannot be doubted; they occupied the place of Englishmen, and were consequently exposed to the hostility of all who might profit by their removal: and that the queen should undertake their defence was natural: she pleaded only for the strict observance of the marriage treaty. Charles, however, before the conclusion of six months, had resolved to send them back to France.<sup>1</sup> He sought to spare himself the charge of so expensive an establishment, at a time when the treasury was drained to the last shilling; and the number of the chaplains, the pomp with which they performed the service, and their bold, perhaps indiscreet, bearing, amidst the vilifiers of their religion, were thought to cause, or at least to strengthen, the opposition of the Commons to the measures of the administration. These were probably the real grounds of his determination; but when he announced it to the French court, he alleged the impossibility of living happily with his wife, as long as her mind was daily harassed by the complaints and discontent of her French servants.<sup>2</sup> The marquis de Blainville came over to mediate between the king and his consort; but Charles deemed the interference of the ambassador an insult, and the outrages of the mob placed his life in danger. After several delays, the king executed his project. Taking the queen by the hand, he led her

into a separate apartment, and having informed her of his purpose, conducted her to his palace of Nonsuch. In the mean time, secretary Conway read to her attendants the royal order for their immediate removal to Somerset House; and the yeomen of the guard, with their halberts, compelled them to depart. Their wages were paid, gratuities were added, and after many objections and delays, the whole body, amounting to sixty, partly by persuasion, partly by force, consented to embark, and were safely landed in France.<sup>3</sup> Three native priests, recommended by Buckingham, received the appointment of chaplains, and six females, of whom four were Protestants, that of ladies of the bedchamber to the queen.<sup>4</sup>

But this violent dismissal of her household was resented as a personal affront by the king of France. He refused to admit to his presence secretary Carleton, who had been sent by Charles to excuse or justify his conduct; he even talked of doing himself and his sister justice by the sword. But war was averted by the policy of Bassompierre, who came to England in the quality of ambassador extraordinary. He found the king and queen highly exasperated against each other; by argument and entreaty he induced them both to yield; it was arranged that a new establishment should be formed, partly of French, but principally of English

<sup>1</sup> Harleian MSS. 6988. There are two letters to Buckingham of the same date, Nov. 20; one has been often quoted to prove that Charles was displeased with the duke, because he sought to dissuade him from sending away the queen's servants. But the other letter shows that the first was a mere artifice, that Buckingham, when he arrived at Paris, might have something to show in his own defence against the charges of Henrietta.—Hard. Papers, ii. 1, 2. Ellis, iii. 216.

<sup>2</sup> Charles did not adopt this reason, till he had failed in an attempt to prove that they intended to carry back the queen to France clandestinely, or were actually plotting with his subjects.—His letter, *ibid.* The

queen-mother told the nuncio Spada that her daughter, "ogni di scriveva di voler tornare in Francia, o per lo meno vedersi con sua madre per communicarle delle particolarità non communicabile nè alla penna, nè a terza persona."—Letter of Spada, 18 Nov. N.S.

<sup>3</sup> On July 1, he visited them at Somerset House, and told them that "some among them had so dallied with his patience that he could not, and would not, any longer endure it."—Bib. Reg. 218. Yet they did not depart; and on the 7th of August he wrote to Buckingham,—"Force them away, dryve them away, lyke so manie wyld beasts; and so the devill goe with them."—Ellis, iii. 224. <sup>4</sup> Ellis, iii. 238—247.

servants; a bishop, a confessor and his companion, and ten priests, provided they were neither Jesuits nor Oratorians, were allowed; and in addition to the chapel originally prepared for the infant at St. James's, it was agreed that another should be built for the queen's use at Somerset House. This arrangement restored harmony between the royal couple. Charles congratulated himself on the dutiful and affectionate behaviour of his wife; and Henrietta soon obtained considerable influence over the heart, and even the judgment of her husband.<sup>1</sup>

3. From the removal of the queen's servants, Bassompierre passed to the treatment of the English Catholics. Charles had bound himself to grant them every indulgence in his power, and yet he had let loose the pursuivants, and had enforced the penal laws against them. Of this, as a breach of the treaty, Louis had a right to complain; but the king, whose pride refused to plead the real cause,—the necessity of yielding to the religious prepossessions of his subjects, contended that the treaty was "one of state, not of religion," and that the promise of indulgence was introduced "simply as a matter

of form to satisfy the pope and Catholics of France," but with any intention on either side that must necessarily be carried into execution. He was, however, willing to forbid the employment of the pursuivants for the future, and to deliver the priests, seventeen in number who had been committed to the prisons of the metropolis. With this concession the ambassador professed himself satisfied; but at his return to France, he was ungraciously received by the monarch, and loudly censured by the courtiers. He had compromised, it was said, the dignity of the French crown by not insisting on the full performance of the articles of marriage; and hints were circulated that he had been bought by the presents of Charles, or seduced by the flatteries of Buckingham. Whether the displeasure of Louis was really assumed may perhaps be questioned; he did not disavow the proceedings of his envoy—but to the request of Bassompierre that the English deputation might revisit the French capital, with a view to a more complete reconciliation, he returned a hasty and impatient refusal.<sup>2</sup>

It is evident that in these instar

<sup>1</sup> Mémoires de Bassompierre, iii. 284—315. Hardwicke Papers, ii. 14. One of the chief charges against the clergy attending the queen was, that they compelled her to go in procession to Tyburn, and to pray on the spot where the gunpowder conspirators had been executed. Charles in his instructions to Carleton, merely says, "they made her go to Tyburn in devotion to pray."—Bib. Reg. 219. The council in their answer to Bassompierre, that "they led her a long way on foot, to go in devotion to a place where it has been the custom to execute criminals."—Memoirs of Bassom. App. 138. The reader will be surprised to learn that this charge, so confidently made, is met by the ambassador with an absolute denial, and an assertion, moreover, that the lords who made it knew it to be false. "Je scay assurancement, Messieurs, que vous ne croiez pas ce que vous publiez aux autres pour leur faire croire," &c. The fact, he tells them, was, that the queen, on the evening

of a sultry day, had taken, with her attendants, the same walk through St. James's Park and Hyde Park, which she had done before taken with the king. As to the procession, the approaching to the gallows, the prayers, &c., they were all fictions invented by her enemies.—See Bassompierre answer, *ibid.* 145, 146.

<sup>2</sup> Bassompierre, App. 139, 151. R. xviii. 501. MS. letter of Spada. The excuse for the non-performance of the article in favour of the Catholics, was, that it was signed merely for form sake, and not to be imposed on the pope. It is true that this was suggested in the commencement of the treaty of the marriage; but that before the signature of the king was affixed to the "escriit secret," on the 12th of December, it was understood to be binding, is evident from a letter of the earls of Carlisle and Holland of the 6th of November (Clarendon Papers, ii. App. xv.); and Charles himself ratified it two months after the marriage.

the king of France was the party aggrieved; for the cause of the war which followed, we must discover some provocation in which he was the real or supposed aggressor. When Charles first solicited the hand of Henrietta, he clearly foresaw that by marrying one Catholic princess he and his favourite would risk all that popularity which they had earned by rejecting the other; but he trusted to silence the adversaries of the match by prevailing on Louis to join with him in opposing the house of Austria, and procuring the restoration of the Palatinate to his unfortunate brother-in-law. With this view the English negotiators had insisted that a treaty of alliance, defensive and offensive, should accompany the treaty of marriage; but they were outwitted by the arts or the duplicity of the French minister; and when the subject was resumed after the nuptials, the proposal was at first evaded, at last peremptorily refused. Thus the king found himself deprived of the benefit which he had anticipated from the match; and the proceedings in parliament convinced him that he had entailed on himself and his favourite the evil which he feared. Stung with the disappointment, and eager to regain his popularity, he determined to prove his attachment to the Protestant interest by assuming the protection of the French Protestants in opposition to their sovereign. The reader has seen that this project was at first defeated by the restoration of peace between Louis and his revolted subjects. Charles, however, came forward as mediator, though the French cabinet disclaimed his interference; still he promised the Protestants to watch over the execution of the treaty, and assured them that he would

employ the whole force of his kingdom in the preservation of their liberties, which were intimately connected with the interests of his own dominions.

In the two succeeding years the embarrassments of the king, as the reader will have noticed, increased a hundred-fold. His pecuniary wants were multiplied; his parliament grew more stubborn; his plans for the recovery of the Palatinate were defeated by the reversies of his allies. The original cause of all these evils was, in his estimation, to be discovered in the perfidy of the French cabinet. Their refusal of the promised alliance had deprived him of the confidence of the nation, and had compelled him to sacrifice more than a million of money, more than ten thousand of his subjects, in useless subsidies and expeditions.<sup>1</sup> In this temper of mind he lent a willing ear to the interested suggestion of an abbé, the emissary of the discontented party in France; Devic and Montague were despatched on a mission to the French Protestants; and Soubize and Brancard were received as their accredited agents in England. The result of their combined counsels was, that Charles should send an army to La Rochelle, and that Rohan should join it with four thousand men; that the king should announce his determination to preserve the liberties of the reformed churches; and that the duke should summon his brethren to rally round the standard of their deliverer. Men, however, would not believe that the English monarch was actuated solely by religious zeal or personal resentment. Hints were thrown out of the establishment of a Protestant state between the Loire and the Garonne; or of the creation of an independent principality in

on the 18th of July, when there could no longer be any necessity of imposing on the pope.—Memoirs of Bassompierre, App. 133.

<sup>1</sup> See the reply of the commissioners to Bassompierre, in the English Memoirs, App. 141.

favour of Buckingham. That such delusions might haunt the day-dreams of the king and his favourite, is possible; but nothing more can be collected from their correspondence, than that their ostensible was not their principal object. There lay something behind, the disclosure of which might prove an obstacle to its accomplishment.<sup>1</sup>

On account of the war with Spain, letters of marque had been issued to the English cruisers, and the merchantmen of every nation were swept into the English ports, under the pretence that they might have Spanish property on board. The Hanse Towns, the States of Holland, and the king of Denmark, remonstrated in the most forcible language; Louis did not merely remonstrate; to secure indemnification, he laid an embargo on all English ships in the French harbours. A long and tedious succession of complaints and recriminations followed; promises were made and broken on both sides; and, as often as harmony seemed to be restored, it was again interrupted by some accidental seizure, or pretended measure of precaution. At last both kings, as if it had been by mutual compact, signed orders for the suspension of all commercial intercourse between the two nations.<sup>2</sup>

From the moment when Charles dismissed the queen's servants, the nuncio at Paris had not ceased to inflame the resentment felt by Louis and his mother, and to exhort them to make common cause with the king of Spain in revenging the insults which had been offered to both crowns. A still more cogent motive was supplied by the powerful armament collected in the English ports,

of which the command had been recently given to the duke of Buckingham, for the purpose, as was given out in England, of aiding the cause of the Palgrave, and of chastising the insolence of the Algerines. But these pretences obtained no credit; the only question was, whether the object of the expedition might be to act against Spain, and wipe away the disgrace of the late unsuccessful attempt upon Cadiz; or to act against France, and light up again the flames of religious war in the southern provinces. Under this uncertainty, Richelieu and Olivarez listened to the admonitions of the pontiff, and a treaty of alliance was concluded which provided that during the current year, the Spanish ships of war should be received in the French ports, and should in return afford protection to the French navy; and that in the course of the next year both powers should unite their forces and make a descent on some part of the British islands. The first part was easily adjusted, because it offered present and reciprocal benefit; the second was postponed to a later period, on account of the distrust which each cabinet entertained of the other.<sup>3</sup>

At length Buckingham sailed. His fleet consisted of forty-two ships of war, and thirty-four transports; the land army of seven regiments of nine hundred men each, a squadron of cavalry, and a numerous body of French Protestants. In a few days he appeared before La Rochelle; but the secrecy with which he had veiled his destination marred his object. The Rochellois were taken by surprise. It was in vain that Soubise and Sir William Beecher argued, an

<sup>1</sup> Charles had sent away the Danish ambassadors well satisfied, but without discovering his intentions. "For," he adds, "I think it needless, or rather hurtful, to discover any main intent in this business, because divulging it, in my mind, must

needs hazard it."—Hardwicke Papers, i. 18.

<sup>2</sup> Rym. xviii. 158, 222, 259, 302, 325, 366, 391. Dumont, v. part ii. 506.

<sup>3</sup> MS. Despatches of Spada, 15, 26 Feb. 19 May.

entreated, and protested; the inhabitants were alarmed at the sight of so formidable an armament, and feared that if it were admitted within the harbour, they should find in Buckingham a master instead of an ally. They answered that they could make no demonstration of hostility till they had collected the harvest, and consulted the other churches of the union.

During this short negotiation Buckingham had directed his attention to the neighbouring islands of Rhé and Oleron, the first of which offered the richer reward, the other the more easy conquest. On the return of the envoys he made his choice; a descent was effected on the isle of Rhé, and the enemy learned in a short but sanguinary action, to respect the courage of the invaders. The governor Toiras was unprepared, but the English commander, whether it was through ignorance or incapacity, loitered five days on the same spot, and the Frenchman improved the delay to provision the castle of St. Martin, his principal fortress, strongly situated on a rocky eminence at the bottom of the bay. It was resolved to besiege it in form; trenches were dug, batteries raised, and a boom was thrown across the entrance of the harbour. These works excited the disapprobation and remonstrance of Burrough, a general officer, who had spent the better part of his life in the wars of Flanders; but his freedom was chastised with a reprimand which silenced his more obsequious colleagues in the council. Before the end of the siege a random shot deprived Burrough of life, and liberated Buckingham from the control of an able but unwelcome adviser.

The news of this unexpected enterprise created alarm and embarrassment in the States, in the Prince

Palatine, and the king of Denmark. They bitterly complained to Charles that their hopes and resources were extinguished by this unhappy contest between their two most powerful allies; nor would they admit of the validity of his reasonings, that honour compelled him to take up arms in defence of the French Protestants, whose privileges, confirmed to them under his mediation, had been recently infringed. They offered their good services to restore the former harmony between the two crowns; he replied that, though he should not refuse, he would not seek a reconciliation. The ambassadors of Denmark hastened to Paris to sound the disposition of the French ministry; the Hollanders deprived of their commissions all the English officers in the Dutch service who had joined the expedition.<sup>1</sup>

In the mean time Buckingham published a manifesto in vindication of his proceedings. He declared that the king of Great Britain had no intention of conquest; that he had taken up arms not as a principal in the war, but as an ally of the churches of France. Charles had mediated the peace between Louis and his Protestant subjects; he had guaranteed to the latter the faithful observance of the articles, and the grant of additional favours. Yet Fort Louis, in the vicinity of La Rochelle, had not been dismantled; plots for the surprise of the town had been encouraged, and a secret resolution had been taken to reduce it by open force. In such circumstances the king could not sit a quiet spectator of the ruin of his Protestant brethren. Honour bound him to vindicate their rights and liberties by arms; otherwise he might have been accused of aiding to deceive those whom it was his interest and his duty to protect.<sup>2</sup>

<sup>1</sup> Hardwicke Papers, ii. 17, 19. Carleton's Letters, xv.—xix.

<sup>2</sup> Bibliotheca Regia, 224—229.

With this declaration in his hand, a declaration of which the grounds were questionable, the reasoning inconclusive, Rohan visited the churches in the south of France. His presence and his harangues excited a general enthusiasm throughout the union; all who refused to swear that they would live and die with the English were pronounced traitors to their religion; and Rohan received authority to raise forces, and to employ them for the benefit of the common cause. The Rochellois were the last who declared themselves. The menacing attitude of the army which Richelieu had collected in their neighbourhood inspired a salutary terror; it was with difficulty removed by the combined assurances of Buckingham and Rohan; and the standard of revolt floated for the last time upon their walls.<sup>1</sup>

Little of interest occurred in the isle of Rhé before the eleventh week of the siege, when a flotilla of fourteen sail burst through the boom, and revictualled the fortress. This untoward event depressed the spirits of the besiegers. The colonels unanimously signed a paper, advising an immediate retreat; while the deputies from La Rochelle conjured the duke with tears not to abandon them to the vengeance of their sovereign. He wavered from one project to another. This day he cannonaded the walls; the next he dismounted the batteries. He received a reinforcement of one thousand five hundred men; the Rochellois added eight hundred more; a general assault was ordered; and the failure of the attempt, with the loss of the assailants, augmented the despondency of the troops, and in-

duced the general to abandon the enterprise.

It was, however, no longer an essential matter to depart. Marshal Schomberg, with a numerous corps, had interposed between the camp and the place of embarkation; and the army was compelled to march along a narrow causeway, which led across the marches to the bridge connecting the small isle of Oie with that of Rhé. Unfortunately the cavalry which covered the retreat, was broken by the enemy; the confusion on the causeway became irreparable; and the number of the drowned exceeded that of the slain. Buckingham is said to have lost one thousand two hundred men and twenty pair of colours that day. The French, however, were unable to force a passage over the bridge, and the remnant of the army embarked without molestation. The duke was the last to leave the beach; personal courage proved to be the only military qualification with the absence of which he was not reproached by his opponents.<sup>2</sup>

Charles received the unfortunate general with a cheerful countenance and undiminished affection. He had even the generosity to transfer the blame from Buckingham to himself, and to give out that the failure was owing to the want of supplies, which it was his own duty to have provided. But in a few days he was assailed by the complaints and entreaties of the Rochellois. At his solicitation they had risen in arms, he was bound in honour to afford them protection; the French army was ready to form the siege of the town, and without powerful aid they must become the victims of their credulity.

<sup>1</sup> Supplement au Traité dogmatique et historique des Edits, 507.

<sup>2</sup> Hardwicke Papers, ii. 13—20, 23—51. Mercure François, xiii. 835. Herbert, Expedition in Ream Insulam. Isnard, Arcis

Sam. Martinianæ Obsidio. Ellis, iii. 2. Strafford Papers, i. 41. Louis at the request of his sister Henrietta, dismissed on the parole Lord Mountjoy, Colonel Grey, and the other officers who had been made prisoners.—Mercure, xiv. Nov.

Charles consoled and encouraged them; he promised never to abandon their cause till the forts erected around La Rochelle were razed to the ground; he bound himself by a solemn instrument to enter into no treaty to which they were not parties, and to accept of no conditions which did not secure to them the enjoyment of their ancient liberties.<sup>1</sup>

The king now called on his council to determine the important question, by what means money might be raised for another expedition, whether in the ancient way, by grant of parliament, or according to the precedent of the last year, by virtue of the prerogative. From parliament Charles anticipated nothing but petitions, remonstrances, and impeachments; in a forced loan his advisers saw a strong provocation to resistance and rebellion. He suffered himself to be persuaded, and a parliament was summoned; but in the course of the week a new plan obtained the royal approbation. The sum of one hundred and seventy-three thousand four hundred and eleven pounds, the charge for the outfit of the intended expedition, was apportioned among the several counties; commissioners were appointed to collect it within the space of three weeks; and the people were admonished that, if the money were dutifully paid, the king would meet the parliament; if not, "he would think of some more speedy way." This attempt threw the whole nation into a ferment. The expression of the public discontent appalled the boldest of the ministers; and the commission was revoked by proclamation, with a promise, "that the king

would rely on the love of his people in parliament." Yet a fortnight did not elapse before he imposed new duties on merchandise by his own authority, and then recalled them on the declaration of the judges that they were illegal.<sup>2</sup> Such vacillating conduct, the adoption and rejection of such arbitrary measures, served only to excite in the nation two different feelings, both equally dangerous to the sovereign,—disaffection and contempt.

Never before had parliament assembled under auspices more favourable to the cause of freedom. The sense of the nation had been loudly proclaimed by the elections, which had generally fallen on persons distinguished by their recent opposition to the court; it was the interest of the Lords to co-operate with men who sought the protection of private property and personal liberty; and the same necessity which had compelled the king to summon a parliament, placed him without resource at the mercy of his subjects. Charles himself saw the propriety of sacrificing his resentments, that he might propitiate the public feeling. All the gentlemen, seventy-eight in number, who, on account of their resistance to the forced loan, had been put under restraint, recovered their liberty; Archbishop Abbot (he lay under suspension for refusing to license, at the king's command, a political sermon)<sup>3</sup> was restored to the exercise of his authority; and not only Williams, whom Buckingham's resentment had consigned to the Tower, but even that obnoxious nobleman the earl of Bristol, though under an impeach-

greater authority, it was wished to have it printed with the license of the metropolitan. On his refusal, it was licensed by Dr. Laud, now made bishop of London, and Abbot was suspended or sequestered on the 9th of October. See the sentence, with his own narrative of the proceedings, in Rushworth, i. 435—461.

<sup>1</sup> Dumont, v. part ii. 538.

<sup>2</sup> Somers's Tracts, iv. 100—104. Prynne, Hidden Works, 86. Bib. Regia, 294. Rym. xviii. 967.

<sup>3</sup> This sermon had been preached by Dr. Sibthorpe, at the Lent assizes at Northampton, and had for its object to prove the legality of the forced loan. To give it

ment of high treason, received permission to take their seats in the upper house. Yet the obstinacy of the king was not subdued; though he had consented to make the trial of a new parliament, he was not prepared to yield to its pretensions; and his speech from the throne was calculated more to irritate than to allay the jealousy of those who trembled for the liberties of their country. "I have called you together," he said, "judging a parliament to be the ancient, speediest, and best way to give such supply as to secure ourselves and save our friends from imminent ruin. Every man must now do according to his conscience; wherefore if you (which God forbid) should not do your duties in contributing what this state at this time needs, I must, in discharge of my conscience, use those other means which God hath put into my hands to save that which the follies of other men may otherwise hazard to lose. Take not this as threatening (I scorn to threaten any but my equals), but as an admonition from him that both of nature and duty hath most care of your preservations and prosperities."<sup>1</sup>

Warned by these words of the temper of their sovereign, the leaders of the country party conducted their proceedings with the most consummate address. They advanced step by step, first resolving to grant a supply, then fixing it at the tempting amount of five subsidies; and, lastly, agreeing that the whole should be paid within the short space of twelve months. But no art, no entreaty, could prevail on them to pass their resolution in the shape of a bill. It was held out as a lure to the king; it was gradually brought nearer and nearer to his grasp; but they still

refused to surrender their hold; the required, as a previous condition, that he should give his assent to those liberties which they claimed as the birthright of Englishmen.

In the last year five of the prisoners on account of the loan had been, at their own request, brought, by writ of habeas corpus, before the King's Bench. As the return, though it stated that they had been committed at the especial command of the king assigned no particular cause, their counsel contended that they ought to be discharged, or at least admitted to bail; but the court refused to allow the exceptions taken in their favour, and remanded them to their respective prisons.<sup>2</sup> This subject was taken up in the house of Commons and the four following resolutions were passed, without a dissenting voice, even on the part of the courtiers:—1. That no freeman ought to be restrained or imprisoned, unless some lawful cause of such restraint or imprisonment be expressed. 2. That the writ of habeas corpus ought to be granted to every man imprisoned or restrained, though it be at the command of the king or of the privy council, if he pray for the same. 3. That when the return expresses no cause of commitment or restraint the party ought to be delivered or bailed. 4. That it is the ancient and undoubted right of every freeman that he hath a full and absolute property in his goods and estate, and that no tax, loan, or benevolence ought to be levied by the king or his ministers, without common consent by act of parliament.<sup>3</sup>

The power of arresting and confining, without designation of cause or intention of trial, was an engine of such powerful efficacy in the hands of government, that the king deter-

<sup>1</sup> Journals, 687.

<sup>2</sup> Rushworth, i. 462—466.

<sup>3</sup> Journals, April 3; May 8, 26; June 10, 21.



mined not to surrender it without a struggle; and since it had been frequently exercised by his predecessors, he chose it, as the most proper question on which he might try his strength in the house of Lords. When the resolutions were brought before them, the point was argued by the attorney-general and king's counsel, on the part of the crown, and by several of the members of the lower house on that of the Commons. The controversy ultimately resolved itself into this question: Was it requisite, in the case of a commitment by the king, that the cause should appear on the face of the warrant? The pleadings occupied several days, and much ingenuity and learning were displayed by the contending advocates. To me, if a person unacquainted with the subtleties and obscurities of the law may venture to pronounce an opinion, it appears that the weight of precedent, as well as of argument, lay in favour of the resolutions.<sup>1</sup>

It would fatigue the patience of the reader to detail the numerous expedients by which Charles, during the space of two months, laboured to lull the suspicions, or exhaust the perseverance of his opponents. At length they solicited his assent to the cele-

brated Petition of Right. It began by enumerating the following abuses of the sovereign authority:—1. That, contrary to Magna Charta and several other statutes, freemen had been required to lend money to the king, and on their refusal had been molested with oaths, recognizances, and arrests. 2. That several persons had been committed to restraint by command of the king, and when they were brought before the judges by writs of habeas corpus, had been remanded, though no cause of commitment were assigned. 3. That in many places soldiers had been billeted in the private houses of the inhabitants, to their great grievance and molestation. 4. And that several commissions had been issued, empowering certain persons to punish, by the summary process of martial law, the offences committed by soldiers, mariners, and their accomplices, though these offences ought to have been investigated and tried in the usual courts of law. It then prayed, that all such proceedings should cease, and never afterwards be drawn into precedents, “as being contrary to the rights and liberties of the subject, and the laws and statutes of the nation.”<sup>2</sup>

Charles was at a loss what answer

<sup>1</sup> The pleadings occupy more than thirty pages in the Journals, 717—731, 746—763. One argument adduced in favour of the crown by the attorney-general is deserving of notice. He told the Lords, that in the reign of Elizabeth, “O’Donnel, an arch-rebel in Ireland, was slain, and his sons, being then infants, were brought over to England, committed to the Tower, and lived there all their lives after. Now,” he asks, “admit that these were brought to the King’s Bench by habeas corpus, and the cause returned, what cause could there be which would hold good in law? They themselves neither had done, nor could do, any offence. They were brought over in their infancy; yet would any man say that it were safe, that it were fit, to deliver such persons?” This argument discloses an instance of that cruel despotism which was occasionally exercised by Elizabeth’s ministers; but what will the reader think

of the unfeeling bigotry of Sir Edward Coke, who, in his reply to the attorney-general, noticing this argument, says, “O’Donnel’s children lost nothing by being confined all their lives in the Tower. They were brought up Protestants; had they been discharged, they would have been Catholics. *Periissent, nisi periissent!*”—Journals, 756, 761.

<sup>2</sup> Commons, April 28—June 2. Lords, 763—835. At the same time the Commons prosecuted Dr. Manwaring for three political sermons, two preached before the king, and the third in the parish church of St. Giles’s. In these he had represented him not as a limited but an absolute monarch. The Lords condemned Manwaring to imprisonment during the pleasure of the house, to a fine of one thousand pounds, to make his submission personally at the bars of both houses, to be suspended for three years, and to be deemed incapable of hold-

to return. To refuse was to forfeit the five subsidies, and to condemn himself to a state of irremediable want; and to assent was, in his opinion to surrender his most valuable rights—to throw away the brightest jewels in his crown. He resolved to dissemble; and his subsequent conduct during the session was formed on a studied plan of hypocrisy and deceit. He ordered the following answer to be written under the petition, in lieu of the accustomed form: "The king willeth that right be done according to the laws and customs of the realm, and the statutes be put in due execution; that his subjects may have no cause to complain of any wrong or oppression contrary to their just rights and liberties, to the preservation whereof he holds himself as well obliged as of his prerogative."<sup>1</sup>

To the patriots, whose hopes had been wound up to the highest pitch, this answer, so evasive and obscure, proved a cruel disappointment. They indulged in the most passionate invective. One saw in it the hand of God visibly chastising the sins of the people; another called on the house to save the nation tottering on the brink of ruin; a third was on the point of naming a certain favourite, when the speaker, starting from the chair, forbade him to proceed, because the king had commanded him, on his allegiance, to prevent such insinuations. A deep and mournful silence ensued; it was broken by Sir Nathaniel Rich; Rich was followed by Philips, Prynne, and Coke, with speeches strongly expressive of their feelings, and repeatedly interrupted by their tears. The house at length ordered the doors to be locked, and re-

solved itself into a committee, to consult on the means of saving the nation. But the speaker, having obtained leave of absence, hastened to the king, and, after a conference of three hours, returned with orders for an immediate adjournment. Had he come a few minutes later, Buckingham would have been voted the "grievance of grievances," the chief cause of all the calamities which afflicted the kingdom.<sup>2</sup>

The next day the debate was resumed; on the third the house, at the suggestion of the Lords, joined in an address to the king for a more explicit answer to their petition. The danger of his favourite had overcome his reluctance. Taking his seat on the throne, he ordered the former answer to be cut off, and the following to be subscribed: "Let right be done as is desired." "Now," he added, "I have performed my part. If this parliament have not a happy conclusion, the sin is yours. I am free of it." This short speech was received with loud and grateful acclamations. The people partook of the feelings of their representatives; to the gloom which had overspread the country succeeded a delirium of joy and congratulation; and the two houses, to testify their satisfaction, hastened to present to their sovereign the five subsidies of the laity, and to pass the bill for five other subsidies granted by the clergy.<sup>3</sup>

By moderate men it was hoped that the patriot leaders, content with this victory, would spare the king any additional mortification. But success enlarged their views and invigorated their efforts. After several long debates, they presented to him a

ing any office, ecclesiastical or civil, or of ever preaching again before the court.—*Journals*, 848, 853, 855, 870. *Commons*, May 14; June 4, 11, 14, 21. Yet Charles gave him an additional rectory, and seven years later made him bishop of St. David's.

<sup>1</sup> *Journals*, 835.

<sup>2</sup> Rushworth, i. 613—622. *Journals*, June 5.

<sup>3</sup> *Journals of Lords*, 843; of *Commons*, June 6, 7, 8, 12.

remonstrance, describing the evils which afflicted, and the dangers which threatened, the kingdom. Religion was undermined by popery and Arminianism; the reputation of the country had been tarnished, and its resources exhausted by a series of unadvised and inglorious expeditions; the dominion of the narrow seas was lost, the shipping of the kingdom diminished, its trade and commerce annihilated. Of these evils, the principal cause, in their opinion, was the excessive power exercised and abused by the duke of Buckingham. Wherefore, they humbly submitted to the consideration of his majesty, whether it were consistent with his safety, or the safety of the realm, that the author of so many calamities should continue to hold office, or to remain near his sacred person.<sup>1</sup>

The country party were fully aware of the angry feelings which such a remonstrance would awaken in the royal breast; but the vote of tonnage and poundage had not yet passed; and it was supposed that Charles would submit to any concession rather than forfeit the most productive branch of the revenue. They soon learned their mistake, and hastily framed a second address, to remind him, that by the petition of right he was precluded from levying duties on merchandise without the previous consent of parliament. It had just been engrossed, and the clerk was employed in reading it at the table, when at nine in the morning they received a summons to attend in the other house.

Charles was seated on the throne. Adverting to the purport of their intended address, he took occasion to explain away all that he had appeared to concede in the petition of right. "Both houses," he observed, "pro-

fessed that they meant not to intrench on my prerogative. Therefore, it must needs be conceived, that I have granted no new, but only confirmed the ancient, liberties of my subjects. Yet I do not repent, nor recede from anything I have promised; and I here declare, that those things whereby men had cause to suspect the liberty of the subject to be trencched upon, shall not hereafter be drawn into example for your prejudice. But, as for tonnage and poundage, it is a thing I cannot want, and was never intended by you to ask, and never meant (I am sure) by me to grant." He then gave the royal assent to the bills of subsidy, and instantly prorogued the parliament.<sup>2</sup>

Thus ended this eventful session, one of the most memorable in our history. The patriots may have been occasionally intemperate in their warmth, and extravagant in their predictions; but their labours have entitled them to the gratitude of posterity. They extorted from the king the recognition of the rights which he had so wantonly violated, and by depriving of force the precedents alleged in defence of such violation, fixed on a firm and permanent basis the liberties of the nation. It is, indeed, true, that these liberties were subsequently invaded—that again and again they were trampled in the dust. But "the petition of right" survived, to bear evidence against the encroachments of the prerogative. To it the people always appealed: to it the crown was ultimately compelled to submit.

It must not however be forgotten, that these men, so eager in the pursuit of civil, were the fiercest enemies of religious, freedom. "What illegal proceedings," exclaimed Sir Robert Philips, "our estates and persons have

<sup>1</sup> Rushworth, i. 631. Journals, 11, 14, 16, 17.

<sup>2</sup> Journals of Lords, 679; of Commons, June 25, 26. Rushworth, i. 640—643.

suffered under, my heart yearns to think, my tongue falters to utter. They have been well represented by divers worthy gentlemen before me. Yet one grievance, and the main one as I conceive, hath not been touched, which is our religion; religion made vendible by commission, and men for pecuniary annual rates dispensed withal, whereby papists may, without fear of law, practise their idolatry, scoff at parliaments, law and all." The result of this and of similar harangues, was a petition to the king, which, besides the accustomed prayer for the execution of the penal laws, begged that priests returned from banishment might be put to death, that compositions for recusancy, that "mystery of iniquity amounting to a concealed toleration," might be abolished, and that "for the clear eradication of popery, and the raising up of a holy generation, the children of recusants might be educated in the principles of Protestantism." Charles returned a gracious answer, observing, that if he had hitherto granted indulgence to the Catholics, it was with the hope that the Catholic princes would extend similar indulgence to their Protestant subjects; and that, if he did not soon meet with such a return, he would even add to the severity of that treatment, which had now been recommended by the two houses.<sup>1</sup>

Before I dismiss the history of this session, it may be proper to notice two instances of political apostasy, of that dereliction of principle for the sake of rank or office, which, since this period, has been so frequently imitated by public men. In former times the crown disdained to purchase the services of its opponents: it was able to bear them down to the ground by the sole weight of the

prerogative. But experience had taught the favourite that the temper of the times and the power of the sovereign were changed; and, in order to break the strength of his adversaries, he sought to seduce the most efficient members from their ranks by the lure of honours and emoluments. Sir John Savile and Sir Thomas Wentworth were men of considerable property in Yorkshire; they had long been rivals, and by their influence divided the county between them. Both had tasted of the royal favour, and both had incurred the royal resentment. At the close of the last parliament, Cottington had induced Savile to desert his friends, and to accept the rank of privy councillor, with the office of comptroller of the household. Wentworth had more deeply offended. He had been appointed sheriff, to prevent his sitting in the house, had been deprived of the office of *custos rotulorum*, and had been imprisoned for his refusal to subscribe to the loan. Yet his patriotism was not proof against the smile of the sovereign. He solicited a reconciliation with Buckingham, and soon after the prorogation it was effected, through the agency of Sir Richard Weston. On one day Savile was created a baron, on the next Wentworth was raised to the same dignity; but the abilities or flattery of the latter gave him the victory over his competitor; and by the end of the year he obtained, with the rank of viscount, the office of lord president of the north.<sup>2</sup>

The contestations in which Charles was engaged with his parliament did not render him unmindful of the danger of La Rochelle. The French minister had resolved to reduce a race of men, who for half a century had braved the authority of the sove-

<sup>1</sup> Journals, 713, 714. Rush. i. 210—212.

<sup>2</sup> Rym. xix. 34, 35. Strafford Papers, App. 430.

sign; and for this purpose he had collected all the power of France to bear at once upon the devoted town. Louis himself, and during the absence of Louis, Richelieu, commanded the siege. Two armies were employed to cut off all communication with the protestants of the interior, and a mole, of stupendous magnitude, which daily advanced from the opposite sides towards the middle of the harbour, threatened in a short time to exclude the expected succours from England. The Rochellois importuned the king with representations of their present misery, and predictions of their approaching ruin; shame and pity urged him not to abandon those who had precipitated themselves into danger through confidence in his promises; and the earl of Denbigh, with a numerous fleet, sailed from Plymouth to their relief. The merit of Denbigh consisted in his marriage with a sister of the favourite; perhaps he only held the command till the prorogation would allow it to be assumed by Buckingham; at least he attempted nothing, but having remained seven days in presence of the enemy, returned to England.

On the same day on which Buckingham had been pronounced the cause of the national calamities in the house of Commons, Dr. Lamb, his physician and dependant, was murdered by a mob in the streets of London. Soon afterwards a placard was affixed to the walls, in these words: "Who rules the kingdom?—The king. Who rules the king?—The duke. Who rules the duke?—The devil. Let the duke look to it,

or he will be served as his doctor was served." He had too much spirit to notice such a menace. The fleet was victualled and reinforced; a more numerous body of troops embarked; and Buckingham hastened to take the command.<sup>1</sup>

But, notwithstanding these preparations, his object was not to fight, but to negotiate. The continental allies of the two sovereigns viewed with real concern the prolongation of a contest, which served to no other purpose than to confirm the Austrian ascendancy in the empire. The task of commencing a reconciliation was intrusted to the Venetian ambassadors at the two courts. They found each monarch willing to admit, but too proud to propose, an accommodation. Expedients were suggested to meet the difficulty: Charles and the duke held repeated conferences with the ambassador; and it was agreed that Buckingham should sail with the expedition to La Rochelle, that he should open a correspondence on some irrelevant subject with Richelieu; and that this should lead, by accident as it were, to a public treaty. His instructions were drawn and delivered to secretary Carleton, who arrived with them at Portsmouth, just in time to witness his assassination.<sup>2</sup>

In the morning, after a sharp debate with some of the French refugees, the duke left his dressing-room to proceed to his carriage. He had entered the hall, when Colonel Friar whispered in his ear. He turned to listen, and at the moment received a wound in the left breast from a

<sup>1</sup> Ellis, iii. 252. Kennet, iii. 45. Rushworth, i. 630.

<sup>2</sup> Carleton's Letters, xxi. I may here mention a most singular treaty recently concluded between Buckingham and the king of Sweden. When the duke was in Spain, he had received, from a discontented Spanish secretary, a plan to seize the island of Jamaica, and to discover certain gold-

mines in the mountains, and on the American continent. Gustavus Adolphus bound himself to support Buckingham in his conquest, and to acknowledge him for an independent prince, on condition that he and his heirs for ever should pay to the kings of Sweden one-tenth part of the produce of the mines. Signed March 8, 1628.—Clarendon Papers, i. 13.

knife, which was left sticking in his heart. Exclaiming the word "villain," he plucked it out, staggered backwards a few steps, and, falling against a table, was caught in the arms of his attendants. They thought it had been a stroke of apoplexy, but the blood which gushed from his mouth and from the wound convinced them of their mistake. The noise was heard by the duchess in her bedchamber. With his sister, the countess of Anglesea, she ran into the gallery, and saw her lord below, weltering in his blood.

In the confusion which followed, it was with difficulty that the French gentlemen escaped the vengeance of those who suspected them of the murder. The real assassin slunk away to the kitchen, where he might have remained unnoticed in the crowd, had he not on a sudden alarm drawn his sword and exclaimed, "I am the man." He would have met with the death which he sought, had not Carleton and Marten saved his life, that they might inquire into his motives and discover his accomplices. About his person was found a paper, on which he had written, "That man is Cowardly base and deserveth not the name of a gentleman or Souldier that is not willing to sacrifice his life for the honor of his God his Kinge and his Countrie. Lett noe man commend me for doeing of it, but rather discommend themselves, as the cause of it, for if God had not taken or harts for or sinnes, he would not haue gone so long unpunished.  
Jo felton."

He said that his name was Felton; that he was a Protestant; that he

had been a lieutenant in the army but had retired from the service, because on two occasions junior officer had been advanced over his head and the sum of eighty pounds, the arrears of his pay, had been withheld and that the remonstrance of the house of Commons had convinced him, that to deprive Buckingham of life, as the cause of the national calamities, was to serve God, the king and the country. When he was told that the duke still lived, he answered with a sarcastic smile, that it could not be, the wound was mortal; that those who reproached him with the guilt of murder, he replied, that "in his soul and conscience he believed the remonstrance to be a sufficient warrant for his conduct;" and, being asked who were his instigators and accomplices, he exclaimed that the merit and the glory were exclusively his own. He had travelled seventy miles to do the deed, and by it he had saved his country. Otherwise he felt no enmity to the duke. Ever as he struck he had prayed "May God have mercy on thy soul."<sup>1</sup>

Thus perished, at the early age of six-and-thirty, George Villiers, duke of Buckingham, lord high treasure of England. That, in addition to a graceful person, he possessed many fascinating qualities, is evident from the hold which he retained on the affections of two succeeding monarchs, whose partiality was never satisfied with heaping upon him wealth, and offices, and honours. But his abilities were not equal to his fortune; nor had he the wisdom to supply the deficiency by the aid of an able and disinterested counsellor

<sup>1</sup> We have several accounts of the duke's assassination by his contemporaries.—See Clarendon, i. 27; Howell's Letters, 203; Wotton's Reliquiæ, 112. I have preferred that by secretary Carleton, who was present. It has been lately published by Mr. Ellis, in his valuable collection of original letters, iii. 256—260. For the correct copy

of Felton's paper I am indebted to Mr. Upcott, of the London Institution, whose valuable collection contains the original document. At the foot of it is written, in another hand, but evidently at the very time, "A note found about Felton when he killed the duke of Buckingham, 23rd Aug 1628."

roud of the attachment of his sovereign, he scorned to seek a friend among his equals; and the advisers whom he met at the council-board and his closet were his own dependants, men who, as they existed by the smile, were careful to flatter the prince of their patron. Hence he persevered in the same course to the end, urging the king to trample on the liberties, braving himself the indignation, of the people. But he had already passed the meridian of his greatness; the Commons had pronounced him the bane of his country; and it is doubtful whether the power of Charles could have screened him from the keen pursuit of his enemies. If he had escaped the knife of the assassin, he would perhaps have fallen by the axe of the executioner.

The king, who lay at a private house in the neighbourhood of Portsmouth, received the announcement of this tragic event with a serenity of countenance which, in those who were unacquainted with his character, excited a suspicion that he was not sorry to be freed from a minister so hateful to the majority of the nation. But Charles lamented his murdered favourite with real affection. If he mastered his feelings in public, he indulged them with greater freedom in private; he carefully marked and remembered the conduct of all around him; he took the widow and children of Buckingham under his special protection; he paid his debts, amounting to sixty-one thousand pounds; he styled him the martyr of his sovereign, and ordered his remains to be deposited among the ashes of the illustrious dead in Westminster Abbey.<sup>1</sup>

The assassin, though repeatedly in-

terrogated, persisted in his former story, that he had no associate, that patriotism had guided his arm, and that religion sanctioned the stroke. When the earl of Dorset threatened him with the torture, "I am ready," he replied; "yet I must tell you, by the way, that I will then accuse you, my lord of Dorset, and no one but yourself." Charles was desirous that he should be put on the rack, but the late proceedings in parliament had taught the judges a salutary lesson, and they unanimously replied that torture was not justifiable, according to the law of England. At the bar Felton pleaded guilty; and stretching out his arm, exclaimed, "This is the instrument which did the fact—this I desire may be cut off before I suffer." He was told by the court that he should have the law, and must be satisfied. He underwent the usual punishment of murder, confessing his delusion, and condemning his offence.<sup>2</sup>

The king did not allow his grief for the death of Buckingham to withdraw his attention from the danger of La Rochelle. The command was given to the earl of Lindsey, and with him sailed Walter Montague, on a secret mission to the king of France. For five days the fleet manœuvred in front of the port, and, after two ineffectual attempts to force an entrance, returned to Spithead. Montague had landed, was introduced to Louis, hastened back to London, and was preparing to return, when La Rochelle surrendered at discretion. To the French monarch the reduction of this town was a glorious and beneficial achievement; it put an end to that kind of independent republic which the professors of the reformed

lowed by one hundred mourners. The whole way was lined by the trained bands. —Ellis, 264, 265.

<sup>2</sup> Rush. i. 651, 2, 3. Howell's State Trials, ii. 367. Ellis, 266, 267, 278—282.

<sup>1</sup> Clarendon, i. 30. Ellis, 259. His body, to prevent insult, was buried privately in Westminster Abbey, on September 17th. The next night, at ten, an empty coffin was borne on the shoulders of six men from Wallingford House to the church, and fol-

creed had erected in the heart of France, and enabled him to consolidate his extensive dominions into one powerful empire. To the king of England it furnished a source of regret and self-accusation. If one of the strongest bulwarks of the Protestant interest had fallen, his was the blame, on him would rest the disgrace.<sup>1</sup>

The nation had scarcely recovered from this shock when the parliament re-assembled. The king, by message, ordered the Commons to take the bill for tonnage and poundage into immediate consideration; but the patriots demanded the precedence for grievances—the saints for religion. The last succeeded; and it was resolved that the “business of the king of this earth should give place to the business of the King of heaven.”

In religion, danger was apprehended from two sources, popery and Arminianism. Of the growth of popery an alarming instance had recently appeared. Out of ten individuals arraigned on the charge of having received orders in the church of Rome, only one had been condemned, and even his execution had been respite. Two committees were appointed; one to inquire on what grounds the judges had refused to accept a portion of the evidence tendered at the trial, another to interrogate the attorney-general by whose authority he had discharged the persons acquitted, on producing bail for their future appearance. It was ordered in addition, that each member should communicate to the house every fact which had come to his knowledge respecting attempts or warrants to stay the execution of the laws against priests or recusants in the country.

<sup>1</sup> *Mercure François*, xiv. 676. *Rush*. i. 647. *Ellis*, iii. 274. The Montague here mentioned was Walter, second son of the earl of Manchester. He afterwards embraced the Catholic religion, was made commendatory

But Arminianism, the spawn of popery as it was termed, had become a subject of greater alarm than popery itself. It was observed that Arminian prelates frequented the court; that the royal favour shone exclusively on Arminian clergymen and that Montague, obnoxious as he was on account of the Arminian tendency of his works, had been raised to the bishopric of Chichester. In addition, Charles, as supreme governor of the church, had lately published an authorized edition of the articles, containing the much-disputed clause “the church hath power to decree rites and ceremonies, and hath authority in matters of faith;” and he had ordered that no doctrine should be taught that differed from those articles; that all controversies respecting outward policy should be decided by the convocation, and that no man should presume to explain the article respecting justification contrary to its obvious meaning, or to take it in any other than the literal and grammatical sense.<sup>2</sup> Against this declaration Sir John Elliot protested in the most enthusiastic language. It was an attempt to enslave the consciences of the people, to make men dependent for their belief and worship on the pleasure of the king and the clergy. He called on the house to record its dissent; and at his persuasion an entry, styled “a vow,” was made on the journals, that the Commons of England “claimed, professed, and avowed for truth, that sense of the articles of religion which were established in parliament in the thirteenth year of Queen Elizabeth, which, by the public acts of the church of England, and by the general and current exposition of the writers of that church, had been

abbot of Pontoise, and a member of the council to the queen regent, Anne of Austria. He attended her at her death.

<sup>2</sup> *Bibliotheca Regia*, 213.



declared unto them, and that they rejected the sense of the Jesuits, Arminians, and of all others, wherein they differed from it." It is plain that the language of this "vow" left the sense of the articles just as doubtful as it was before.

While the zealots laboured to inculcate the religious prejudices of their colleagues, the patriots solicited the attention of the house to the petition of right. The king's printers had prepared for sale fifteen hundred copies of that important document; but Charles ordered them to be destroyed, and substituted another edition, in which the royal assent was suppressed, the evasive answer, which he had been compelled to cancel, was reserved, and the sophistical explanation which he had given at the close of the last session was introduced. What could prevail on the king to employ an artifice so unworthy of an honest man, and yet so easy of detection, is uncertain. It branded his character with the stigma of duplicity: it taught his subjects to distrust his word, even in his legislative capacity. The orators in the commons fearlessly expressed their indignation; and Charles himself, repenting of his folly, sought an opportunity of appeasing the storm which his imprudence had raised. "The complaint," he observed, "of staying men's goods for tonnage and poundage may have a short and easy conclusion. My passing the bill, as my ancestors have had it, my past actions will be concluded, and my future proceedings authorized. I take not these duties appertaining to my hereditary prerogative. It ever was, and still is, my meaning, by the gift of my subjects to enjoy the same. In my speech at the end of last session I did not challenge

them as of right, but showed you the necessity by which I was to take them, till you had granted them, assuring myself that you wanted only time, and not good will. So make good your professions, and put an end to all questions arising from the subject." This conciliating speech extorted a passing murmur of applause.

But the patriots had formed their resolution, and adhered to it with the most inflexible pertinacity. They did not, indeed, refuse to vote the duties, but they required, as a previous condition, reparation to the merchants, whose goods had been attached by the officers of the customs. With this view, they sent a message to the chancellor and the barons of the Exchequer, who, to excuse the judgments which they had given, replied, that the parties aggrieved were not barred from their remedy by due course of law. For the same purpose, they summoned before them the farmers of the customs; but secretary Coke declared that the king would not separate the obedience of his servants from his own acts, nor suffer them to be punished for executing his commands. At these words loud cries were heard from the leaders of the opposition, and the house immediately adjourned.

At the next meeting, Sir John Elliot commenced a most passionate invective against the whole system of government, but was interrupted by the speaker, who informed the house that he had received an order of adjournment from the king. It was replied, that by delivering the message he had performed his duty; and he was now called upon to put to the vote a remonstrance against the levy of tonnage and poundage without the

<sup>1</sup> Journals, Jan. 29. The 13th of Elizabeth was selected for this reason: the legislature had ordered the clergy to subscribe the articles, and to read them in the

churches, and yet neither the English nor the Latin edition of that year contained the clause respecting the authority of the church.

consent of parliament. He refused, and rose to depart; but was forcibly held back by Holles and Valentine, two members, who had purposely placed themselves on each side of the chair. He made a second attempt; the court party hastened to his aid; their opponents resisted; blows were exchanged, the doors locked, and the speaker, notwithstanding his tears, struggles, and entreaties, was compelled to remain sitting. Elliot resumed his harangue, and was followed by Holles, who pronounced, for the approbation of the house, the following protest: "1. Whosoever shall seek to bring in popery, Arminianism, or other opinions disagreeing from the true and orthodox church, shall be reputed a capital enemy to this kingdom and commonwealth. 2. Whosoever shall advise the taking of tonnage and poundage, not being granted by parliament, or shall be an actor or instrument therein, shall be reputed a capital enemy to this kingdom and government. 3. Whatever merchant or other person shall pay tonnage and poundage, not being granted by parliament, shall be reputed a betrayer of the liberties of England, and an enemy to the same."

During this extraordinary proceeding the king had come to the house of Lords. He sent for the serjeant-at-arms, who was not permitted to obey; he then ordered the usher of the black rod to deliver a message from his own mouth; but that officer returned without obtaining admission; at last he commanded the captain of the guard to break open the door; but at the very moment the Commons adjourned to the 10th of March, according to a message previously delivered by the speaker. On that day the king proceeded to the house of Lords, and without sending for

the Commons, dissolved the parliament.<sup>1</sup>

This conduct of the lower house provoked a most bitter controversy between its partisans and those of the crown. The first contended that the king possessed no right to interfere with the office of the speaker, or prevent him from putting any question from the chair; the others, that it was the duty of the house to suspend all proceedings the moment that the order of adjournment was received from the sovereign. It was a question which had never been determined by authority; for, though the Commons had of late years challenged an exclusive right to adjourn themselves, they had been careful not to bring their claim into collision with that of the crown. By Charles himself this disobedience was considered as little short of treason; and he pronounced it the result of a conspiracy to resist his lawful commands. By his order the most violent of the opposite members were singled out for punishment, previously to the dissolution; and Elliot, Selden, Holles, Hobbes, Hayman, Coriton, Long, Valentine, and Stroud, after a hasty examination before the council, were committed some to the Tower, others to different prisons. At their request they were brought up by writ of habeas corpus, and demanded, in conformity with the petition of right, to be discharged or admitted to bail. The case was solemnly argued; and the court might have acceded to the prayer of the prisoners, had not Charles, on the evening before judgment was to be pronounced, by a most unwarrantable interference with the course of justice, placed them all under the custody of the lieutenant of the Tower, forbidden him to present them in court.<sup>2</sup> It was now necessary to v

<sup>1</sup> For all the particulars, see the Journals of both houses; Rushworth, i. 655-672; Whitelock, 12, 13.

<sup>2</sup> This now became a common practice with respect to men committed by council. "When they brought their habeas corpus, they were committed to the Tower, and the lieutenant of the Tower was forbidden to present them in court."

till the next term; and in the interval his anger had leisure to cool. He listened to the representations of the judges; and the nine prisoners had notice that they might be bailed, on giving security for their good behaviour. To this they resolutely objected. It implied a previous offence; it amounted to a confession of guilt. In consequence of this obstinacy, the attorney-general filed a criminal information against Elliot, Holles, and Valentine; they refused to plead, on the ground that the court of King's Bench had no right to sit in judgment on their conduct in parliament. But the objection was overruled, with the aid of this pitiful distinction, that the privilege of parliament will only cover parliamentary behaviour; where the behaviour is extra-parliamentary, it is liable to censure *extra parlamentum*. The accused persisted in declining the authority of the court, and judgment was given, that all three should be imprisoned during the royal pleasure; that before their discharge they should make their submission; and that they should pay fines to the king, Elliot in two thousand pounds, Holles in one thousand marks, and Valentine in five hundred pounds.<sup>1</sup>

The unfortunate result of this last experiment had fixed the determination of Charles. If his opponents charged him, his ministers and judges, with a design to trample under foot the liberties of the people, he was as firmly convinced that they had conspired to despoil him of the rightful prerogatives of the crown. It was in parliament alone that they could hope to succeed; and he resolved to extinguish

that hope, by governing for the future without the intervention of parliament. Nor did he make any secret of his intention. He announced it by proclamation: "We have showed," he said, "by our frequent meeting our people, our love to the use of parliaments: yet, the late abuse having for the present driven us unwillingly out of that course, we shall account it presumption for any to prescribe any time unto us for parliaments, the calling, continuing, and dissolving of which is always in our power, and shall be more inclinable to meet in parliament again, when our people shall see more clearly into our interests and actions."<sup>2</sup>

The king had now no favourite, in the established acceptation of the word. He retained, indeed, the counsellors whom Buckingham had placed around him; but, though he listened to their advice, he was careful to determine for himself. To strengthen the administration, he had recourse to the policy which had already withdrawn Savile and Wentworth from the ranks of the opposition, and resolved to tempt with the offer of favour and office the most formidable of his adversaries in the last parliament. The patriotism of Sir Dudley Digges, though it had stood the test of imprisonment in the cause of the people, dissolved in the sunshine of the court, and his services were secured to the crown by a patent, granting him the mastership of the rolls in reversion. Noy and Littleton, lawyers, who had distinguished themselves by the bitterness of their zeal and the fervour of their eloquence, followed the precedent set them by

corpus, they were removed from pursuivant to pursuivant, and could have no benefit of the law."—Whitelock, 14.

<sup>1</sup> Rushworth, 674—680, 689—701. Whitelock, 14. Elliot, who had previously settled all his property on his son, was confined in the Tower: his petitions for enlargement, on the ground of indisposition, were re-

fused; and this martyr for the liberties of his country died in prison in 1632. Long was prosecuted in the Star-chamber, "for that he, being sheriff, and by his oath to reside within his county, did come to parliament, and reside out of his county." He was fined two thousand marks.—Ibid.

<sup>2</sup> Rym. xix. 62.

Digges; and the two apostates atoned for their former offences by the industry and talent with which they supported the pretensions of the prerogative—the first in the office of attorney, the second in that of solicitor-general.<sup>1</sup>

As secretaries of state, Charles employed Sir John Coke and Sir Dudley Carleton. Of the first, the great merit was industry, the chief failing covetousness. Carleton had learning, talents and activity; but the longer portion of his life had been spent in employment abroad, and his ignorance of the state of parties, and of the feelings of his countrymen, led him more readily to adopt the more arbitrary designs of his sovereign.

Among the lords of the council were the earl-marshal, of whom it was said that "he resorted sometimes to court, because there only was a greater man than himself, and went thither the seldomer, because there was a greater man than himself;" the brother earls of Pembroke and Montgomery, the earl of Dorset,<sup>2</sup> and the earls of Carlisle and Holland;<sup>3</sup> the first a Scottish gentleman, raised and enriched by King James; the second a younger son of Lord Rich, and the favourite of Buckingham. Most of these were men of pleasure rather than of business, and attended in the council, only because it was a duty attached to the offices which they held.

The great seal was still possessed by the lord Coventry, a profound lawyer, who devoted himself almost exclusively to his duties as a judge. He seldom spoke at the board, and when he did, his opinion was usually unfavourable to the illegal and despotic claims of the court. It was not to

be expected that a minister of the character should make any advance in the esteem of his sovereign; yet Charles permitted him to retain the office till his death, through the lapse of sixteen years.

The earl of Manchester, lord privy seal, was also an able and experienced lawyer. He had succeeded Coke as lord chief justice, and gave twenty thousand pounds for the office of lord treasurer, which, at the end of twelve months, Buckingham compelled him to resign for the inferior and less lucrative situation of president of the council, whence he ascended to that of lord privy seal. Poverty made him an obsequious councillor, and his authority served to neutralize in the council the more liberal opinions of the lord keeper.

It was but a few weeks before the murder of Buckingham, that the whipstaff, the idol of Manchester's devotion, had been wrung from his grasp and transferred to the hands of Sir Richard Weston, chancellor of the exchequer. Weston, by his talents and industry, realized the promises of his patron, and the expectations of his sovereign; success inspired him with presumption; and he ventured to raise his eye to that place from which the dagger of Felton had precipitated its late possessor. Charles checked his ambition: he paid his debts twice to the amount of forty thousand pounds, he gave to him lands, and created him earl of Portland, but withheld that monopoly of power which had been enjoyed by Buckingham. Weston had, however, strong claims on the gratitude of his sovereign. In the collection of a revenue derived from illegal sources, he brave

<sup>1</sup> Rym. xix. 254, 347.

<sup>2</sup> He was a person whose duel with Lord Bruce forms the subject of the paper in the Guardian, No. 129.

<sup>3</sup> Many extraordinary stories are told of the prodigality of Carlisle, in Lodge, ii. 45;

Wilson, 703, 704, 730; Weldon, 271. Holland was a younger son of Lord Rich, and by marrying the heiress of Sir Walter Coe obtained possession of the manor of Kensington, and of Holland House. From them he took his titles of baron of Kensington and earl of Holland.

for the service of the king, the hatred of the people; and his enemies, to render him still more odious, added to the charge of injustice the still more unpardonable crime of popery. "I denounce him," cried Elliot, in the last session of parliament "as the great enemy of the commonwealth, who continues to build on the foundation left by his master. In him are centered all our evils; to him are to be attributed the innovations in our religion, and the infringement of our liberties."<sup>1</sup>

But the religious policy of which Elliot complained, whether it were an attempt to innovate or to preserve from innovation, was the work of a very different personage, whose influence and whose fate claim more particular notice. Laud first attracted the attention of the public in his thirty-third year, by an act which he deplored to the last day of his life. He lent the aid of his ministry to a pretended marriage between Mountjoy, his patron, and the lady Rich, whose husband was still living. This offence, the result of servility and dependence, was effaced by his subsequent repentance; and he made himself useful to Neile, bishop of Rochester, who introduced him to the notice of King James. At court the obsequious clergyman crept slowly up the ladder of preferment; at the end of twelve years his services were rewarded with the bishopric of St. David's; and the zeal of the new prelate undertook to withdraw the countess of Buckingham from her attachment to the Catholic worship. Though he failed of converting the lady, he won, what to him was of the first importance, the confidence of her son. The favourite chose him for his confessor

and the depository of his secrets, made frequent use of his pen and abilities, and derived from him advice and information. After the death of James he was rapidly translated from St. David's to Bath and Wells, and from thence to the higher see of London, was introduced into the privy council, and received a promise of Canterbury on the death of Archbishop Abbot. Even the loss of his patron proved to Laud an advantage. Charles, bereft of his favourite, called to himself his favourite's counsellor. He was already acquainted with the sentiments and intrepidity of the prelate, his belief in the doctrine of passive obedience, his zeal to enforce ecclesiastical conformity, and his opposition to the civil and religious principles of the Puritans. He resigned to Laud the government of the church, and Laud marshalled the church in support of the prerogative.

By this time the king had learned to condemn the imprudence which had wantonly plunged him into hostilities with the two great monarchies of France and Spain. Fortunately his enemies, who dreaded not the efforts of a prince engaged in perpetual contests with his parliament, had treated him as a froward child, warding off his blows, but offering no molestation in return. Philip, whether it were through generosity or contempt, sent back without ransom the prisoners made at Cadiz—Louis those taken at Rhé. The return of the latter prince to his capital encouraged the Venetian ambassador to resume the secret negotiation, and to propose again a peace between the two crowns. Few difficulties were opposed, and these were easily overcome.<sup>2</sup> Louis waived his demand of

<sup>1</sup> See the character of these ministers drawn by the pencil of Clarendon, Hist. i. 45—65. The cause of suspicion against Weston was, that his wife and daughters were Catholics. The Catholics themselves were convinced, from the severity with

which he exacted the fines for recusancy, that he was a most orthodox Protestant.—Clarendon, i. 50. There is, however, reason to believe that at his death he became a Catholic.—Strafford Papers, i. 389.

<sup>2</sup> One objection raised by the French was,

the *St. Esprit*, a ship of war, of forty-six guns, built at his expense in the Texel, and illegally captured in the very harbour, by Sir Sackville Trevor; and Charles contented himself with a conditional, and therefore illusory, promise in favour of his allies the French Protestants.<sup>1</sup> By a general clause all conquests made on either side were restored, and the relations of amity and commerce re-established between England and France.<sup>2</sup>

The overtures for a reconciliation between Charles and Philip passed in the first instance through the hands of Gerbier, late master of the horse to the duke of Buckingham, and Rubens, the celebrated Flemish painter.<sup>3</sup> Soon afterwards Cottington proceeded as ambassador to Madrid, and Coloma returned in the same capacity to London. The treaty of 1604 was taken as the basis of pacification; and Philip, by a letter under his own hand, engaged not only to restore to the Palatine such parts of his dominion as were in the actual possession of the Spanish troops, but never to cease from his efforts till he had procured from the emperor terms

satisfactory to the English monarch. In return for this concession was concluded a secret and most important contract, which had for its object to perfect the mysterious treaty respecting Holland, originally commenced by Charles and Buckingham during their visit to the Spanish court; that the king of England should unite his arms with those of Philip for the reduction of the Seven United Provinces, and that the former should receive, as the price of his assistance, a certain portion of those provinces, comprehending the island of Zealand, to be held by him in full sovereignty. It was duly signed by the two ministers, Olivarez and Cottington; but the king wisely hesitated to add his ratification; and by this demur forfeited his right to exact from Philip the performance of the promise in favour of the Palatine. Fortunately however, for him, the whole transaction was kept secret. Had it transpired, his Protestant subjects would have branded him as an apostate from his religious creed; perhaps have driven him in their indignation from his throne.<sup>4</sup>

that Rohan, though professing himself the ally of Charles, would not accept the pacification, because he was in reality the pensioner of Spain (Carleton's Letters, xxv.); so the fact turned out to be. While he was soliciting the French Protestants to join the king of England in defence of their religion, he was in reality following the dictates of the Spanish council, from which he received forty thousand ducats per annum. His brother, Soubize, had also eight thousand. On the conclusion of the peace between Charles and Louis, Rohan concluded another treaty with Philip, by which, in consideration of a supply of three hundred thousand ducats, he engaged that the French Protestants should continue the war; and that, if an independent state should ultimately be established by them in any part of France, the Catholics should enjoy full toleration and equal rights.—See the treaty in Dumont, v. part ii. 582, 583; Siri, *Memorie reconditte*, vi. 646.

<sup>1</sup> To the honour of Richelieu it should be stated that, on the submission of the Protestants by the treaty of Anduze, he displayed none of that religious bigotry which was so conspicuous in the conduct of the

English patriots. To put down all hope of establishing a Protestant republic in the south of France, he abolished the consular government in the towns and the military organization of the inhabitants, ordered their castles and fortifications to be razed and put an end to the general convention of deputies from the churches; but he imposed no restrictions on the Protestant worship, no disabilities on the persons of its professors. They might still remain orthodox Calvinists, but were compelled to become dutiful subjects.

<sup>2</sup> Dumont, 580. Rush, ii. 24. Rym. xix. 60, 87. In consequence of this treaty Canada and Acadia, which had been conquered by two brothers, David and Lewi Kirk, were restored to France.

<sup>3</sup> Gerbier was also a painter in distemper a native of Antwerp. He was trusted both by Buckingham and the king, and, at the Restoration, returned to England with Charles the Second. Walpole has not done him justice in his *Anecdotes of Painting*, 186.

<sup>4</sup> Rym. xx. 219. Clarendon Papers, i. 478; ii. App. xxxii. Carleton's Letters xxviii.—xxxii. lv.

A year had scarcely passed when Charles betrayed the same want of sincerity towards Philip which he had lately manifested towards the Protestants of the Netherlands. The Catholic states of Flanders and Brabant entertained a project of throwing off their dependence upon Spain. Both France and Holland offered assistance; but the States suspected the real intentions of those powerful neighbours, and made application through Gerbier to the king of England. Charles replied that it was not consistent with his honour to announce himself the fomentor of rebellion among the subjects of a prince with whom he was at peace; but that, if they would previously proclaim themselves independent, he would pledge his word to protect them against every enemy. They were, however, unwilling to hazard their safety on the faith of a general promise; and while they sought to bind the king to specific conditions, Philip discovered the clue to the secret, and was careful to secure their wavering allegiance by the presence of a numerous army. Thus both these negotiations failed; but it was proper to notice them, as early instances of that spirit of intrigue, and that absence of common honesty, with which the king was afterwards reproached by his enemies during the civil war.<sup>1</sup>

At home his attention was chiefly occupied with the improvement of the revenue. Though the grant of five subsidies had enabled him to silence the more clamorous of his creditors, and the cessation of war had closed up one great source of expense, yet the patrimony of the crown had been so diminished by the prodigality of his father, that he could not support the usual charges of government without additional aid from the purses

of his subjects. 1. On this account he not only persisted in levying the duties of tonnage and poundage, but augmented the rates on several descriptions of merchandise, and ordered the goods of the refractory to be distrained for immediate payment. 2. He empowered commissioners, in consideration of a certain fine, to remedy defective titles, and pardon frauds committed in the sale of lands formerly belonging to the crown.<sup>2</sup> 3. He called on all persons who had not obeyed the summons to receive knighthood at his coronation, to compound for their neglect. It is certain that in former times such defaulters were punished by fines levied on their property by the sheriff; nor could it be said that the crown had resigned its claim; for the four last sovereigns had issued the usual summons, and their example had been copied by the present. But it had grown to be considered a mere form; the sheriff often neglected to serve the writ, and those who received it paid to it no attention. Now, however, inquiries were instituted; all baronets, all knights made since the coronation, and all possessors of lands rated at forty pounds per annum, were declared liable, and commissioners were appointed to fix the amount of their compositions. Some had the courage to dispute the legality of the demand; but the courts of law uniformly decided against them, and all were ultimately compelled to pay the sum awarded by the commissioners, which in no instance was less than two subsidies and a half. It was a most impolitic expedient, by which the king forfeited the attachment of the landed interest, the best and most assured support of his throne.<sup>3</sup> 4. He contrived to raise a considerable revenue by the revival of the nume-

<sup>1</sup> See the Hardwicke Papers, ii. 55—92.

<sup>2</sup> Rush, ii. 8, 49, 300. Rym. xix. 4, 123, 167.

<sup>3</sup> Rush, ii. 70, 71, 135, 725. Rym. xviii. 278; xix. 119, 175. Bib. Regia, 337.

rous monopolies which had been abated on the successive remonstrances of parliament. But they were formed on an improved plan. Instead of being confined to a few favoured individuals, they were given to incorporated companies of merchants and tradesmen, who, in consideration of the exclusive privilege of dealing in certain articles, covenanted to pay into the exchequer a large sum of money in the first instance, and a fixed duty on the commodity which they manufactured or exposed to sale.<sup>1</sup> As these payments ultimately fell on the consumer, they were equivalent to an indirect tax, imposed by the sole authority of the crown. 5. He extorted fines for disobedience to proclamations, even when he knew that such proclamations were illegal. In the last reign James had persuaded himself that the contagious maladies which annually visited the metropolis, arose from the increase of its size and the density of its population; and, to check the evil, he repeatedly forbade the erection of additional buildings. But, as the judges had declared such proclamations contrary to law, the prohibition was disregarded; new houses annually arose, and the city extended its boundaries in every direction. The rents of these buildings were calculated at one hundred thousand pounds per annum, and Charles appointed commissioners to go through each parish, and summon the owners before them. Some were amerced for their presumption, and ordered, under a heavy penalty, to demolish their houses; others obtained permission to compound for

the offence, by the payment of three years' estimated rent, besides an annual fine to the crown for ever. Such compositions were in reality the chief object of the severities inflicted under these several pretences. All who saw themselves exposed to similar punishment solicited the forbearance of the crown; the terms became the subject of negotiation; and numerous and heavy fines were paid into the exchequer.<sup>2</sup>

At the same time Laud watched with a vigilant eye over the interests of the church. Of late years a general subscription had been set on foot for the purpose of buying up lay impropriations, and of employing them in the support of the ministry. The plan bore the appearance of religious zeal; the contributions were liberal, and the moneys were vested in twelve persons, as trustees for their application. They devoted one portion to the purchase of advowsons and presentations, the other to the establishment of afternoon lectures in boroughs and cities. But it was suspected, perhaps discovered, that the trustees, under the pretence of supporting, were, in reality, undermining the church. The lecturers appointed were nonconforming ministers; and these, as they held their places at the will, were compelled to preach conformably to the commands, of their employers. Laud accused them of being placed in their situations "to blow the bellows of sedition;" and the bishops received orders to watch their conduct, to convert, where it was possible, the afternoon lecture into the duty of catechizing, and to

<sup>1</sup> Thus, for example, the corporation of soap-boilers paid for their patent ten thousand pounds, and engaged to pay a duty of eight pounds on every ton of soap.—See Rush. ii. 136, 143, 186; Rym. xix. 92, 381.

<sup>2</sup> Thus, a Mr. Moor, having erected forty-two dwelling-houses, with stables and coach-houses, in the vicinity of St. Martin's in the Fields, was fined one thousand pounds, and ordered to pull them down before

Easter, under the penalty of another thousand pounds. He disobeyed, and the sheriffs demolished the houses, and levied the money by distress.—See Strafford Papers, i. 206, 243, 262, 263, 360, 372. Other proprietors of houses, alarmed at his fate, offered to compound; and the entire sum raised by this species of oppression is said to have amounted to one hundred thousand pounds.



insist, at all events, that the surplice should be worn, and the service read by the lecturer. The attorney-general compelled the feoffees to produce their books and deeds in the court of the Exchequer; and, after counsel had been heard on both sides, a decree was made, that, as they had usurped on the prerogative by erecting themselves into a body corporate, and had acted contrary to the trust reposed in them, by not annexing the impropriations to the livings of perpetual incumbents, they should render an account of all the moneys received, and of all the impropriations and advowsons purchased, and that both these should be forfeited to the king, to be employed by him for the benefit of the church, according to the original intention of the subscribers. A hint was added, that the feoffees would, moreover, be called before the Star-chamber for contempt; but that threat was never put in execution.<sup>1</sup>

Charles had been advised to issue a proclamation forbidding preachers to treat in the pulpit any of the subjects connected with the Arminian controversy. The object was to put an end to the acrimonious disputes which agitated the two parties; but the prohibition was repeatedly disregarded by the zeal of the polemicists, and the offenders on both sides were, with apparent impartiality, equally summoned to answer for their presumption before the

court of High Commission. Their lot, however, was very different. The orthodox divines usually confessed their fault, and were dismissed with a reprimand; the Puritans, of a more unbending character, suffered the penalties of fine, imprisonment, and deprivation. The consequence was, that many, both ministers and laymen, sought to leave a land where they could not enjoy religious freedom, and, migrating to America, laid the foundations of the state of New England.<sup>2</sup>

There was, however, one minister, of the name of Leighton, who, by his ungovernable zeal, drew on himself a more severe visitation. In a book entitled "An Appeal to Parliament, or Sion's Plea against Prelacy," he maintained that God's children were subjected to a most cruel persecution; that the bishops were men of blood; that the institution of the prelacy was antichristian and satanical; that the queen was a daughter of Heth; and that the king was abused by the bishops, to the undoing of himself and his people. Language so scurrilous and inflammatory quickly attracted the notice of Laud. At his instigation Leighton was brought before the lords in the Star-chamber; his plea, that he had written through zeal, and not through malice, was disregarded; and the court adjudged him to suffer a punishment, the severity, or rather cruelty, of which will astonish the reader. The offending divine was

<sup>1</sup> Rush. ii. 150—152. Laud's Diary, 47.

<sup>2</sup> I may here mention an occurrence which has been often misrepresented. The Sabbatarian controversy still divided the churchmen and the Puritans. On the 19th of March, 1632, the judges, Richardson and Denham, made an order at the assizes in Somersetshire, to be read by the ministers of the several parishes, forbidding wakes and other amusements on the Lord's-day. The king disapproved of the order, and sent his father's book of sports, which has been already mentioned, to be read in opposition to it. This, it has been contended,

was acting in the very face of an act of parliament for the better observance of the Sabbath; but a reference to the act will show that it was in exact conformity with it. The act distinguished two kinds of sports,—unlawful sports, such as bear-baiting, bull-baiting, interludes, and common plays, all which were forbidden without exception; and lawful sports and pastimes, which were allowed to all persons within their own parishes, but forbidden to them in other parishes, because the meetings of the inhabitants of different parishes frequently occasioned quarrels and bloodshed.—See both in Bibliotheca Regia, 233—242.

condemned to pay a fine of ten thousand pounds, was degraded from the ministry, was publicly whipped in the palace yard, was placed for two hours in the pillory, and, in conclusion, had an ear cut off, a nostril slit open, and a cheek branded with the letters S. S. to denote a sower of sedition. These, however, were but the sufferings of one day. At the expiration of a week he underwent a second whipping, he again stood in the pillory, he lost the remaining ear, he had the other nostril slit, and the other cheek branded. Neither was his punishment yet terminated. Marked, degraded, mutilated as he was, he returned to prison, to be immersed there for life, unless the king should at any subsequent period think him a fit object for mercy; but from Charles he found no mercy, and it was only at the end of ten years that he obtained his liberty from the parliament, then in arms against the king.<sup>1</sup> Leighton was a dangerous fanatic, capable, as appears from his writings, of inflicting on others the severities which he suffered himself. But this can form no apology for the judges who awarded a punishment so disproportionate to the offence. *They* sought to shelter themselves under the plea that he might have been indicted for treason, and therefore, instead of complaining of the sentence, ought to have been thankful for his life.

Both Charles and his adviser, Laud, were aware that the Puritans accused them of harbouring a secret design to restore the ancient creed and worship. The charge was groundless. It originated in that intolerant zeal which mistook moderation for apostasy, and was propagated by those whom interest or patriotism had rendered hostile to the measures of

government. Charles conceived it expedient to silence this murmur, by giving public proof of his orthodoxy. He carefully excluded all English Catholics from the queen's chapel at Somerset House; he offered in successive proclamations a reward of one hundred pounds for the apprehension of Dr. Smith, the Catholic bishop; and he repeatedly ordered the magistrates, judges, and bishops to enforce the penal laws against the priests and Jesuits. Many were apprehended, some were convicted. But the king, having ratified for the third time the articles of the marriage treaty, was ashamed to shed their blood merely on account of their religion. One only suffered the penalties of treason, through the hasty zeal of judge Yelverton; of the remainder, some perished in prison, some were sent into banishment, and others occasionally obtained their discharge on giving security to appear at a short notice.<sup>2</sup>

The same motive induced the king to act with lenity towards the lay recusants. The law had left it to his option to exact from them the fine of twenty pounds per lunar month, or to take two-thirds of their personal estate; but, in lieu of these penalties, he allowed them to compound for a fixed sum to be paid annually into the exchequer. Many hastened to avail themselves of the indulgence. The amount of the composition was determined at the pleasure of the commissioners; and the Catholic, by the sacrifice, sometimes of one-tenth, sometimes of one-third of his yearly income, purchased not the liberty of serving God according to his conscience (that was still forbidden under severe penalties), but the permission to absent himself from a form of worship which he disap-

<sup>1</sup> Rush. ii. 56. Howell's State Trials, iii. 383.

<sup>2</sup> Rush. i. 645; ii. 11, 13. Prynne, Hid-

den Works, 123. Clarendon Papers, i. 353, 485. Challoner, ii. 123. Bibliotheca Regia, 35—39.

proved. The exaction of such a sacrifice was irreconcilable with any principle of justice; but, inasmuch as it was a mitigation of the severities inflicted by the law, the recusants looked upon it as a benefit, the zealots stigmatized it as a crime in a Protestant sovereign.<sup>1</sup>

Before I conclude this chapter, I may notice the efforts of Charles in favour of his sister, and her husband the Prince Palatine. The king of Denmark had proclaimed himself the champion of their cause; but his career was short, and he was glad to preserve by a hasty pacification his hereditary dominions from the grasp of that enemy whom he had wantonly provoked. In his place the kings of England and France endeavoured to call forth a more warlike and enterprising chief, the famed Gustavus Adolphus, king of Sweden. By their good offices a truce for six years was concluded between that prince and his enemy the king of Poland; and Gustavus, landing in the north of Germany, astonished the world by the number and rapidity of his conquests. Nothing could resist the impetuosity of the Swedish hero. Armies were dissipated, fortresses reduced, and whole nations subdued. Charles had agreed to aid him with a body of six thousand infantry; but, that he might not offend the emperor by too open an avowal of hostility, he prevailed on the mar-

quess of Hamilton to levy the men, and to conduct them to Germany, as if it were a private adventure, undertaken at his personal risk. Gustavus had formerly promised to replace Frederic on the throne; but, when he saw himself in possession of a great part of the Palatinate, his views changed with his fortune; he began to plan an establishment for himself, and to every application from the king and the prince he returned evasive answers, or opposed conditions which it would have been difficult for Charles, disgraceful to the Palatine, to perform. Vane, the English ambassador, was recalled, and Hamilton received orders to contrive some pretext for his return; but the prince, deluded by his hopes, still followed the Swedish camp, till his protector fell in the great battle of Lutzen. Frederic did not survive him more than a fortnight, dying of a contagious fever in the city of Mentz; and all the efforts of his son Charles Louis proved as fruitless as those of the father. The imperialists routed his army in Westphalia; the earl of Arundel returned with an unfavourable answer from the diet of Ratisbon; and the reception given to the proposals made in his favour by the English envoy in the congress of Hamburg served only to demonstrate the utter hopelessness of his pretensions.<sup>2</sup>

<sup>1</sup> See Appendix, LLL.

<sup>2</sup> Rush. ii. 35, 53, 59, 83—87, 130, 166.

Memoirs of Hamilton, 7—9, 15—25. Clarendon Papers, i. 622, 678.

## CHAPTER V.

THE KING IN SCOTLAND—DISCONTENT IN ENGLAND—IN IRELAND—OPPRESSIVE CONDUCT OF WENTWORTH—IN SCOTLAND—NEW SERVICE-BOOK—COVENANT—RIOTS—KING MARCHES AGAINST THE COVENANTERS—PACIFICATION OF BERWICK—SCOTTISH AND ENGLISH PARLIAMENTS—A SECOND WAR—SCOTS OBTAIN POSSESSION OF NORTHUMBERLAND AND DURHAM—GREAT COUNCIL AT YORK—TREATY TRANSFERRED TO LONDON.

SCOTLAND, at the death of James, enjoyed a state of unprecedented tranquillity; but the restlessness and imprudence of the new king gradually provoked discontent and rebellion. It had been suggested that he might obtain a permanent supply for his own wants, and at the same time provide a more decent maintenance for the Scottish clergy, if he were to resume the ecclesiastical property which, at the Reformation, had fallen to the crown, and during the minority of his father, had been alienated by the prodigality of the regents Murray and Morton. The first attempt failed, from the resistance of the possessors; in the second he proved more successful. The superiorities and jurisdictions of the church lands were surrendered, and a certain rate was fixed, at which the tithes might be redeemed by the heritors, and the feudal emoluments be purchased by the crown. Charles congratulated himself on the result; but the benefit was more than balanced by the disaffection which it created. The many powerful families who thought themselves wronged did not forget the injury; in a few years they took the most ample revenge.<sup>1</sup>

<sup>1</sup> Burnet's Own Times, i. 20. Large Declaration, 1—9. Balfour, ii. 128, 139, 151, 153, 154. Statutes of 1633.

<sup>2</sup> It was remarked by some that the Scots would imitate the Jews, and that their hosannas at his entry would be changed

The king, in imitation of his father, resolved to visit his native country. He was accompanied by a gallant train of English noblemen, and was received by the Scots with the most enthusiastic welcome.<sup>2</sup> At his coronation, which was performed by the archbishop of St. Andrew's they gave equal demonstrations of joy, though several parts of the ceremony shocked their religious feelings, and the officious interference of Laud wounded their national pride.<sup>3</sup>

The next day Charles opened the Scottish parliament after the ancient form. A liberal supply was cheerfully voted to the sovereign—but on two points he met with the most vigorous opposition. When it was proposed to confirm the statutes respecting religion, and to vest in the crown the power of regulating the apparel of churchmen, an obstinate stand was made by all the members, who conscientiously objected to the jurisdiction of the bishops. The king sternly commanded them not to dispute, but to vote; and, pointing to a paper in his hand, exclaimed, "Your names are here! to-day I shall see who are willing to serve me." The lord register solemnly affirmed that the

into "Away with him, crucify him!" Leslie, bishop of the Isles, mentioned this at dinner to Charles, who immediately turned thoughtful, and ate no more.—MS. letter of 30th Sept. 1633.

<sup>3</sup> Balfour, ii. 195—199. Rushworth, i. 181, 182. Clarendon, i. 79.

majority had given their voices in favour of the bills; the contrary was afterwards as strenuously asserted by their opponents.<sup>1</sup> The notion that the king entertained sentiments favourable to popery had been maliciously circulated in Scotland; the ceremonies at his coronation, and his policy respecting the church were deemed confirmatory of the charge; and, though he surrendered to the importunity of petitioners most of the money voted by the parliament, his visit served neither to strengthen the attachment, nor to dissipate the distrust of his countrymen.<sup>2</sup>

During the six years which followed his return from Scotland, England appeared to enjoy a calm, if that could be called a calm which continually gave indications of an approaching storm. Charles governed without a parliament, but took no pains to allay, he rather inflamed, that feverish irritation which the illegality of his past conduct had excited in the minds of his subjects. Nor can it be said in his excuse, that he was ignorant of their dissatisfaction. He saw it, and despised it; believing firmly in the divine right of kings, he doubted not to bear down the force of public opinion by the mere weight of the royal prerogative.

He had scarcely time to repose from the fatigue of his journey when Abbot died, and he gladly seized the oppor-

tunity to place Laud on the archiepiscopal throne.<sup>3</sup> The new metropolitan wielded the crozier with a more vigorous grasp than his predecessor. He visited his province, established uniformity of discipline in the cathedral churches, enforced the exact observance of the rubric, and submission to the different injunctions; and, by strictly adhering to the canon which forbade ordination without a title, cut off the supply of non-conforming ministers for public lectures and private chapels. After his example, and by his authority, the churches were repaired and beautified; at his requisition the judges unanimously confirmed the legality of the proceedings in the ecclesiastical courts; and by his advice the king, in defiance of every obstacle, undertook to restore St. Paul's cathedral to its ancient splendour. In these pursuits there was certainly much commendable in itself and becoming his station; but the jealousy of the Puritans had long ago marked him out as an enemy; the most innocent of his actions were misrepresented to the public, and whatever he attempted was described as an additional step towards the introduction of popery. A succession of written papers dropped in the streets, or affixed to the walls, or secretly conveyed into his house, warned him of the punishment which his apostasy deserved, and which the orthodoxy of

<sup>1</sup> Charles, in his "Large Declaration," declares this "a calumny so foul and black as that they themselves did know it to be most false.....by surveying their own papers and the papers of many hundreds present, who took notes of the number of voices."

<sup>2</sup> Balfour, ii. 199—201. Rushworth, ii. 182—187. Burnet's Own Times, i. 22.

<sup>3</sup> At this time Laud made the following entries in his Diary: "Aug. 4. News came of the lord archbishop of Canterbury's death. The king resolved presently to give it to me. That very morning at Greenwich there came one to me seriously, and that avowed ability to perform it, and offered me to be a cardinal. I went presently to the king,

and acquainted him both with the thing and the person. Aug. 17. I had a serious offer made me again to be a cardinal. I was then from court: but so soon as I came thither (which was Wednesday, Aug. 21), I acquainted his majesty with it. But my answer again was, that somewhat dwelt within me which would not suffer that till Rome were other than it is." That this answer does not display any strong antipathy to the offered dignity may be admitted; but it certainly does not warrant the inference which his enemies afterwards drew from it. See his Diary, 49, and his Troubles, 388. That, however, there was more in the offer than is generally supposed, will appear from the next page.

his opponents was already prepared to inflict.<sup>1</sup>

About this time the jealousy of the Puritans was roused to the highest pitch by their knowledge of the fact that an accredited agent from Rome had received the royal permission to reside in London. Two motives had induced the pope, Urban VIII., to make this appointment. 1. Towards the end of August, 1633, Sir Robert Douglas arrived in Rome with the character of envoy from the queen, and a letter of credence signed by the earl of Stirling, secretary of state for Scotland. It was soon discovered that the real object of his mission was to obtain, through her intercession, the dignity of cardinal for a British subject, under the pretext that such a concession would go far towards the future conversion of the king. Urban, suspicious of some political intrigue, resolved to return no answer till he should have ascertained from whom this unexpected project had originated, and in whose favour the hat was solicited; and with that view he deemed it expedient to despatch an envoy from Rome, who might communicate personally with the queen. 2. Another motive was furnished by

the controversy among the English Catholics respecting the expediency of appointing a bishop for the government of their church. The secular clergy and the regulars, with their respective adherents, had taken opposite sides on this question; and the warmth with which it was discussed in England had provoked a similar opposition between the episcopal body and the monastic orders in France, an opposition so violent and irritating as to threaten for some years a schism in the French church. To appease this storm was an important object with Urban: and, distrustful of the representations of parties interested in the dispute, he determined to appoint a confidential minister to collect information on the spot. The first whom he employed was Leander, an English Benedictine monk, with whose proceedings we are very imperfectly acquainted; but Leander was soon followed by Panzani, an Italian priest, of the congregation of the Oratory, who was instructed to confine himself entirely to the controversy among the Catholics, and on no pretext whatever to allow himself to be drawn into communication with the new archbishop of Canterbury.

<sup>1</sup> Laud's Diary, 44, 47. These reports and menaces urged the archbishop to prove himself a true Protestant by his vigilance against the Catholics. In a letter to Lord Strafford we are told that he had lately accused before the council a schoolmaster and innkeeper at Winchester, for bringing up Catholic scholars; that he had procured an order for the calling in and burning of a Catholic book, entitled, "An Introduction to a Devout Life," which he had previously licensed, with the change of the word *mass* into "*divine service*;" and that Morse, a missionary, who had distinguished himself by his attention to the sick during the contagious fever in St. Giles's, and had, by his charity, induced many to become Catholics, had been tried and convicted.—Strafford Papers, ii. 74.

<sup>2</sup> Che sotto quasivoglia pretesto non trattasse col arcivescovo di Cantuarua.—Barberini's despatch of 13 Mar. 1635. Why so? Had it then been discovered at Rome

that Laud was the man for whom the dignity of cardinal had been at first solicited? It is not improbable. Douglas left England to make the request about the middle of July, and reached Rome about a month later. Now the offer of that dignity was made to Laud in England on the 4th, and repeated on the 17th of August.—Laud's Diary. This coincidence in point of time furnishes a strong presumption; and to it may be added that, in December, Du Peron, the chief clergyman in the queen's household, proceeded to Paris, and to Bichi the nuncio, spoke highly in favour of Laud with regard to his religious principles, and his willingness to show favour to the Catholics.—Despatch of Bichi to Barberini, Dec. 1633. Hence I am inclined to think that the proposal of the cardinal's hat came to the new archbishop from Queen Henrietta under the notion that there might be some truth in the reports, which had been so long current, of Laud's secret attachment to the Roman Catholic creed.

Panzani was graciously received by the queen, and assured, through secretary Windebank, that he might remain in safety. From his despatches appears that among the most zealous churchmen there were some who, alarmed at the increasing numbers and persevering hostility of the Puritans, began to think of a re-union with the see of Rome, as the best safeguard for the church of England. Of this number were secretary Windebank, Cottington, Goodman, bishop of Gloucester, and Montague, bishop of Chichester. The latter was become an enthusiast in the cause. He conversed thrice with the Italian on the subject, and assured him that the English clergy would not refuse to the pope a supremacy purely spiritual, such as was admitted by the French Catholics; that among the Prelates he relates three only, those of Durham, Salisbury, and Exeter, would object; and that Laud, though he was too timid and too cautious to commit himself by any open avowal, was in reality desirous of such an union. Though it was plain that little reliance could be placed on the assurances made by men who had not the courage to communicate their thoughts to each other, much less to sound the disposition of their sovereign, Panzani transmitted the information to his court, and received for answer that, on a subject so delicate and important, it was his duty to hear what was said, but to abstain from giving any pledge on the part of the pontiff; and that, if these advantages should subsequently assume a more tangible shape, the negotiation would be intrusted to a minister of higher rank and more approved experience. Panzani now applied himself to the other objects of his mission. Charles, at his solicitation,

put an end to the vexations to which the Catholics were still subject from the searches wantonly and maliciously made in their houses at the pleasure of the pursuivants; and was induced, by the hope of benefiting his nephew the Palatine, through the mediation of Urban, to consent to the opening of an official intercourse between the two courts, through accredited agents, who should, however, assume no public character, but appear as private individuals. For this purpose Sir William Hamilton, the brother of Lord Abercorn, repaired to Rome, where, as gentiluomo of the queen of England, he renewed in her name the request of the purple for a British subject. On this occasion, however, that subject was named: and proved to be Conn, a Scottish clergyman, the favourite of Cardinal Barberini. But Hamilton was furnished also with private instructions from the king to solicit the good offices of the pope in favour of the king's nephew, the son of the deceased Palsgrave; to promote the intended marriage of his niece, the daughter of the same prince, with the king of Poland; and to obtain the papal approbation of the oath of allegiance, or of some other instrument of similar import. Should he see a prospect of succeeding in any one of these demands, he was authorized to promise, what Charles had hitherto refused, the royal consent to the permanent residence of a Catholic bishop in England.<sup>1</sup>

The person selected in Rome to be the successor of Panzani was Conn himself, the queen's nominee for the purple. From Charles and Henrietta he met with the most gracious reception; but with all his efforts failed to effect an understanding between the king and the pontiff. Urban constantly refused to employ his in-

<sup>1</sup> It is plain from the original papers that, whatever hopes or designs might be entertained by others, Charles, in assenting to

the mission of Hamilton, had none but political objects in view. See the Clarendon Papers, i. 337, 348, 355, 445.

fluence in favour of a Protestant, to the prejudice of a Catholic prince; and Charles as obstinately refused to admit of any form of oath which did not include a full and unequivocal disclaimer of the deposing power. Still the presence of Conn proved a benefit to the English Catholics. He was able, by his remonstrances on different occasions, to check the zeal of Archbishop Laud, who, through anxiety, as it was reported, to shake off the imputation of popery cast upon him by the Puritans, sought to establish the belief of his orthodoxy by the rigorous enforcement of the penal laws.<sup>1</sup> Conn remained three years in England; introduced to the king and queen, his successor, Count Rosetti, a young layman, of pleasing manners and courtly acquirements; and then hastened to Rome to receive, as the reward of his services, the object of his ambition. He died, however, a few days after his arrival, to the grief of the queen and of Barberini.<sup>2</sup>

The reception given to these envoys was a fatal error on the part of the king; for it provoked in the minds of many a doubt of his attachment to the reformed faith, and enabled his enemies to raise the cry that religion was in danger, a powerful engine to set in motion the prejudices and passions of the people. This formed one great cause of the public discontent; but to it must be added several others of the most irritating tendency, which were furnished by the op-

pressive proceedings in the courts of justice, and the illegal expedient adopted by the king to raise money without the consent of parliament.

I. The reader is aware that the court of the Star-chamber was established, or at least moulded in a new form, in the third year of Henry VII., for the purpose of checking the presumption of those powerful lords who at a distance from the capital overawed the proceedings, and set at defiance the authority, of the ordinary courts of law. It was made to consist of two out of three great officers of state, a spiritual and temporal lord, members of the privy council, and two of the twelve judges; and was authorized to examine offenders, and to punish them according to the statutes of the realm. When it had fallen almost into disuse, it was restored in full vigour, and with the most beneficial result, by Cardinal Wolsey; and from that period continued through several reigns to grow in importance, perpetually adding to its jurisdiction and making itself feared by the severity of its judgments. Whatever by legal ingenuity could be tortured into a contempt of the royal authority might be brought before it; and the solemnity of the proceedings, the rank of the judges, and the manner in which they delivered their opinion gave it a superiority in the eyes of the public over every other judicial tribunal.<sup>3</sup>

But, in proportion as it gained i

<sup>1</sup> From a MS. abstract of Conn's despatches in my possession.

<sup>2</sup> At the end of Lord Nugent's "Memoirs of Hampden" (ii. App. A.) is an account of the mission of Panzani, Conn, and Rosetti, taken from the "Guerre Civile" of Mayolino Bisaccioni. But the comparison of that account with the despatches of those envoys shows that Bisaccioni was as ignorant of their real history as he was of the politics and conduct of parties in England. In addition the reader may consult the Memoirs of Gregorio Panzani (131-261), edited by Rev. Jos. Berington, of the au-

thenticity of which there can be no doubt, and also Mr. Butler's Historical Memoirs of British Catholics, 3rd edition, vol. ii. 31-369. It appears to me plain that Charles had no idea of a re-union between the churches; and that, if Laud ever cherished such a project, he kept it to himself. Panzani never saw him; nor is there any thing in the correspondence except the assertion of Montague, to make it appear that the archbishop was favourable to it.

<sup>3</sup> Sir Thomas Smith, Commonwealth of England, l. iii. c. 3. "It was a glorious sight on a star-day, when the knights of the



ignity and importance, it lost in reputation. The judges (every privy councillor was now admitted) were so in many cases the prosecutors: they generally founded their decisions on precedent rather than law; and it was often believed that the wish to humble an adversary, the necessity of applying the wants of the exchequer, and the hope of purchasing the royal favour, induced them to punish without sufficient proof of guilt, or beyond the real demerit of the offender. Of such conduct one instance has been already mentioned in the fate of Leighton; a few more may be added, which, from their influence on the subsequent events, are deserving of particular notice.

1. When Bishop Williams resigned the seals, he retired, after an ineffectual attempt to regain the royal favour, to his diocese of Lincoln. There his wealth enabled him to live with princely magnificence, while his resentment led him to indulge occasionally in rash and indecorous expressions. These were carefully conveyed by the sycophants around him to the ear of his great rival Laud, and by Laud communicated with suitable comments to the king.<sup>1</sup> It had been advised by Williams, that the Puritans should be gained by lenity and indulgence, instead of being alienated by severity and prosecutions; and, as the counsel had been favourably received, he hesitated not to repeat it to two officers of the High Commission court. In a few days an information was filed against him in the

Star-chamber, for publishing tales to the scandal of his majesty's government, and revealing secrets of state contrary to his oath of a privy councillor. He gave in his answer, and the prosecution was allowed to sleep during several years, through the influence of Cottington, who began to oppose Laud. He had even appeased the king, and directions had been given to draw out his pardon, when on some new provocation the proceedings recommenced,<sup>2</sup> and, an attempt having been made to weaken the credit of Pridgeon, a witness for Williams, the bishop or his agents sought to support it by inducing the witnesses against Pridgeon to revoke or amend their depositions. The attorney-general immediately dropped the first information, and substituted a second, charging the prelate with the offence of tampering with the king's witnesses. After a patient hearing of nine days, the court adjudged him to be suspended from the episcopal office, to be imprisoned in the Tower during the royal pleasure, and to pay a fine of ten thousand pounds. Laud, who was one of the judges, and was considered by the public as the great enemy of the accused, took the opportunity of vindicating his own character. Delivering his judgment, he declared that he had repeatedly interceded for Williams on his knees; but that the petitions of the bishop for favour were so far from expressing repentance and humility, that they served rather to offend than to appease his sovereign.

garter appear with the stars on their garments, and the judges in their scarlet; and in that posture they have sate, sometimes from nine in the morning till five in the afternoon, before every one had done speaking their minds in the cause that was before them. And it was usual for those that came to be auditors at the sentence given in weighty causes to be there by three in the morning to get convenient places and standing."—Rushworth, ii. 473.

<sup>1</sup> Those who wish to learn the dishonest artifices by which these two prelates sought to ruin each other in the estimation of the king, may consult Hacket's *Life of Williams*, comparing it with Heylin's *Life of Laud*. That Laud dreaded at all times the influence of Williams, is evident from his dreams respecting that prelate, which he has recorded in his *Diary*, 7, 8, 10, 38, 41, 48.

<sup>2</sup> *Strafford Papers*, i. 480, 490, 504, 506, 516.

Still the enemies of Williams were not satisfied. The officers who took possession of the bishop's effects found among his papers two letters from Osbaldeston, a schoolmaster, informing his patron, in one passage, that "the great leviathan (Portland, the late treasurer) and the little urchin (Archbishop Laud) were in a storm," and, in another, that "there was great jealousy between the leviathan and the little meddling hocuspocus." This discovery gave rise to another information against Williams, for having plotted with Osbaldeston to divulge false news, to breed disturbance in the state, and to excite dissension between two great officers of the crown. On the trial it was held that to conceal a libellous letter respecting a private individual was lawful, but to conceal one respecting a public officer was a high offence, and the judgment of the court was, that the bishop of Lincoln should pay a fine of five thousand pounds to the king, damages to the amount of three thousand pounds to the archbishop, should make his submission, and should suffer imprisonment during pleasure.<sup>1</sup>

2. William Prynne was a barrister of Lincoln's-inn, a man of a morose and gloomy disposition, deeply imbued with the doctrines of Puritanism, and warmly animated against the prevailing vices of the age. He had persuaded himself that the dissolute lives of some young men among his acquaintance originated in the habit of frequenting the theatre; and to warn the public against that great and growing evil—to prove that the nation was rapidly lapsing into paganism, he wrote a ponderous volume

of a thousand quarto pages, entitled *Histriomastix*. He complained that within the two last years not less than forty thousand copies of plays had been exposed to sale; that they were printed on better paper than many Bibles, and bought up with greater avidity than the choicest sermons; and that the theatres in the capital those chapels of the devil, had increased to six, double the number which existed in Rome under that absolute emperor Nero. The players were represented as the ministers of Satan and the haunters of plays as running in the broad road to damnation. His attacks were equally directed against the masks at court and the amusements of the common people. Dancing was the devil's profession, and every pace in a dance was a step towards hell. Dancing made the ladies of England, shorn and frizzed madams, to lose their modesty; dancing had caused the death of Nero, and had led three *worthy* Romans to death the emperor Gallienus. With equal bitterness he inveighed against hunting, May-poles, public festivals, the adorning of houses with greenery at Christmas, cards, music, and games. Neither did the church escape. The silk and satin divinities with their pluralities, their bellowing chants in the church, and their dancing and cringing to the altars, were subjected to the severe lash of the satirist. Prynne had long been marked character; Laud had already summoned him twice before the High Commission court, and had twice seen the victim snatched from his grasp by prohibitions from Westminster Hall. But this last publication subjected him to the jurisdiction of a mo-

<sup>1</sup> Rushworth, ii. 416—449, 803—817. Howell, iii. 770—824. If we believe only one half of the account of these prosecutions, as recorded by Hacket, we must admit that, to molest the obnoxious prelate, the king and his adviser scrupled not to

violate every principle, and even every accustomed form of justice.—Hacket, ii, —140.

<sup>2</sup> *Canterburies Doome*, 507. Heyl, 155, 173, 230.

dependent court. The prelate hastened to read to the king the passages which appeared to reflect upon him and the queen dancing at court; and Noy, the attorney-general, was ordered to indict Prynne in the star-chamber, as the author of a dangerous and seditious libel. It was in vain that he disclaimed upon oath any design of including the king or queen, or lords, or virtuous females, within the indiscriminate censure of his book; and that he expressed his regret for several passages, couched in language which he acknowledged to be intemperate and unjustifiable. He was adjudged by the court to be put from the bar, excluded from Lincoln's-inn, and deprived of his degree in the university; to stand in the pillory in Westminster and in Cheapside; to lose an ear in each place; to have his book burnt before his eyes by the common hangman; to pay a fine of five thousand pounds; and to suffer perpetual imprisonment. This punishment, which, though the queen interceded in favour of the victim, was inflicted in all its rigour, deserved and incurred the reprobation of the public; but when the Puritans indulged in invectives against the court by which the judgment was given, they should have recollected the still more barbarous judgment which they had pronounced in parliament a few years before, against Floyd, the Catholic barrister, for a much more questionable offence.<sup>1</sup>

<sup>1</sup> Rushworth, ii. 220—241. Howell, iii. 561—586. Whitelock, 18, 22. Heylin, 230, 264. We are told, in a letter to the earl of Strafford, that Prynne, immediately after the execution, "got his ears sowed on, that they might grow again as before to his head."—Strafford Papers, i. 266.

<sup>2</sup> These innovations were, the forbidding of sermons on the last general fast, the appointing it on Wednesday to prevent the Wednesday lectures, the omission of a collect, and of the prayer for seasonable weather, and also of the name of the princess Elizabeth, and of her issue, in the

3. But persecution did not subdue the spirit of Prynne. From his prison, in a tract entitled "News from Ipswich," he denounced the apostasy of the prelates, attempted to prove them Luciferian lords, devouring wolves, and execrable traitors, and charged them with a long catalogue of innovations, tending, in his opinion, to overthrow the pure doctrine of the gospel, and to introduce the superstitions of popery.<sup>2</sup> He found an able coadjutor in Dr. Bastwick, a fellow-prisoner. Bastwick was a physician, who had written a treatise against the divine institution of bishops, under the title of "Elenchus papismi et flagellum episcoporum Latialium." It was a fair subject of discussion; but, in the opinion of the churchmen, he had treated it more like a libeller than a divine; and in the High Commission court he was excommunicated, suspended from the practice of his profession, and condemned to pay, with the costs of the suit, a fine of one thousand pounds to the king, to be imprisoned two years, and to make a recantation. He now wrote another tract, "Apologeticus ad præsules Anglicanos," and followed this up with the "Letanie of John Bastwick, doctor of physick, being now full of devotion, and lying at this instant in Limbo patrum,"—a strange and incoherent rhapsody, intended to expose the "faste and prophanesse of the bishops, and the fruitlesnesse and impietie of the service books."<sup>3</sup> A third apostle was found in Henry

prayer for the royal family.—Rushworth, iii. App. 119—122.

<sup>3</sup> As a specimen, I transcribe the following passage, not one of the most offensive: "If wee looke upon the lives, actions, and manners of the priests and prelates of our age, and see their pride, faste, impudence, immanity, prophanesse, unmercifullnesse, ungodlinesse, &c., one would thinke that hell were broke loose, and that the devils in surplices, in hoods, in copes, in rochets, and in foure square c—t—s upon their heads, were come among us, and had b—t us all: pho! how they stinke!" (p. 14).

Burton, a clergyman who had been chaplain to the king before his journey to Spain, and who had since been suspended by the High Commission court, for two sermons, entitled "God and the king," preached on the 5th of November in his own church of St. Matthew, in London. In his defence he wrote an apology, calling on all orders of men to resist the innovations of the prelates, whom he stigmatized as "blind watchmen, dumb dogs, ravening wolves, antichristian mushrooms, robbers of souls, limbs of the beast, and the factors for antichrist."<sup>1</sup>

It might have been supposed, even by the most orthodox churchman, that the foul and scurrilous language in which these tracts were composed would prove a sufficient antidote to the poison which they contained. But Laud, as appears from his correspondence with Strafford, had taken for his motto the words "thorough and thorough." He had convinced himself that severity alone could tame the obstinate spirits of his opponents, and he expected to enforce submission by the apprehension of punishment. But his conduct had a very different effect. It encouraged a notion that the books asserted truths which could not be refuted, and it elevated the libellers to the rank of martyrs, whose constancy under their sufferings increased the number of their disciples. At his suggestion, a criminal information was filed in the Star-chamber against Prynne, Bastwick, and Burton for attempting to bring the government in church and state into disrepute, and to excite sedition among his majesty's subjects.

<sup>1</sup> He reproached them with having substituted "at" for "in" the name of Jesus every knee shall bow:" with having changed the words "whose religion is rebellion," into "who turn religion into rebellion;" with the omission of the prayer for the navy on the fast day, with reading the second service at the communion table, with bowing

Burton gave in his answer; but, it was of enormous length, and still more provoking than his former works, it was expunged as impertinent, by the advice of the two chief justices. The answers of Prynne and Bastwick were of a similar nature offering to show that the prelate invaded the prerogative, despised the Scriptures, encouraged popery and profaneness, oppressed loyal subjects and were the servants of the devil and the enemies of God and the king and of every living thing that was good. But to such libels it was impossible to procure the signatures of two counsel, and without that formality, according to the rule of the court, no answer could be received. There was, indeed, an apparent harshness in thus refusing to listen to the defence of the accused; yet the defence, had it been heard, would have been deemed an aggravation of the crime, though it could hardly have added to the severity of the punishment. They were condemned to stand two hours in the pillory, to suffer the amputation of both ears, to pay severally a fine of five thousand pounds to the king, and to be imprisoned for life.<sup>2</sup> The sentence was executed in the palace yard and from their pillories the prisoners harangued the multitude of the spectators, who admired their constancy, pitied their sufferings, and, at the abscission of their ears, expressed general disapprobation by groans and hisses. The proceedings of the day excited alarm in the breast of the archbishop; but that alarm, instead of teaching him the impolicy of such cruel exhibitions, only prompted him

when they entered the church and approached the table, with placing it likewise at the upper end of the chancel, and with having forged a new article of religion brought from Rome, that is, the disputed clause in the 21st article.—Rush, i. App. 122—132.

<sup>2</sup> Howell's State Trials, iii. 711—770.

to employ additional severity. He obtained an order to remove the three sufferers from the vicinity of their friends and the sympathy of the public, and to confine them separately in the castles of Launceston, Carnarvon, and Lancaster. To his amazement, their departure from London, and the whole progress of their journey, bore the appearance of a triumphal procession. The roads were crowded with friends and spectators,<sup>1</sup> and men contended with each other for the happiness of addressing and entertaining the martyrs. Still the zeal of the archbishop did not relax. He ordered those who had the presumption to perform the duties of hospitality to Prynne, on his way through Chester, to be called before the High Commission court at York, by which they were condemned to pay fines, some of five hundred pounds, some of three hundred pounds, and some of two hundred and fifty pounds, and to make a public acknowledgment of their offence in the cath-

edral before the congregation, and in the town-hall, before the mayor, aldermen, and citizens of Chester.<sup>2</sup> As for the prisoners, it was determined to banish them out of England, but still to detain them in prison. Bastwick was sent to the isle of Scilly, Burton to the castle of Cornet in Guernsey, and Prynne to that of Mont Orgueil in the island of Jersey.

II. The proceedings in the High Commission court did not produce less discontent than those in the Star-chamber. Never were the powers with which they were armed more vigorously exercised, never were the punishments which they inflicted—fines, imprisonment, and costs of suits—so vexatiously multiplied as under the present metropolitan. They professed to take cognizance of all public breaches of morality, of all words, writings, or actions tending to the disparagement either of the religion or of the church established by law; and as in the prosecution of these duties they frequently came into col-

<sup>1</sup> Laud mentions *thousands*.—Strafford Papers, ii. 99. Ingram, the sub-warden, told the king that there were not less than one hundred thousand people gathered together to see Burton pass by betwixt Smithfield and two miles beyond Highgate. His wife went along in a coach, having much money thrown to her as she passed.—*Ibid.* 114.

<sup>2</sup> See "A New Discovery of the Prelates' Tyranny in their late Prosecutions," 1641, p. 91, 97. The great impression made on the public mind by several publications, describing the conduct, and relating the speeches of Prynne, Bastwick, and Burton, at the time of the execution of the sentence, induced the court of Star-chamber to publish an order for the better regulation of the press. It forbade, 1. the importation or sale of books printed beyond the seas, to the scandal of religion or the church, or the government, or of the governors of the church or state, or commonwealth, or of any corporation, or particular person or persons, under the penalty of fine, imprisonment, or other corporal punishment, by order of the court of Star-chamber, or of the High Commission: 2. the printing of any book whatsoever, unless it were first lawfully licensed, upon pain that the printer should be disabled from exercising the mystery of printing, and receive such other

punishment as one of the two courts aforesaid should inflict. 3. It ordered that books of law should be licensed by one of the chief justices, or the chief baron; books of history and state affairs by one of the secretaries of state; books of heraldry by the earl marshal; books of divinity, philosophy, physic, poetry, and other subjects, by the archbishop, or the bishop of London, or the chancellors or vice-chancellors of the universities. All these, however, might appoint other licensers under them. 4. That every printer should affix his own name, and the name of the author, to every book, ballad, or portraiture printed by him. 5. That there should be no more than twenty master printers besides those of his majesty and the universities; that no printer should have more than two presses or two apprentices, unless he were warden of the company. 6. That if any other person presume to print, or work at a press, or compose letters, he should be set in the pillory, be whipped through the city of London, and suffer other discretionary punishment. 7. That there should be no more than four letter-founders allowed. July 11, 1637.—Rushworth, iii. App. 306. A more effectual scheme could not be devised to enslave the press; but whence did this court derive the power to make such a regulation?

lision with the courts at Westminster, the rivalry between the civil and spiritual jurisdictions naturally begot a hostile feeling between the church and the bar. The people lived in continual dread of these inquisitorial tribunals; and there existed among them a persuasion, that many of the prosecutions were instituted, not through motives of morality or religion, but for the mere sake of the fines, which were set apart as a fund towards the repairs of St. Paul's Cathedral.<sup>1</sup> In one respect, indeed, the High Commission court deserved the praise of impartiality; it visited with equal retribution the offences of the rich and of the poor; but this very circumstance operated to its prejudice. Individuals of rank and influence, who had been compelled by it to do public penance for incontinency, or some other scandalous vice, were taught through revenge, others of similar habits through fear of similar punishment, to look with an evil eye upon that jurisdiction which employed itself in humbling their pride and interfering with their pleasures. The rigour of the archbishop produced an effect contrary to his expectations; and instead of strengthening the prelacy, he surrounded it with a multitude of enemies, ready to join at the first

favourable moment in subverting the church from its very foundations.<sup>2</sup>

III. In the council no man more fearlessly opposed the policy of Laud than the earl of Portland, lord treasurer. In 1635, his death freed the archbishop from a most formidable adversary; the treasury was put into commission; and Laud himself took his place at the head of the board. With his characteristic impetuosity he plunged into an ocean of business with the nature of which he was unacquainted. He soon became the unsuspecting tool of designing men of contractors, who offered to him projects for the improvement of the revenue, while they sought nothing in reality but their own interest, and he found himself for months together involved in daily quarrels with his colleagues, particularly with Lord Cottington, the chancellor of the exchequer. At the expiration of the year, he advised the king to dissolve the commission, and to give the staff of lord treasurer to his former school-fellow, Dr. Juxon, for whom he had lately obtained the bishopric of London. The appointment excited general surprise; its object is disclosed by the remark of Laud in his Diary "Now if the church will not hold up themselves under God, I can do no more." Juxon, however, though he

<sup>1</sup> See two commissions for the repairs of St. Paul's, in *Bibliotheca Regia*, 244—268, April 10, 1632, and December 20, 1634.

<sup>2</sup> See Clarendon (i. 94), and the history of several prosecutions in this court in *Prynne* (Canterburies Doome, 93—102). One of them I shall notice on account of its singularity. The viscountess Purbeck, with whom the reader is already acquainted, had been convicted of adultery with Sir Robert Howard, and adjudged to do penance barefoot, and in a sheet, in the Savoy church. She, however, contrived to escape in a man's dress, joined her paramour at his house in the country, lived with him some years, and bore him several children. In 1635, both ventured to return to Westminster. The king mentioned the fact to Laud, who apprehended them, confined the knight in the Fleet, and sent the lady to the Gatehouse, with an order that she should

perform her penance the next Sunday. Howard, by a friend, corrupted the fidelity of the warden; Lady Purbeck escaped to Guernsey, and thence to France, and the High Commission court condemned Sir Robert to close confinement till he should produce the fugitive. Three months later he was liberated on his bond of two thousand pounds, never more to admit her into his presence, and of one thousand five hundred pounds on his own security, and that of his brothers, for his appearance whenever he should be called upon. In the Long Parliament the Lords gave him one thousand pounds damages,—five hundred pounds from the archbishop, and two hundred and fifty pounds from Martin de Lambe, the judges of the court.—See *the Strafford Papers*, i, 390, 423, 426, 434, 435; *Lords' Journals*, 113, 117; *Laud's Troubles*, 146.

entered upon office under unfavourable circumstances, though he was not formed by nature or education to enforce illegal measures, or to buffet with the turbulence of the times, executed his trust with such integrity and forbearance, that he incurred a smaller degree of odium than any other member of the administration. When they were respectively censured by the Long Parliament, he passed through the ordeal without a stain, and carried with him from office the respect of the very men who suppressed both the order to which he belonged in the church, and the party with which he was connected in the state.<sup>1</sup>

One of the great discoveries made by the commissioners of the treasury regarded the royal forests and chases. These, which were known to have been of enormous extent in the time of the Norman kings, had in the lapse of five centuries been considerably reduced; nor was it an easy matter to ascertain whether the lands and rights now claimed by different individuals, were originally derived from unauthorized encroachments, or from the grants of the sovereign. The commission took advantage of the uncertainty, and the earl of Holland accepted the office of chief justice in eyre south of the Trent. With the aid of several judges as assistants, he held his court successively in the different counties; inquiries were made into the original boundaries of the forests; and the landholders were summoned to prove their titles, or otherwise to answer for their encroachments. The most alarming

reports prevailed, and it was believed that the greater portion of every shire in England, with the exception of Kent, Surrey, and Sussex, would be claimed as belonging to the king. Holland's progress was stopped by the troubles which followed, but he had previously brought immense sums into the treasury by the fines which he levied, or the compositions which he extorted from the numerous individuals who were adjudged to have trespassed on the lands or rights of the crown.<sup>2</sup>

This, though an enormous abuse, affected individuals only; there was another grievance which soon extended itself over the whole kingdom. Noy, after his defection from the country party, retained that morosity of disposition, and that apparent independence of character, by which he had always been distinguished. But he was easily led by flattery, and the praises given to his learning and ingenuity by the ministers stimulated him to the discovery of a new and most productive source of income. He had found among the records in the Tower, not only writs compelling the ports, on certain occasions, to provide ships for the use of the king, but others obliging their neighbours of the maritime counties to contribute to the expense. Hence he devised a plan, by which a powerful fleet might be procured without any additional charge to the revenue. It was a time when the right of the English crown to the dominion of the narrow seas was disputed;<sup>3</sup> the English fisheries were annually invaded by the Dutch and French mariners; unlawful cap-

<sup>1</sup> Clarendon, i. 98, 99. Laud's Diary, 51, 53. Strafford Papers, i. 431, 433, 448, 449, 479. "We begin to live here in the church triumphant; and there wants but one more to keep the king's conscience to make up a triumvirate."—Ibid. 522.

<sup>2</sup> Ibid. i. 410, 413, 435, 463, 467. "My lord of Salisbury was fined 20,000*l.*; the earl of Westmoreland, 19,000*l.*; Sir Chris-

topher Hatton, 12,000*l.*; my Lord Newport, 3,000*l.*; Sir Lewis Watson, 4,000*l.*; Sir Robert Bannister, 3,000*l.*, and many others smaller sums," for encroachments on the forest of Rockingham alone.—Ibid. ii. 117.

<sup>3</sup> "The purpose and main work of the fleet is to recover the dominium maris."—Ibid. i. 416.

tures were made by the cruisers of the different powers at war with each other, and the Turkish corsairs, in occasional descents, carried off slaves from the coast of Ireland.<sup>1</sup> To repel such aggressions served as a pretext; but there was another and secret object, for the accomplishment of which Charles required a numerous fleet. He was engaged in a new treaty with the king of Spain, who offered to procure the restoration of the Palatinate, on condition that Charles would previously aid him by sea, against the United Provinces, until they should consent to a reasonable peace.<sup>2</sup> With this view writs were issued to London, and the different ports, ordering them to supply a certain number of ships of a specified tonnage, sufficiently armed and manned, to rendezvous at Portsmouth on the 1st of March of the following year, and to serve during six months, under an admiral to be appointed by the king.<sup>3</sup> Noy, indeed, died before the writs were issued; but the experiment succeeded; the imprisonment of those who refused to pay their share of the expense enforced obedience; and the council resolved to extend the measure from the maritime towns to the whole kingdom. Writs were directed to the sheriffs, informing each that his county was assessed at a certain number of ships towards the fleet for the ensuing year; that the charge was estimated at a certain sum, and that he was required to levy that sum on the inhabitants, in the same manner as the subsidies had been usually raised. By this contrivance, the king obtained a yearly supply of two hundred and eighteen thousand five hundred pounds; and it should be

observed, that he carefully devoted it to the purpose for which it was demanded; a fleet of more than six sail annually swept the narrow sea, and the admirals, first the earl of Lindsey, afterwards the earl of Northumberland, received orders to sink every foreign ship which refused to salute the English flag.<sup>4</sup>

He was, however, aware that though he obtained the money, his right to levy it was denied by many — was questioned by most of his subjects. On this account it became of importance to have the legality of the tax established by the decisions of the courts of law. Sir Robert Heath, the lord chief justice of the King's Bench was removed, and in his place was substituted Sir John Finch, law speaker of the house of Commons, judge of inferior learning, but more courtly principles. Finch canvassed his brethren for votes; he visited each in private, and through his solicitations he obtained an unanimous resolution, that "as, where the benefit redounded to the ports and maritime parts, the charge was, according to the precedent of former times, lawfully laid upon them; so, by parity of reason, where the good and safety of the kingdom in general is concerned, the charge ought to be borne by the whole realm."<sup>5</sup> This, however, was satisfactory only, inasmuch as it laid a foundation for future proceedings. In three months, two other questions were proposed to the judges: "1. Whether in cases of danger to the good and safety of the kingdom in general, the king could not impose ship money for its defence and safeguard, and by law compel payment from those who refused; 2. Whether

<sup>1</sup> "The pillage the Turks have done upon the coast is most insufferable; and to have our subjects ravished from us, and at after to be from Rochelle driven over land in chains to Marseilles, all this under the sun, is most infamous usage in a Christian king."

—Strafford Papers, ii. 25, also i. 68.

<sup>2</sup> Clarendon Papers, i. 75, 83, 104, 109, 125, 214, 231.

<sup>3</sup> Rushworth, ii. 2.

<sup>4</sup> Rushworth, ii. 257, 259, 335, 343. Strafford Papers, 337, 430, 435, 437, 463, 463.

<sup>5</sup> Howell's State Trials, iii. 1204.



ere were not the sole judge both of the danger and when and how it was to be prevented." They assembled in the hall of Serjeants' Inn; ten decided in favour of the prerogative; and Croke and Hutton, though they dissented from their brethren, subscribed their names on the principle that the judgment of the majority was that of the whole body.<sup>1</sup>

By most of the judges it was supposed that this opinion had been required for the private satisfaction of the royal conscience. To their astonishment the lord keeper read it to the public in the Star-chamber; it was ordered to be enrolled in all the courts at Westminster; and they themselves received instructions to repeat and explain it at the assizes during their circuits. The council was anxious to make it universally known, and anticipated from its publication the most beneficial results. "Since it is lawful," observes Lord Strafford, "for the king to impose a tax towards the equipment of the navy, it must be equally so for the levy of an army; and the same reason which authorizes him to levy an army to resist, will authorize him to carry that army abroad, that he may prevent invasion. Moreover, what is law in England, is law also in Scotland and Ireland. This decision of the judges will therefore make the king absolute at home, and formidable abroad. Let him only abstain from war a few years, that he may habituate his subjects to the payment of his tax, and in the end he will find himself more powerful and respected than any of his predecessors."<sup>2</sup>

But there still existed a man who ventured to dispute the pretended right of the crown. This was the celebrated John Hampden, a gentleman of Buckinghamshire; one so

quiet, so courteous, so submissive, that he seemed the last individual in the kingdom to oppose the opinion of the judges. But under the appearance of humility and diffidence, he veiled a correct judgment, an invincible spirit, and the most consummate address. In 1626, he had suffered imprisonment for his refusal to pay his assessment towards the forced loan; a refusal which he justified by the danger of drawing upon himself the curse pronounced against the violators of Magna Charta; now in similar manner, he ventured to meet his sovereign in a court of law, merely as he pretended, to obtain a solemn judgment on a very doubtful question; though it was plainly his real object to awaken the people from their apathy, by the public discussion of a subject which so nearly concerned their rights and liberties. The sum demanded amounted to twenty shillings. Hampden demurred to the proceedings in the court of Exchequer, and the question was solemnly argued before the twelve judges during twelve days. In favour of the crown were adduced, 1. the practice of the Anglo-Saxon kings, and the annual tax of Danegelt towards the support of the navy; 2. a multitude of precedents, proving that former monarchs had pressed ships into their service, and compelled the maritime counties to equip them; 3. the reasonableness of the claim; for unless the king possessed, in cases of danger, the right of calling on his subjects for aid, the country might receive incalculable injury before a parliament could be assembled. On the other part it was contended that no argument could be founded on the imperfect hints in our ancient writers, respecting the Danegelt, or the naval armaments of the Anglo-Saxon kings; 2. that out of

<sup>1</sup> Rushworth, ii. 352—353. Biblioth. Regia, 246—250.

<sup>2</sup> Strafford Papers, ii. 61, 62.

the multitude of precedents adduced, not one bore any resemblance to the present writs, which first ordered the inhabitants of the inland counties to fit out ships, and then to pay money in lieu of those ships; 3. that no urgent necessity could be pleaded; for the writs had been issued six months before the ships were wanted, and consequently there was sufficient time in the interval to assemble and consult the parliament; 4. that these writs were in opposition both to the statutes and the Petition of Right, which provided that no tax should be levied on the subject without the consent of parliament; nor was it a valid objection, that the king could still levy an aid on the knighthood of his son and the marriage of his eldest daughter, for these cases were expressly excepted in Magna Charta, and virtually in the succeeding statutes. The judges delivered their opinions during the three next terms, four in each term. Seven pronounced in favour of the prerogative, and five in favour of Hampden; but of these, two only, Hutton and Croke, denied the right claimed by the crown, the others, while they acknowledged its existence, availed themselves of some technical informality, to decide against its exercise in the present instance.<sup>1</sup>

The termination of this great trial, which had kept the nation so long in suspense, was hailed as an important victory by the court; but it proved a victory, which by its consequences led afterwards to the downfall of the monarchy. The reasoning in favour of the prerogative was universally judged weak and inconclusive; and men who had paid cheerfully while they conceived the claim might be good in law, parted with their money reluctantly after they had persuaded themselves that it was illegal. The

authority of the judges had little influence on the public opinion; the merit of their determination rested on their arguments; and the weakness of these induced men to believe that they pronounced according to the dictates of interest rather than conscience.<sup>2</sup>

But Charles was not satisfied with sowing the seeds of disaffection in England; the same arbitrary sway and the same disregard of the royal word the same violation of private rights marked his government of the people of Ireland. Fearing that the expedition against Cadiz might provoke the Spaniards to make a descent on the island, he had ordered the Irish army to be increased to the number of fifty thousand foot and five hundred horse. To raise the men presented no difficulty, but to provide for their support was a problem which Lord Falkland the deputy, knew not how to solve. He called together the principal proprietors; they consented to offer to the king a large sum of money in return for certain concessions; and their delegates proceeded to London to arrange with the English council the particulars of the contract. The report was immediately spread that they had been instructed to solicit certain indulgences in favour of the Catholic recusants, who formed two thirds of the meeting. The very sound of the word "indulgence" alarmed the zeal of Usher, archbishop of Armagh, who called to him eleven other prelates; and the declaration of the synod was solemnly promulgated before the chief governor, in Christ Church, Dublin, by Downham, bishop of Derry: 1. That to permit the free exercise of the Catholic worship would be a grievous sin, because it would make the government a party not only to the superstition, idolatry, and heresy of that worship, but also to the perdition of the seduced people, who would perish in the deluge of C

<sup>1</sup> Rush. 480—600. Howell's State Trials, iii. 826—1254.

<sup>2</sup> Clarendon, i. 69.

atholic apostasy; 2. that, to grant such toleration for the sake of money to be contributed by the recusants, was to set religion to sale, and with it the souls of the people whom Christ had redeemed with his blood.<sup>1</sup> This doctrine was undoubtedly in unison with the intolerant maxims of the time; but Charles did not balance between his orthodoxy and his interest; he gladly accepted the offer of one hundred and twenty thousand pounds, a larger sum than had ever been given to his predecessors, to be paid by equal instalments in the course of three years; and in return he granted, under his own hand, one-and-fifty graces (so they were termed), by which, in addition to the removal of many minor grievances, it was provided that the recusants should be allowed to practise in the courts of law, and to sue the livery of their lands out of the Court of Wards, on taking an oath of civil allegiance

in lieu of the oath of supremacy;<sup>2</sup> that the undertakers in the several plantations should have time allowed them to fulfil the conditions of their leases; that the claims of the crown should be confined to the last sixty years; that the inhabitants of Connaught should be permitted to make a new enrolment of their estates; and that a parliament should be holden to confirm these graces, and to establish every man in the undisturbed possession of his lands.<sup>3</sup>

The delegates returned to Ireland with instructions to the lord deputy, who hastened to summon a parliament before he had complied with the conditions required by Poyning's statute. Hence the writs were undoubtedly illegal, but the error, whether it were intentional or not, might have been remedied by the issue of other writs in a more legal form. Nothing, however, was done. The Irish, though surprised, waited

<sup>1</sup> Cyp. Anglic. 206.

<sup>2</sup> For the Court of Wards Ireland was indebted to the kingcraft of the late monarch, James I. In the fourteenth of his reign he established it there of his own authority, that is, not by act of parliament, but by act of the Irish council. The ostensible motive was the better collection of his revenue from the wards of the crown; but the British Solomon had a deeper and most important object in view, the prevention of the growth of popery. According to the regulations, which formed the constitution of this new court, all heirs to lands holden of the crown—and at the accession of James there was scarcely an acre in Ireland which was not so holden—were obliged to sue out the livery of their lands in the Court of Wards, which court was forbidden to grant such livery to any one who had not previously taken the oath of supremacy enacted in the first of Elizabeth, and also an oath of abjuration of several articles of the Catholic creed. Thus he had no alternative but to forswear his religion or forfeit his property. If, however, the heir were a minor, it was reserved to the same court to grant the wardship at discretion, but to oblige the grantee, by a clause inserted in his patent, to "maintain and educate his ward in the *English religion* and habits in Trinity College, Dublin."—Note by Mr. Hardiman in O'Flaherty's *West Connaught*, p. 420. It is plain, that if these regulations had been

strictly carried into execution, every landowner in Ireland, whether he were successor to an English undertaker, or to a lord of the pale, or to an Irish chieftain of Milesian lineage, must in due course of time have become a sworn Protestant. But James's plan was frequently defeated by enfeoffments of the land to secret trusts and uses, which withdrew the next heir from the jurisdiction of the court, and allowed him to succeed to his inheritance without molestation on the ground of his religion. Now the fifteenth of the graces mentioned in the text prayed for the abolition, not of the court itself,—for that would have trenched too deeply on the king's income,—but of the oaths which the court was accustomed to administer. In place of them it was proposed to substitute an oath of civil allegiance without any reference to religious doctrine or private opinion. By it the suitor was made to acknowledge the king's right to the crown; to engage to bear true allegiance to him and his successors, and to promise to reveal every traitorous conspiracy that should come to his knowledge, "which recognition and acknowledgment he made heartily, willingly, and truly upon the true faith of a Christian."—*Strafford Papers*, i. 317. To this proposal Charles, with the advice of his English council, fully assented.—*Ibid.*

<sup>3</sup> See the graces at length in the *Strafford Papers*, i. 312.

with patient reliance on the honour of their sovereign; nor did the suspicion enter into their minds that he meant to receive their money, and refuse to redeem his pledge.

But the lord Falkland was not the man to carry into execution the dishonest projects of the English council. He was recalled to make place for the viscount Wentworth, who, without resigning his office of lord president of the north, accepted that of chief governor of Ireland. Wentworth brought with him to the service of his sovereign that austerity of disposition, and that obstinacy of purpose, which had formerly earned for him the hostility of the king and of his favourite. He had once been the zealous champion of the rights of the people: he now knew no rights but those of the crown. Ireland, he maintained, was a conquered country; whatever the inhabitants possessed, they derived from the indulgence of the conqueror; and the imprudent grants of preceding kings might be resumed or modified by the reigning monarch. With these principles he proceeded to Dublin, assured of the protection of Charles, and strengthened by the influence of his friend, Archbishop Laud. His very arrival formed a new era in the government of the island. He ordered the ceremonial of the British court to be observed within the castle; a guard, an institution unknown under former deputies, was established; and the proudest of the Irish lords were taught to feel the immense distance

which separated them from the representative of their sovereign.<sup>1</sup>

Wentworth had engaged to raise for the king a permanent revenue which should free him from all dependence on the bounty of the people. But this, he observed, must be the work of time; and in the interval, after he had first cajoled the Catholics and terrified the Protestants into a continuation of the voluntary assessment,<sup>2</sup> he ventured to summon a parliament. Charles expressed his alarm; but the deputy had taken the most effectual measures to insure success. With the writs he issued a hundred letters of recommendation in favour of particular candidates, and procured a royal order to the absent peers to forward blank proxies to the council, that they might be filled up with such names as he should direct. Their number was considerable. They were for the most part natives of England or Scotland, who had no other connection with Ireland than the titles which they had solicited or purchased from Charles or his father.<sup>3</sup>

When the parliament was opened the lord deputy announced his intention of holding two sessions, one for the benefit of the king, the other for that of the people. In the first he obtained six subsidies of larger amount than had ever been granted before; but the Commons voted them cheerfully, under the persuasion that in the next session they should obtain the confirmation of the graces.<sup>4</sup> They were grievously disappointed. In that

<sup>1</sup> *Strafford Papers*, i. 96, 112, 134.

<sup>2</sup> *Ibid.* i. 71, 74, 76, 134.

<sup>3</sup> *Ibid.* 186, 187, 246, 259. Charles writes to the deputy, "it will not be worse for my service, though their obstinacy make you break them; for I fear that they have some ground to demand more than it is fit for me to give" (p. 233).

<sup>4</sup> In former times, a subsidy in Ireland meant a decennial tax of a mark on every plough-land which had been manured—a

condition which opened a way to innumerable frauds in the collection. On this occasion the subsidy was changed into the payment of four shillings in the pound on land, and of two shillings and eight-pence on goods, after the manner of England. This from the Commons amounted to forty thousand pounds. The subsidy of the Lords was rated at four per cent. on their rents, and produced six thousand pounds.—*Ibid.* 400. *Carte's Ormond*, i. 62.

session he informed them, that of these favours so long promised, and so anxiously expected, some were fit to be passed into laws, and some would be carried into execution by the order of government; but that the others bore so hard on the royal claims, that the king could not in justice, or honour, or conscience, suffer them to be established. From that moment harmony was succeeded by dissension. Wentworth, with the aid of promises and threats, obtained a majority of sixteen voices; the opposition was compelled to yield, and though several laws of great utility were passed, the most important of the concessions which had been promised, as part of the contract in 1628, were peremptorily refused.<sup>1</sup>

From the convocation Wentworth obtained eight subsidies of three thousand pounds each. But this ample grant could not save the Irish clergy from the mortification which had been prepared for them by Archbishop Laud, who deemed it an object of the first importance to unite the Protestant churches of England, Scotland, and Ireland in the profession of the same doctrine, and the observance of the same discipline. The Irish prelates demurred. Theirs, they contended, was a distinct and independent church; they owed no obedience to the archbishop of Canterbury: they were satisfied of the truth of the Irish articles, erroneous as they might appear to the enemies of Calvin and the admirers of Arminius. The deputy sought at first to soothe their feelings. He assured them that no claim of superiority was set up by the English metropolitan; he was willing that the Irish articles, the idols of their adoration, should be suffered to die away without censure

or notice; he even granted them permission to compose a new code of ecclesiastical discipline. But at the same time he required that this code, how much soever it might differ in form, should not depart in substance from that of the English church, and that one of its canons should include an unlimited admission of the thirty-nine articles. To his surprise he was informed that, in defiance of his command, the divines intrusted with the compilation had introduced a canon enjoining the admission of the Irish articles, under the penalty of excommunication. He sent for the archbishop and the committee, took the minutes into his own possession, reproached the chairman with having acted the part of Arminius, and forbade him to make any report of the proceedings to the convocation. He then imposed on Usher the task of framing a canon authorizing the English articles; but the labour of the primate did not give satisfaction; Wentworth drew one himself, and sent it to the house, with orders that no debate should be permitted, and that the names of those who voted against it should be reported to him. One man only was found who dared to dissent; the rest submitted with feelings of indignation and shame.<sup>2</sup>

When the lord deputy reviewed the proceedings of the convocation and the parliament, he hastened to express his satisfaction to his friend the archbishop. He had assimilated the Irish to the English church; he had eluded the confirmation of the graces; he had obtained a supply which would not only pay off the debts of the crown, but defray for some years the extraordinary expenses of the government. "Now," he exclaimed, "I can

<sup>1</sup> Strafford Papers, 280, 312, 350, 414. The artifices employed to take from the king the odium of breaking his word, and to attribute the refusal of the graces to the

advice of the council, may be seen, *ibid.* 280, 317, 320.

<sup>2</sup> Strafford Papers, i. 298, 329, 342, 381. Wilkins, *Con.* iv. 496, 516.

say that the king is as absolute here as any prince in the whole world can be, and may be still, if it be not spoiled on that side."<sup>1</sup> His success stimulated him to carry into execution the other plans which he had formed for the improvement of Ireland. Of these the most important in his judgment was the extinction of the ancient worship, a work not to be precipitated by violence, but to be silently effected by the gradual operation of the law. Under the notion that the attachment of the lower orders to the Catholic faith sprung out of their aptitude to imitate the conduct of their chiefs, he had persuaded himself that, if the principal landholders could be induced to conform, the great mass of the people would spontaneously follow their example. With this view he restored to full activity the oppressive powers of the Court of Wards. The Catholic heir, if he were a minor, was educated by order of the deputy in the Protestant faith; if of age, he was refused the livery of his lands till he had abjured his religion by taking the oath of supremacy. The abolition of this grievance had been solemnly promised by Charles in the contract of 1628; but Wentworth, as we have seen, was careful to prevent the confirmation of that contract. He went even farther. To elude the claim of the crown to the wardships, and to prevent the necessity of suing out the livery of lands, the Catholics had been accustomed to alter the property of their estates, by long leases of some

hundred years, and feoffments to secret trusts and uses. But such expedients were now rendered unavailable by an act passed at the suggestion of the lord deputy, which provided that all persons, for whose use others were seized of lands, should be deemed in actual possession thereof, and that no conveyance of any estate of inheritance should be valid, unless it were by writing, and enrolled in the proper court.<sup>2</sup>

The reader will have observed in the history of the last reign, that one of the chief grievances in Ireland was the insecurity of landed property arising from the dormant and unsuspected pretensions of the crown. By the contract of 1628, Charles had consented to confirm by act of parliament the titles of the existing possessors; but he was seduced from the performance of his word by the promise held out to him by the lord deputy who had already arranged a most extensive plan of spoliation, and intended to claim the whole province of Connaught in right of the sovereign. He pretended that Henry III., reserving only five cantreds to himself had given the remainder to Richard de Burgo, to be holden by him and his heirs of the crown; that the right of Richard had passed by marriage to the duke of York, the grandfather of Edward IV., and that they had descended from that prince to his legitimate successor, the reigning monarch. In the county of Roscommon a jury of freeholders, intimidated by his menaces and presence, returned

<sup>1</sup> Strafford Papers, i. 344. On this account he wished to prorogue, and not to dissolve, the parliament; because he might find it useful to assemble it again. But Charles insisted on a dissolution. "My experience shows they are of the nature of cats, that they grow crusty with age; so that if ye will have good of them, put them off handsomely when they come of any age, for young ones ever are most tractable."—*Ibid.* 365, Jan. 22.

<sup>2</sup> This, he observes, "was a mighty con-

sideration, for formerly by means of the feoffees in trust, their persons almost never came in ward, and so still bred from father to son in a contrary religion, which now as they fall in ward, may be stopped and prevented."—*Strafford Papers*, i. 344; also 192, 312, 317. "Its consequence appeared in the person of the earl of Ormond, who if bred under the wings of his own parent had been of the same affections and religion his brothers and sisters are: whereas now he is a firm Protestant" (11, 18).

verdict in favour of the crown; the same was the result in those of Mayo, Sligo, Clare, and Limerick; but the men of Galway refused to surrender the inheritance of their fathers; they pleaded that the grant of Henry was confined to the royalties, and did not affect the lands; and they contended that the descent of Edward IV. from Richard de Burgo could not be proved; that one important link in the chain was wanting. They were all Catholics, and Wentworth had already expressed a hope that their obstinacy would afford him a pretext to mulct them more severely than the inhabitants of the other counties. He was gratified; the jury found for the freeholders; and he immediately fined the sheriff one thousand pounds for returning such an inquest, and sent the members before the Castle-chamber in Dublin, where they were severally fined four thousand pounds, and consigned to prison during his pleasure. Wentworth now issued a proclamation, offering the royal favour to all who would voluntarily surrender their lands, and threatening actions in the court of Exchequer against the refractory. Instead of submitting, they appealed to the equity of the king, first contending that the evidence given on the trial was in their favour, then proposing that the question should be submitted to the decision of the English judges, and lastly offering to pay a fine of eight thousand pounds for the confirmation of the composition which their fathers had made with the crown in the reign of Elizabeth. But Charles acted by the directions of the deputy. The delegates were arrested by his orders, and sent prisoners to Dublin; and the freeholders, deprived of all hopes of obtaining justice, successively made their submission. According to the original plan, it had been intended to return three-fourths of the lands to the pos-

sessors, and to reserve the remaining fourth, no less than one hundred and twenty thousand acres, for the crown, to be planted with Englishmen, on conditions which would bring a considerable yearly revenue into the exchequer; it was now proposed that the men of Galway should forfeit a larger portion, a full half, in punishment of their obstinacy. Wentworth, in the prosecution of his design, had ordered the necessary admeasurements to be made; but he was prevented from proceeding by the events which soon afterwards deprived him of life. Enough, however, had been done to awaken a general feeling of discontent, and to alienate the affections of the natives from a government which treated them with so much deceit and oppression.<sup>1</sup>

The personal enmities of the lord deputy formed an additional cause of complaint. He was of a temper jealous, haughty, and impatient of contradiction. The slightest resistance to his will, the semblance of contempt of his authority, was sufficient to kindle his resentment; and from that moment the unfortunate offender was marked out for ruin. He adopted the same motto with Archbishop Laud: the word "thorough" was echoed back from one to the other in their private correspondence; and the subject of their mutual exhortations was the rejection of half measures, and the necessity of enforcing obedience by the terror of punishment. In conformity with these maxims, Wentworth spared no man whom he thought hostile to his views; and his resentment fell with peculiar severity on almost every individual whom he found in the possession of office at his arrival. It must be admitted that they were not immaculate characters; in a

<sup>1</sup> Strafford Papers, i. 421, 442, 450, 464, 476, 494, 521; ii. 36, 76, 82, 93, 98.

government like that of Ireland, where fortunes were continually made at the expense of the crown or of the people, few public men could bear a close investigation into their conduct;<sup>1</sup> but their real offence consisted not in their previous peculations, it was their want of zeal to concur with the deputy, their unguarded disapprobation of his measures, which entitled them to his enmity.

It happened one day that Annesley, a lieutenant in the army, who had once been caned by Wentworth in a paroxysm of passion, placed a stool on the foot of the lord deputy when he was suffering from the gout. The circumstance was casually mentioned at the table of the lord chancellor, and Lord Mountnorris, the vice-treasurer, exclaimed, "Annesley has a brother who would not have taken such a revenge." These words were reported to Wentworth, who was dissatisfied, and perhaps justly, with the conduct of Mountnorris in his office. He dissembled for a time, but six months later the vice-treasurer (he bore a captain's commission) was summoned before a court-martial, on a charge of mutiny, founded on this very expression. The deputy appeared both as prosecutor and president; and, though he took no part in the deliberation of the court, pronounced the judgment, that the prisoner had been guilty of a breach of the thirteenth article of war, and should therefore suffer death. He did not, however, carry it into execution. He had sufficiently humbled Mountnorris; and now that his pride had been gratified,

he joined with the court in recommending him to the king as a fit object of mercy.<sup>2</sup>

Men had long complained of Wentworth's despotism; this last act of oppression seemed to unite every voice against him. Though Charles assured him of his protection, he deemed it expedient to answer his accusers in person; and having obtained permission to visit his estates in Yorkshire, improved the opportunity to pronounce before the king and council an elaborate, and, in many respects, a plausible, defence of his administration. He had bettered, he observed, the condition of the clergy, had disciplined the army, had improved the revenue, had purified the courts of justice, had cleared the seats of the pirates, and had encouraged the growth of flax and the manufacture of linens.<sup>3</sup> Insinuations had, indeed, been thrown out, as if he had treated with undue severity the most faithful officers of the crown. But it should be recollected that Ireland was not, as England, a country where men had been taught by habit obedience to the laws. There the authority of the king had been perpetually controlled by the influence of his servants. To re-establish order it was necessary to make the highest subjects feel that they were amenable to the law; and to teach all, by the punishment of a few, that under a wise and righteous monarch, no rank, no wealth, no connections, could screen the guilty from the retribution due to their transgressions. Charles applauded the vigour of his deputy; and Went-

<sup>1</sup> Of Balfour in particular, we are told by Wentworth, that "he had done as many outrages and grievous misdemeanours as ever vizier basha had done under the grand seignior. There was not such a tyrant in the king's dominions, who, utterly drunk with the vice of violence, had with unequal and tottering paces trod down his majesty's people on every side."—Strafford Papers, ii. 245.

<sup>2</sup> Strafford Papers, i. 392, 448, 497—501,

508, 509, 512, 514, 519. Clarendon Papers, i. 419, 543, 594.

<sup>3</sup> He had spent one thousand pounds in the purchase of flax-seed, and had procured workmen from Flanders; but at the same time he endeavoured to root out the manufacture of wool, that the Irish might not be able to compete with the English, but should be obliged to depend on them for clothing.—Clarendon Papers, ii. 19.



worth returned in triumph to Ireland.<sup>1</sup> If we consider him merely as a servant, with no other duty to perform than to seek the immediate profit of his master, he was certainly deserving of the praise and gratitude of the king; but he had broken the royal word to the natives, had harassed them by fines, compositions, and plantations, and had incurred the hatred of all ranks of people, whatever was their origin or whatever their religion.

Much, however, as the people of Ireland and England were aggrieved, they betrayed no disposition to oppose open force to the unjust pretensions of their sovereign: it was in Scotland that the flame was kindled, which gradually spread, till it involved the three kingdoms in one common conflagration. When Charles returned from his native country in 1633, he brought back with him strong feelings of resentment against the lords who had ventured to oppose his favourite measures in parliament. Among these, one of the most distinguished for his patriotism or obstinacy was the Lord Balmerino, who was soon made to learn that the pleasure of the sovereign could not be resisted with impunity. During the parliament a petition in favour of the dissidents had been prepared, though on consideration it was deemed prudent not to present it. It was drawn in language which must have proved ungrateful to the royal ear, and abounded in offensive insinuations, which it is acknowledged were incapable of proof. Some copies of this instrument crept afterwards into circulation, and one of them was traced to Balmerino, who had in confidence, and under a promise of secrecy, communicated it to a friend. He was committed to prison. Spotswood, archbishop of St. Andrew's,

hastened to London, and it was resolved to prosecute the obnoxious nobleman on two statutes passed in the late reign, by one of which, to utter slander against the king's person, estate, or government, by the other not to apprehend or reveal the known author of such slander, were made crimes punishable with death. The exceptions taken against the dittay or indictment were repelled by the court; and the fact of Balmerino's guilt as to the concealment of the author was affirmed by a majority of eight jurors against seven. But judgment of death was not pronounced; the people assembled in crowds; and plans were arranged to massacre both the jurors who had given the verdict and the judges who had presided at the trial. Traquair, the lord treasurer, hastened to procure a respite. The dissatisfaction of the people, the novelty of the prosecution, and the cruelty of inflicting capital punishment where opinion was so divided as to the guilt or innocence of the prisoner, were repeatedly suggested to the royal consideration; and Charles, after a delay of some months, ungraciously and reluctantly signed a pardon. That resentment had some share in this most odious prosecution cannot be doubted; but the king failed in his principal object; he sought to intimidate, to tame the stubborn spirit of his countrymen, and to bend their necks to that yoke which was already prepared for them by Archbishop Laud and a junto of Scottish prelates. But the danger of Balmerino produced an opposite effect. People could not be persuaded that he had been guilty of any other offence than his previous advocacy of their rights and religion; warned by his example, they resolved to stand by each other; they watched with jealousy every proceeding of the court; and were ready, on the first provocation, to

<sup>1</sup> Clarendon Papers, ii. 16—21.

unite as one man in the defence of their liberties and of their kirk.<sup>1</sup>

The king's father in 1616 had extorted from the General Assembly an act authorizing the composition of a book of common prayer, and a code of ecclesiastical law, two concessions most hateful to the feelings of orthodox Scotsmen, because the one tended to abolish the use of extemporary prayer, the other to subject the conduct of ministers to the control of the bishops. A liturgy, however, was compiled; it received several corrections from the pen of the royal divine, and was sent back to Scotland for the further consideration of the prelates. But the disrepute in which the Assembly of 1616 was held, and the resistance which had been made to the five articles of Perth, damped the zeal both of James and of the bishops; and the project seemed to have died away, when it was afterwards revived in 1629 by the piety or policy of Charles.<sup>2</sup> Laud, indeed, laboured strenuously to establish at once the English liturgy; but his reasoning and influence were compelled to yield to the obstinacy of the Scottish bishops, who deemed it a disgrace to their country to owe either the service or the discipline of their church to their English neighbours. To four of the prelates, whose principles or subserviency had lately raised them to the episcopal dignity, the king assigned the task

of compiling the new code of ecclesiastical law, and the new form of public worship, but with instructions that the first should combine a selection from the acts of the Scottish assemblies, together with the most ancient canons, and that the second should carefully preserve the substance, though it might recede in a few unimportant particulars from the English liturgy. Each, as soon as it was completed, was submitted to the revision of the prelates of Canterbury, London, and Norwich; several corrections and improvements were suggested and admitted; and the amended copies received the royal approbation. Charles ordered both to be published and observed; but the canons made their appearance nearly a year before the service.<sup>3</sup>

It was certainly a bold and chivalrous attempt. Charles had no right to impose on the nation a new form of worship, or new rules of conduct, abhorrent from its religious habits and persuasion. He was not by law the head of the Scottish church; he had not obtained the sanction of the Assembly or of the parliament; nor could he expect that the clergy would resign, at the mere pleasure of the sovereign, their legislative power, or the use of extemporary prayer. They cherished these privileges as belonging to them of divine right; they boasted that they were not, like the ministers in other churches

<sup>1</sup> Howell's State Trials, iii. 591—712. Balfour, ii. 216—220. Burnet's Own Times, i. 25. Laud's Troubles, 94. The justice-general "found and declared that Balmerino had incurred the pain of death contained in the acts of parliament" (State Trials, 712), "but the sentence pronouncing against him was delayed, sore against the bishope's will (quho ragged lyke a tempestuous sea therat) wntil his majestie should be advertissed."—Balf. ii. 219.

<sup>2</sup> Though the Covenanters attribute this "novation" to Laud, he solemnly declares in the History of his Troubles, that he received the first notice of it from the king during his sickness in 1629.—Laud's Troubles, 168.

<sup>3</sup> Bibliotheca Regia, 125—138. The fourth canon of chapter viii. provides that "as reformation in doctrine or discipline cannot be made perfect at once, it shall be lawful for the kirk at any time to make remonstrance to his majesty," &c. The Scottish bishops deemed this canon of great importance, and begged it might not be altered. Laud approved of it, but expressed his satisfaction that its true meaning remained still under the curtain."—Dalrymple, ii. 1. Laud's Troubles, 101.

<sup>4</sup> The king enjoined both the book of canons and the new service by "his authority royal."—Bib. Regia, 136, 138. Balfour ii. 224.

ettered and shackled with forms and  
ubrics; they claimed the right of  
ntroducing all subjects of local or  
national interest into their addresses  
o heaven, and of kindling the pas-  
ions of their hearers by the solemnity  
f their appeals to the knowledge and  
ustice of the Almighty. The publica-  
ion of the book of canons had put  
hem on their guard; and the moment  
he liturgy was announced, woes and  
urses were showered from every pul-  
it on the heads of the men, who  
ought "to gag the spirit of God, and  
o depose Christ from his throne, by  
etraying to the civil magistrate the  
uthority of the kirk." These de-  
unciations created a spirit of the  
ildest fanaticism; but while resis-  
tance was threatened and prepared,  
he leaders, with a degree of caution  
hich seldom accompanies religious  
nthusiasm, contrived to eschew dan-  
er to themselves by transferring the  
ious task "to the Christian valyancie  
f the godly women."

On the appointed day the bishop  
and dean of Edinburgh, accompanied  
y the lords of the council, the judges,  
and the magistrates, proceeded to the  
High Church, which had been se-  
lected for the cathedral.<sup>1</sup> It was  
already crowded, and chiefly with  
females. From the moment the dean  
ommenced the service, nothing was  
to be heard but groans, hisses, and  
uprecations. The women of all  
ranks began to exclaim that "the  
mass was entered, that Baal was in  
the church;" they upbraided the  
minister with the most injurious  
ames and epithets; he was "a thief,  
devil's gett, and of a witche's breed-

ing:" Janet Geddes threw the stool  
on which she had been sitting, at his  
head; and other stools with a shower  
of clasp-bibles followed.<sup>2</sup> The dean,  
alarmed at the danger, resigned the  
post of honour to his superior in dig-  
nity and courage, the bishop; but no  
sooner had that prelate opened his  
mouth, than his voice was drowned  
amidst cries of "fox, wolf, and belly-  
god" (an allusion to his corpulency),  
and in a few moments a stool, which,  
flung from a strong arm, whizzed  
close by his ear, admonished him to  
make a precipitate retreat. In this  
stage the magistrates by their exer-  
tions succeeded in excluding the most  
riotous from the church; the doors  
were locked, and the service proceeded  
amidst repeated interruptions from  
showers of stones which demolished  
the windows, and from loud cries  
from the people without, of "A pape,  
a pape, anti-christ, stane him, pull  
him down." At the conclusion the  
prelate departed in haste to his lodg-  
ing in the High-street, but was over-  
taken by a crowd of female saints; and  
though he at first disengaged himself,  
and reached the door, was again  
seized, dragged down the stair, thrown  
on the ground, and rolled in the mire.<sup>3</sup>  
In the afternoon precautions were  
taken, and the service was read with  
little interruption to a small and  
select auditory, from which all the  
"weiffes" were excluded; but the  
bishop, on his appearance in the  
street, found himself in greater danger  
than before; and would have met  
with the fate of St. Stephen, had not  
the earl of Roxburgh snatched him  
from martyrdom, and afforded him

<sup>1</sup> That part, which has since been turned  
into a police-office: the east end was under  
repair.

<sup>2</sup> "Ane godly woman when sche hard a  
young man behind sounding forth *amen* to  
that new composed comedie, sche quicklie  
turned her about, and after sche had  
armed both his cheeks with the weight of  
her hands, sche thus shot against him the

thunderbolt of her zeal: 'False thief,' said  
sche, 'is there na uther pairt of the churche  
to sing mess in but thou must sing it at my  
lugge?'"—Balfour, Stonie Field Day.

<sup>3</sup> "Neither," says Sir James Balfour,  
"could that lubberly monster with his  
satine gown defend himself by his swollen  
hands and greasy belly, but he had half a  
disenneck fishes to a reckoning."

an asylum in his carriage. The women, however, followed, shouting and hurling stones, till the gates of Holyrood-house closed upon him, and disappointed the vengeance of his pursuers.<sup>1</sup>

Such an outrage under a vigorous government would have been met with prompt and adequate punishment; but the ministers of the crown in Scotland were slow to engage in a contest in which they felt no interest, and the issue of which seemed more than doubtful. They saw that the strongest prejudice against episcopacy existed among their countrymen; that the restoration of the order was connected in the minds of the nobility with the probable loss of the church lands still in their possession; and that the introduction of eight prelates into the council, the appointment of one to be chancellor, and the power assigned to them of choosing the lords of the articles in the last parliament, had excited jealousies and apprehensions in the higher as well as in the lower classes.<sup>2</sup> Under such discouraging circumstances they shrunk from the contest, and left the execution of the royal will to the earl of Traquair, the treasurer; an unwelcome and invidious task, which drew on him the resentment of his countrymen, without securing to him the gratitude of his sovereign. The failure of every measure prescribed by Charles induced the prelatie party to accuse Traquair of treachery; his

best justification will be found in the conduct of his opponents, who pursued him with unrelenting hatred as their most vigilant and most dangerous opponent.

It will be easy to conceive the vexation of Charles when he became acquainted with the late proceedings in Edinburgh; but to recede was, in estimation, to subject the royal authority to the will of the multitude, and to prepare the way for similar outrages on the part of the English Puritans. At the request of four ministers the Scottish council had suspended the letters of horning decreed against them, till the pleasure of the king could be ascertained. A messenger arrived; the lords were reproved for their backwardness, and the order for the use of the new service-book was renewed. But by this time the number of the petitioners had multiplied; strangers of all ranks had crowded to their support; solemn fasts had been observed to implore the protection of Heaven, and the most spirit-stirring appeals were made to the people in favour of the kirk. A second suspension followed, and the supplications of the multitude were forwarded to the court. Charles returned a similar answer; the public discontent increased; and a riot nearly conferred the crown of martyrdom on the treasurer and two of the prelates. The council, by the king's order leaving the capital, repaired to the palace

<sup>1</sup> Compare Nelson, i. 6—8; Guthrie, 23; Baillie, 5; Clarendon, i. 109, with several original passages collected by the industry of Mr. Brodie, ii. 452. It appears that the women in all places were put in the front of the rioters. In the synod of Glasgow William Annan had, in a sermon, spoken favourably of "the buke." "At the outgoing of the church about thirty or forty of our honestest women, in one voice before the bishops and magistrates, fell a railing, cursing, scolding, with clamours on Mr. Annan.....He is no sooner in the street at nine o'clock, in a dark night, with three or four ministers with him, but some hun-

dreds of enraged women of all qualities about him with neaves, staves, and pebbles but no stones. They beat him sore. His cloak, ruff, and hat were rent. However he escaped all bloody wounds, yet he was in great danger even of killing."—Baillie, 8

<sup>2</sup> "I find this the prime reason of the nobility's proceedings—eight of the bishops being lords of the articles, who had power to chuse other eight of the nobility whom they knew most addicted to his majesty, and these sixteen the rest, so that all depended upon them, and they upon his majesty."—Dalrymple's Memorials, 4

Dalkeith, and soon afterwards assented to a proposal that the petitioners should be represented by a deputation permanently resident in Edinburgh. The object of the king's ministers was to induce the crowds of strangers to withdraw to their homes; their opponents had a more important object in view. The nobles, the gentry of the counties, the clergy of the presbyteries, and the "indwellers" of the burghs, severally chose a "table" or board of four representatives; and each of these boards selected one from their number to form a committee of superintendence and government, with power to collect the opinions of the others, and to decide on all questions in the last resort. With these five boards in the capital corresponded others in the country; their orders were received with respect, and executed with promptitude; and in a few weeks the Tables possessed and exercised an uncontrolled authority throughout the greater part of Scotland. The contrivers of this plan, and the leading members of the committees, were the earl of Rothes, Balmerino, Lindsay, Lothian, Loudon, Yester, and Cranston.<sup>1</sup>

As the petitioners grew in numbers, they advanced in their demands. They required the formal revocation of the liturgy, of the book of canons, and of the court of High Commission. They accused the bishops of being the authors of the troubles which agitated Scotland: they "declined" their authority; they protested against every act of council to which any of the prelates should be parties. At the expiration of seven weeks, Traquair was ordered to publish a proclamation in Edinburgh and Stirling, declaring

the Tables unlawful, pardoning all who should peaceably return to their homes, and commanding all strangers to depart under the penalty of treason. But the petitioners were previously acquainted with this order; they met in considerable numbers both in Stirling and Edinburgh; and, as soon as the herald had performed his office, read and affixed to the market-cross a counter protestation. This extraordinary procedure was held a sufficient ground to disobey the royal command.<sup>2</sup>

But the leaders of the anti-episcopal party adopted another and more efficient expedient. Under the auspices of Rothes, Balmerino, and Loudon, with the aid of Johnston of Warriston, the advocate, and of Henderson, the preacher, a form of covenant was devised with the view of uniting the whole nation into one dissenting body. To blind the ignorant and the unwary, it began with the recital of one of more ancient date, containing a general profession of faith, and a minute abjuration of the doctrines and practices attributed to the church of Rome; to this was appended an enumeration of all the acts of parliament which confirmed the tenets and discipline of the kirk, and inflicted punishment on its opponents; and then followed the vow, in which the subscribers bound themselves "by the great name of the Lord their God," to defend the true religion, to resist all contrary errors and corruptions, and to stand to the defence of the king, his person and authority, in preservation of the religion, liberties, and laws of the kingdom, and to the defence of each other in the same cause, so that whatsoever should be done to the

<sup>1</sup> Baillie, 9, 10, 15, 23, 25. Rushworth, i. 304. Hardwicke Papers, ii. 96, 103. Burnet, *Memoirs of Hamiltons*, 53. Nalson, i. 16—18. It is plain that the consequences of his obstinacy were pointed out to the king by the council in Edinburgh.—

Hard. Papers, ii. 95—100. Balfour, ii. 229—238.

<sup>2</sup> Baillie, 18, 23, 29, 34, 42—44. *Large Declaration*, 48. Hardwicke Papers, ii. 97—101. Rushworth, ii. 406. Nalson, i. 20—27. Balfour, ii. 240—249.

least of the subscribers on that account "should be taken as done to all in general, and to every one in particular;" clauses which, by limiting the obedience of the subject, were construed to authorize rebellion, whenever the measures pursued by the sovereign should be represented by the Tables as contrary to the laws, or liberties, or religion of Scotland. By orders from the committees, every Scotsman who valued the pure faith and discipline of the kirk, was summoned to the capital to observe a solemn fast, as a preparation for the renewal of the covenant between Israel and God; and on the appointed day zealots of each sex, and of every rank and profession, from the Highlands as well as the Lowlands, crowded to the church of the Grey Friars. The service began with a fervent prayer from Henderson, the minister, and an exciting speech from Lord Loudon, the best of their orators: the congregation rose; and all with arms outstretched to heaven swore to the contents of the covenant. They shouted, wept, and embraced each other; God was appeased; their backsliding and apostasy were forgiven. From the capital the enthusiasm quickly diffused itself to the extremities of the kingdom; where goodwill was wanting, intimidation was applied; and the covenanters, in every county but that of Aberdeen, outnumbered their opponents in the proportion of a hundred to one.<sup>1</sup> The royal authority, though still acknowledged, was no longer obeyed; and

the government was in fact exercised by "the Tables."

James, on his accession to the English throne, had established a privy council of Scotsmen, charged exclusively with the affairs of their native country. By the advice of this council, after three months had been spent in deliberation, Charles resolved, in opposition to the remonstrances of his council in Scotland, to suppress the covenant by open force; and in the interval, while he made preparations for the contest, to send the marquess of Hamilton, as his commissioner, to Scotland. Hamilton was instructed to promise that "the practice of the liturgy and the canon should never be pressed in any other than a fair and legal way, and that the High Commission should be so rectified as never to impugn the laws or to be a just grievance to loyal subjects;" and that the king, instead of punishing those who had lately taken an illegal covenant, would pardon the offence, on condition that they should immediately renounce it, and deliver up the bond to the commissioner. He had invited the nobility to meet him at Haddington, but not a single Covenanter appeared. Offended and mortified, he continued his route to Dalkeith, where he received a visit from Rothes, and was induced by him to proceed to Edinburgh and reside at Holyrood House. In the meantime a national fast had been proclaimed; crowds hastened from all parts to Edinburgh; and, on the day appointed for his removal, the roads

<sup>1</sup> Baillie, 35. Rushworth, ii. 754—778. Guthrie, 34, 35. Hardwicke Papers, ii. 103, 107. "If you knew what odd, uncouth, insolent, and ridiculous courses they use to draw in silly ignorant fools, fearful fashards, women and boys, I can hardly say whether it would afford his majesty more occasion of laughter or anger.....You could not have chused but laugh to have seen pipers and candle-makers in our town committed to the town-jail by our zealous Mr. Mayor;

and herdmen and hiremen laid in the stool up and down the country, and all for refusing to put their hand to the pen, as thousand have done, who cannot write, indeed; and yet you would have laughed better to have seen the wives in Edinburgh .....so many of them as could not subscribe.....hold all up their hands when the covenant.....was read, as soldiers do when they pass a muster."—Dalrymple ii. 25.

along which he had to pass, from Musselburgh to Leith, and from Leith to the capital, was lined by a multitude of Covenanters, perhaps fifty thousand men, carefully arranged in several divisions, among which the most conspicuous was that of the clergy, amounting to five, some say seven, hundred ministers. The pretence was to do him honour; the object, to make before him a display of their union, and numbers, and power.

The commissioner, whether, as some thought, he secretly favoured the cause of the Covenanters, or, as is more probable, he despaired of subduing or mollifying their obstinacy, suspended the execution of his instructions; made two successive journeys to London, to convey information, and to receive the commands of his sovereign; and on his second return published a proclamation "discharging" the service-book, the book of canons, and the High Commission court, dispensing with the five articles of the assembly of Perth, excusing the intrants into the ministry from the oath of supremacy and of canonical obedience, commanding all persons to lay aside the new covenant, and to take that which had been published by the king's father in 1580, and summoning a free assembly of the kirk against the month of November, and a parliament against that of May in the following year.<sup>1</sup>

These were concessions which, at an earlier period, would have been

accepted with gratitude. But it was the misfortune of Charles not only to act with insincerity himself, but to be surrounded by counsellors equally insincere, who, while they sought to obtain his favour by conforming their advice to his wishes, were careful at the same time to purchase the good opinion of his adversaries by perfidiously communicating to them his real intentions. The Scottish leaders received information that no reliance was to be placed on this apparent change of disposition in the monarch; that his object was to lull them into a fatal security, till he had completed his preparations for war; and that in a few months he would enforce whatever he had now withdrawn, at the head of a numerous and well-appointed army. They determined to persist in their union; and opposed to the royal proclamation a formal protest, showing by sixteen reasons that to assent to the demands of the king would be to betray the cause of God, and to act against the dictates of conscience.<sup>2</sup>

It was expected that Charles would forbid the meeting of the General Assembly; but he ordered the commissioner to attend, hoping that the violence of the members would provoke him to dissolve it, and would justify, in the opinion of his English subjects, his intended appeal to arms. The Tables were masters of the elections; they procured one lay elder and four lay assessors to be returned from every presbytery; and thus,

<sup>1</sup> Baillie, 60, 79. Balfour, ii. 264—288. Rushworth, ii. 752, 754, 787. Burnet's Hamiltons, 82, 88. Nalson, i. 32—57. That Charles meant only to temporize, appears from the Strafford Papers, ii. 181, 184—186, 188, and his letters to Hamilton: "Your chief end being now to win time; that they may commit public follies, until I be ready to suppress them."—Burnet's Hamiltons, 55, 56, 57, 59, 60. "Volendo il re pigliar tempo col negozio finche fosse in ordine di opprimere i sediziosi a salva mano."—Conn, 30 Luglio, 1638.

<sup>2</sup> Rushworth, 772—780. Nalson, i. 64. Balfour, 292. There is in Dalrymple a curious letter of information from some friend to the Covenanters, which shows that many Englishmen wished success to the Scots, with the view of emigrating to Scotland, that they might not be compelled to conform by the prelates in England. The writer therefore begs, that, whenever they agree to a pacification, one article may be that the subjects of each kingdom may freely dwell in the other (ii. 42).

with the aid of their friends, became sufficiently numerous to control the few among the clergy who hesitated to approve of their proceedings. The Assembly met at Glasgow, and a week was spent in violent and irritating debates. The commissioner protested against the part taken by the Tables in the elections, against the introduction of the lay elders, a practice discontinued since the beginning of the last reign, and against the authenticity of certain written volumes which were produced, as containing the acts of more ancient assemblies, acts hitherto supposed to have been lost, but now most providentially discovered. On every subject he was overpowered by numbers; and when Henderson, the moderator, prepared to put the question respecting the declinator of the bishops,<sup>1</sup> he conceived that the moment described in his instructions was come, and suddenly rising dissolved the Assembly. His manner, his tears, and his language, persuaded the members that, if his voice was against, yet his heart was with them; but, if we may believe his letter to the king, his distress arose from the calamities which he saw ready to burst on his country. He blamed both parties; the presumption and disobedience of the Covenanters, the illegal proceedings, the ambition, and the immorality of several among the bishops; and conceiving his life in danger, bequeathed his children to the care of his sovereign, that the sons might be bred, and the daughters married, in England. He added, that from Scotland he wished to be divorced for ever.<sup>2</sup>

But the Assembly was not inclined to dissolve itself at the mere mandate of the sovereign. The earl of Argyle,

though he was not a member, and had hitherto disguised his real sentiments, came forward to countenance their meetings, and bear witness to the "righteousness of their proceedings." Encouraged by his presence, they passed a resolution that in spiritual matters the kirk was independent of the civil power, and that the dissolution of the Assembly by the royal commissioner was illegal and void. The three next weeks were employed in the revision of every ecclesiastical regulation introduced since the accession of James to the crown of England. The liturgy, ordinal, book of canons, and court of High Commission, were condemned; episcopacy was abolished; and the bishops themselves, with the ministers, the known fautors of the bishops, were excommunicated or deprived. Charles by proclamation annulled these proceedings; the Scots received them with transports of joy, and celebrated a day of national thanksgiving for their delivery from prelacy and popery.<sup>3</sup>

While the Covenanters thus steadily pursued the abolition of episcopacy, they were not inattentive to the danger which threatened them from England. Their preparations for war kept pace with those of their sovereign. In military matters they had recourse to the experience of Alexander Leslie, an adventurer who had served under the king of Sweden in the wars of Germany, had risen to the rank of field-marshal, and had returned lately with considerable wealth to his native country. In conformity with his advice, the supreme committee in Edinburgh issued its commands to the inferior boards in the several presbyteries, and religious enthusiasm insured obedience. Every man capable

<sup>1</sup> The declinator was a protestation against the authority of the Assembly. It is in Nalson, i. 249.

<sup>2</sup> Hardwicke Papers, ii. 113—121. Baillie,

96—115. Rushworth, ii. 840—857. Balfour, 301—303.

<sup>3</sup> Hardwicke Papers, ii. 124. Baillie, 115—149. Rushworth, ii. 872, 875—881. Nalson, i. 97—120. Balfour, 303—315.



of bearing arms was regularly trained; officers who had grown old in actual service hastened from the Swedish and Dutch armies to animate and exercise their countrymen; and arms and ammunition were furnished by the Scottish merchants in Holland. Money was the principal desideratum. A scanty supply was obtained from some of the rich citizens in Edinburgh; many of the nobility sent their plate to be coined at the Mint; and a liberal present was received, in the name of the French monarch, from a secret and unexpected friend, the cardinal Richelieu.

<sup>1</sup> It may appear strange that Richelieu should voluntarily offer assistance to the disaffected subjects of a prince in amity with his own sovereign, and married to a daughter of France. That minister was actuated by motives of public and personal interest. Charles had formerly excited rebellion in France, by sending the expedition under Buckingham to take possession of the isle of Rhé: he had by his opposition and menaces defeated the cardinal's plan of partitioning the Spanish Netherlands between France and the States according to the treaty of Paris; and had, during the war against the house of Austria, betrayed a secret leaning to the cause of Spain, through the hope of obtain-

ing the Palatinate for his nephew.<sup>1</sup> In these instances he opposed the general policy of Richelieu; in another he offered him a personal offence, by opening in his dominions an honourable asylum to Mary of Medicis, the queen mother, once the cardinal's patroness, but of late years his most dangerous enemy.<sup>2</sup> On these accounts Richelieu instructed the French ambassador to open a clandestine intercourse with the insurgents; despatched Chambers, his almoner, and a Scotsman, to inquire into the origin and progress of the troubles in Scotland; procured the release of six thousand stand of arms which had been bought for the Covenanters and seized by the States of Holland; and ordered the French ambassador in London to pay one hundred thousand crowns to General Leslie, who was appointed commander-in-chief.<sup>3</sup> But the last transaction was kept a profound secret by the Scottish leaders. Had it been known to the ministers, their bigotry would have pronounced it a sacrilegious violation of their covenant with the Almighty. Already, when it was proposed to solicit assistance from the Lutheran princes of Germany, and the Catholic kings of France and Spain, they had replied that the Lutherans were heretics, the Catholics idolaters; and that to have

<sup>1</sup> As Charles could not foresee the issue of the contest, he negotiated with each in favour of his nephew. Richelieu would promise nothing, unless the English king should openly join in the war. At first he would only allow an auxiliary force of six thousand men to be raised in England, and the co-operation of an English fleet. By degrees he was drawn much further; but the cardinal contrived to spin out the negotiation for three years, till the troubles in Scotland relieved him from all apprehension on the part of Charles. (See the Sydney Papers, ii. 374—660.) It served admirably the cardinal's purpose of procrastination, that the earl of Leicester, the ambassador, was forbidden to meet the cardinal in person, that the latter might not claim the precedence.—Ibid. 384, 388.

<sup>2</sup> Ibid. 517—521, 569, 573.

<sup>3</sup> Dalrymple, ii. 47. *Nouvelles Lett.*

*d'Estrades*, i. 8. *Temple*, ii. 545. Some hints of this intrigue had been received by government in July.—*Sydney Papers*, ii. 562. It was discovered by Hamilton in March of the next year. Conn to Barberini, 18 March, N.S. The following letter from Richelieu to *d'Estrades* proves his resentment against both the king and queen:—"Je profiterai de l'avis que vous me donnez pour l'Ecosse, et ferai partir l'abbé Chambre, mon aumônier, qui est Ecossais de nation, pour aller à Edinbourg attendre les deux personnes que vous me nommez, pour lier quelque négociation avec elles. L'année ne se passera pas que le roi et la reine d'Angleterre ne se repentent d'avoir refusé les offres que vous leur avez faits de la part du roi." Of the Scottish agents he says, "Vous avez rendu un grand service au roi d'avoir decouvert ces deux hommes. Assurez les de mon affection et de ma protec-

recourse to either would be to refuse the protection of God, and to lean to the broken reed of Egypt.<sup>1</sup>

It was not till after the first return of the marquess of Hamilton from Scotland that Charles deigned to ask the advice of his English counsellors.<sup>2</sup> Laud, whether it was through a sense of duty, or through apprehension of the result, surprised his colleagues by the earnestness with which he argued in favour of peace. But his opposition served only to procure a short delay. The king had long ago taken his resolution; the archbishop was reprimanded for his pusillanimity; and the majority of the council hastened to determine in conformity with the pleasure of the sovereign. In the beginning of December the captains were named, and the general officers were appointed: the lords lieutenant received orders to muster the trained bands of the several counties, and the lord keeper sent a summons to each peer to wait on the king at York, with a retinue suitable to his rank. To procure money, loans were made, the payment of pensions was suspended, the clergy, judges, and lawyers were called upon to contribute with their purses in lieu of their personal services; and the queen employed all her influence with the leaders of the Catholics to obtain from them a liberal subscription in return for the indulgence which they

had experienced from their sovereign.<sup>3</sup>

Charles, however, could not but remark the visible indifference of his English subjects. To the majority, discontented with the illegal tenor of his government, it was a matter of little concern, perhaps of real satisfaction, that the Scots refused submission to his mandates; the Puritans openly condemned the war as an impious crusade against the servants of God; and the only persons who seemed to interest themselves in the cause were the more orthodox of the clergy, and the few men of wealth and importance who depended on the favour of the court. It was in vain that the king by different proclamations pronounced the Covenanters rebels, that he accused them of aiming at the separation of the Scottish from the English crown, and that he attributed to them the design of invading and plundering the northern counties. To such charges were successfully opposed the printed declarations of the Tables, who called on God to witness their loyalty, and protested that, if they had taken up arms, it was in defence of the rights of conscience: let the king only cease from his religious innovations, and he would find them the most dutiful of his subjects.<sup>4</sup>

But these professions of obedience did not prevent them from being the

tion. Ruel, 2 Décembre, 1637."—Lettres d'Estrades, i. 10. <sup>1</sup> Baillie, i. 154.

<sup>2</sup> It has been believed, on the credit of the charges against Laud and Strafford, that they were the real authors of the war. It will, however, appear, from a careful examination of their private letters and other contemporary documents, that Laud dissuaded hostilities, and that Strafford's advice was not asked. The king inquired what aid he might expect from Ireland; and Strafford, in answer to a second letter, promised to send five hundred men. He acknowledged, indeed, that the presumption of the Scots ought to be checked, but advised a middle course, so as neither to submit to their will, nor to make a rash and

sudden declaration of war.—See Land's Troubles, 76, 168; Sydney Papers, iii. 579; Strafford Papers, ii. 187, 190, 228, 233, 264.

<sup>3</sup> Rushworth, ii. 791—797, 818, 820—826. Sydney Papers, ii. 579. Strafford Papers, 350, 351. Charles made an attempt to procure, through the agency of Colonel Gage, a foreign army of six thousand foot and four hundred horse from the archduke, in return for permission to raise a certain number of recruits for the Spanish army yearly in Ireland. It failed, because the archduke could not spare so large a force of veterans at that moment.—Clarendon Papers, ii. 16—29, 50.

<sup>4</sup> Clarendon Papers, ii. 798—802, 830—833.

first to commit hostilities. On a Friday in March the castle of Edinburgh was surprised by Leslie, at the head of one thousand musketeers; on the Saturday the womanish apprehensions or wavering fidelity of Fraquair surrendered the strong house of Dalkeith, and with it the regalia of Scotland; and on the next day the rest of the Sabbath and the observance of a solemn fast were violated to obtain possession of the castle of Dumbarton. The governor, with part of his garrison, having left the church after the second sermon, was surrounded by a party of armed men, and compelled, under a menace of immediate death, to send for the keys, and deliver them to the provost of the town.<sup>1</sup> Thus, as Stirling was already secured by the earl of Marr, who had taken the covenant, of all the royal fortresses one only, and that the least important, Carlaverock, on the western border, remained to the king. Every day brought him intelligence of some new disaster or disappointment. The earl of Antrim, who, from Ireland menaced the possessions of Argyle, was unable to fulfil his engagement; Huntly, who had raised the royal standard in the north, was, after a private conference, treacherously detained by the Covenanters under Montrose, and then conducted a prisoner to Edinburgh; and Hamilton, who entered the Frith with a numerous fleet, instead of occupying Leith according to his instructions, spent a whole month in useless and suspicious conference with the insurgents, and made no attempt to land on any part of the coast. Charles himself had repaired to York, where he proposed to the lords who accompanied him an oath of allegiance, binding them to oppose all seditions,

and conspiracies, and covenants against his person and dignity, even if "they came veiled under pretence of religion." To his surprise and indignation it was refused by the lords Brooke and Say, who, to the interrogatories put to them, replied that, though they could not be compelled by law, they were willing through affection, to accompany their sovereign; but that they were ignorant of the laws and customs of Scotland, and therefore unable to say whether the Covenanters were rebels, or the war against them was just. The king ordered them to be confined, consulted the attorney and solicitor general, and learned with vexation that there existed no ground for criminal proceedings against the prisoners. After some days they were discharged.<sup>2</sup>

From York Charles advanced to the neighbourhood of Berwick; Leslie had fixed his head-quarters at Dunglass. That general called for every fourth man from each presbytery; and, though the call was not exactly obeyed, twelve thousand volunteers crowded to his standard. He demanded reinforcements; the ministers in the camp added written exhortations; and the instructions delivered to the messengers served to display the policy of the leaders and the feelings of the people. One was directed to call on every true Scotsman in the name of God and the country to hasten to the aid of his countrymen, with them to extort a reasonable peace from the king, or to seek in battle their common enemies, the prelates and papists of England. Another followed, denouncing the course of Meroz against all who came not to the help of the Lord; and he was succeeded by a third, who, in

<sup>1</sup> Balfour, ii. 320—323. Baillie, i. 159, 159. Nalson, i. 212.

<sup>2</sup> Bibliotheca Regia, 371—373. Clarendon Papers, ii. 38, 41, 45. The lords who

had taken the oath signed a paper declaring the sense in which they had taken it. The king was displeased, and the oath laid aside.—Strafford Papers, ii. 351.

bitter and sarcastic language, summoned the loiterers to attend the burial of the saints, whom they had abandoned to the swords of the idolaters. Such invitations produced impressions on minds deeply imbued with religious fanaticism; and Leslie's army gradually swelled to more than twenty thousand combatants, all enthusiasts in the cause, and ready to shed their blood for the Lord of Hosts. On the tent of every captain waved a new ensign, bearing a figure of the Scottish arms, with this motto: "For Christ's crown and the covenant." Each morning and evening the men were summoned by sound of drum to perform their devotions under the canopy of heaven; two sermons were preached daily to convince them of the righteousness of their cause and the protection of the Almighty; and of the remainder of their time whatever portion was not spent in martial exercises was devoted to the reading of the Scriptures, the singing of psalms, mutual exhortation, and extemporary prayer.<sup>1</sup>

To this army, thus animated by the most powerful motives that can influence the human breast, Charles could oppose an equal, perhaps superior, number of men; but men who felt no interest in the cause for which they were destined to fight, who disapproved of the arbitrary proceedings of their sovereign, and who had been warned that the suppression of the Scottish covenanters could only serve to rivet those chains which had been forged for themselves. The earl of Holland appeared before Kelso with a numerous detachment of horse and foot; but at the sight of the Scots they turned their backs, and Leslie,

who considered procrastination equivalent to defeat, announced his intention of marching against the royal army, and advanced to Dunse-law opposite to the royal camp at the Birks. Charles, who had hitherto affected to despise the enemy, felt a sudden alarm; works were immediately constructed on the banks of the Tweed; and a page, who had obtained permission to visit his Scottish friends, received instructions to suggest the possibility of an accommodation. His meaning was understood; passports were solicited and commissioners proceeded to the English camp. They were received in the tent of the earl of Arundel; but Charles took the negotiation on himself; and for several days debated every point with an earnestness of argument and a tone of superiority which seem to have imposed on the hearers of both nations. By his last answer, though he refused to acknowledge the assembly of Glasgow, he consented to ratify the concession made by his commissioner, and to intrust the decision of all ecclesiastical questions to a general assembly, that of civil matters to the parliament and to summon both to meet in the month of August. This answer was far from giving complete satisfaction; it made no mention of the abolition of episcopacy, and it affected to regard the proceedings at Glasgow as of no validity; but, on the other hand many of the Covenanters, partly from religious scruples, partly from the fear of irritating the people of England, refused to cross the border. Reports were daily circulated of a descent from Ireland; and the issue of a rising of the royalists in the north

<sup>1</sup> Baillie, 170, 175, 176. "Had you lent your ear, and heard in the tents the sound of some singing psalms, some praying, some reading scripture, you would have been refreshed.....For myself I never found my mind in better temper than it was. I

was as a man who had taken leave from the world, and was resolved to die in that service without return. I found the favour of God shining upon me, and a sweet, meek, humble, yet strong and vehement spirit leading me all along."—Id. 178.

under the lord Aboyne, son to the earl of Huntly, was still uncertain. Under these circumstances the chiefs resolved to accept the declaration, and engaged on their part to disband the army, and to restore the royal fortresses. By the more zealous of the Covenanters they were reproached with apostasy from the cause of God and the kirk; and to vindicate themselves they published an apology, which was afterwards condemned by the English council as a false and seditious libel, and ordered to be burnt by the hands of the common hangman.<sup>1</sup>

Charles had promised and intended to proceed to Edinburgh, to hold the parliament in person. He was deterred by new instances of "valyancie" on the part of "the godly females," who insulted with impunity his friends, even the first officers of state, whenever they appeared in public.<sup>2</sup> To gain the more moderate, and to discover the real views of the more violent among his opponents, he summoned fourteen of their number to attend him at Berwick; but distrust of the king, or consciousness of guilt, induced the majority to disobey; and only three commoners and three lords, Montrose, Loudon, and Lothian, ventured to wait on their sovereign. Of the lords, Montrose was made a convert, Loudon and Lothian were mollified by the condescension and protestations of Charles; while Hamilton by his dissimulation (he had previously received for that purpose a royal warrant and pardon) drew from the others many of the secrets of

the party.<sup>3</sup> Before his departure for London the king appointed Traquair to hold both the assembly and the parliament; imposing on him a task to which no human abilities were equal,—to guide the zeal and moderate the language of religious enthusiasts. He was, indeed, willing to tolerate what he had not the power to prevent; and with the resolution of afterwards revoking whatever necessity should now compel him to grant, he allowed the commissioner to consent to the abolition of episcopacy, of the service and the canons, of the articles of Perth, and of the High Commission court; but on no account to admit of expressions which should designate these institutions and doctrines as unlawful in themselves, or contrary to the word of God. The assembly was first held: every deputy, before his departure from his presbytery, had been compelled to testify upon oath his adhesion, to the late obnoxious assembly at Glasgow; and in the preamble to their acts they were careful to employ all those opprobrious and damnable epithets which the king regarded with so much horror. All that the commissioner could obtain was, that they should not be introduced into the clause of abolition itself, and that to the covenant should be added a more express declaration of allegiance to the sovereign. Traquair, though with reluctance, gave the royal assent to these proceedings, and the successful conclusion of the assembly was hailed by the people with shouts of triumph and prayers of thanksgiving.<sup>4</sup>

In parliament the Covenanters dis-

<sup>1</sup> Rushworth, ii. 945, 1023. Hardwicke Papers, ii. 130—141. Ellis, 2nd series, iii. 290. Sydney Papers, ii. 601. Biblioth. Regia, 181. Burnet's Hamiltons, 140. Nalson, i. 232—240, 251. Balfour, ii. 324—329. Balfour says that the paper burnt contained three or four articles signed by the king, but to be kept secret, that his honour might not be impaired (ii. 328). Yet in all the subsequent disputes we hear only of verbal promises, which the king was said to have made, and which some of the lords reduced

to writing, that they might not be forgotten (336, 340, 341). One of these was, that the clergy should not be comprehended in the article which restored to all the king's Scottish subjects the goods of which they had been deprived.—Land's Troubles, 170, 171.

<sup>2</sup> Baillie, i. 184. Rushworth, ii. 1024. Burnet's Hamiltons, 144.

<sup>3</sup> Hardwicke Papers, ii. 141. Rushworth, ii. 955, 956, 1021.

<sup>4</sup> Rushworth, ii. 948, 953—965, 1024. Burnet's Hamiltons, 149—154, 155. Nalson, i.

played equal firmness and obstinacy. Their object was twofold,—to supply the place of the spiritual lords, the bishops, who, after the act of assembly, no longer existed in Scotland, and to abridge the power which the crown had hitherto possessed of selecting the questions for discussion, and of influencing the voters in parliament. They permitted the commissioner for once to select the lords of the articles, but only as a matter of grace, and not of right; and proposed that the lesser barons, the commissioners of the shires, should for the future occupy the place of the bishops; that each estate should freely choose out of its own body a portion of the lords of the articles; that patents of peerage should be restricted to persons in actual possession of land-rents within the country to the yearly amount of ten thousand marks; that no proxies should ever more be admitted; that the castles of Edinburgh, Dunbarton, and Stirling should be intrusted to the custody of none but Scotsmen; and that all acts in favour of episcopacy should be repealed. Traquair felt himself too weak to stem the torrent; he prorogued the parliament during a few days, and Charles, approving his conduct, continued the prorogation for six months. This proceeding was met as usual with a protest against its legality, but accompanied with a promise that the States would obey, not because they were obliged by law, but that they might prove their deference and attachment to their sovereign.<sup>1</sup>

The king was fully convinced that,

though religion might influence the multitude, the depression of the royal authority was the real object of the leaders. To reduce them to obedience he knew of no other method but force; and, while he revolved in his mind expedients to raise funds for a second expedition, fortune, as he persuaded himself, placed a new resource within his grasp. A Spanish fleet of galleons and transports amounting to seventy sail, under Oquendo, had been discovered in the Channel by the Dutch squadron commanded by De Wit. A pursuit commenced; De Wit was joined by Van Tromp, and Oquendo sought an asylum in the Downs. He had lost three ships, his pursuers two; but the latter entered the road with him, and repeated arrivals from Holland augmented their force to the number of one hundred sail, besides fireships. It was the general opinion that the Spanish fleet could not escape destruction, when Charles made an offer, in consideration of one hundred and fifty thousand pounds in ready money, to take it under his protection and to convey it to its destination or the coast of Flanders, and thence to some port in Spain. The proposal was cheerfully entertained by the court of Brussels; an order, it is said had even been issued for the payment of part of the sum, when the States, unwilling to lose their prey, ordered the two admirals to attack the Spaniards. Though Pennington was present with an English fleet, under orders to prevent any aggression on either side, he remained a quiet spectator of the combat. Twenty-three Spanish ships

245. Balfour, ii, 351—353. Though Charles had resolved to make concessions with the design of revoking them afterwards ("col. beneficio del tempo, ed in congiunture piu opportune."—Rosetti, 23rd Sept. 1639), he was nevertheless greatly dissatisfied with the conduct of Traquair. His great objection was to the condemnation of episcopacy, as "unlawful in this kirk of Scot-

land:" he would have admitted, "contrary to the constitution of the kirk of Scotland," but disliked the word "unlawful," through fear that it might be abused by innovators in other countries.—Nalson, i, 255. It was a mere quibble.

<sup>1</sup> Balfour, ii, 351—362. Nalson, i, 265—271.

an on shore; of thirty which put out to sea, ten only reached the harbour of Dunkirk. The rest were either destroyed or captured. The cardinal infant, governor of the Netherlands, called on the king to revenge this insult on his authority; but Charles, keenly as he felt the disappointment and disgrace, was content to complain, and gladly accepted the apology which was made by ambassadors specially commissioned for that purpose.<sup>1</sup>

The king, after his return, had submitted the affairs of Scotland to the consideration of a committee, consisting of Archbishop Laud, the marquis of Hamilton, and Wentworth, who had been ordered to attend the English court. Laud assures us that he carefully abstained from all language which might add to the royal irritation, or lead to an offensive war; but he was silenced by the eagerness of the lord deputy and the known sentiments of the king. The bishop of London, lord treasurer, the earl of Northumberland, lord admiral, Cottington, Windebank, and Vane, were now added to their number, with instructions to provide funds, and to arrange the preparations for the campaign. They issued writs for ship-money to the amount of two hundred thousand pounds, and advised the king to summon a parliament, as the most legal manner of procuring a more abundant supply. Charles ordered a full council to be called; and, when he found them unanimous in the same advice, put to them this pertinent question: "If this parliament would prove as untoward as some

have lately been, will you then assist me in such extraordinary ways as in that extremity should be thought fit?" They replied in the affirmative, and the king reluctantly gave his assent.<sup>2</sup>

By the advice of Wentworth it was resolved to apply in the first instance to the liberality of the Irish parliament. Before his departure, to reward his past services, and to give greater weight to his efforts, he was created earl of Strafford, and appointed lord lieutenant of Ireland. There no man dared openly to oppose his pleasure; the two houses voted a grant of four subsidies; and at his command added a promise of two more, if they should be found necessary. This vote, it was fondly hoped, would prove a lesson and a precedent to the English members; the king immediately ordered his friends in Scotland to prepare for the approaching conflict; and Strafford returned to assist at the councils of his sovereign, having left orders for the immediate levy of an army of eight thousand men.<sup>4</sup>

In England the meeting of a parliament, after an interruption of so many years, was hailed with expressions of joy, and the people expected from its labours the redress of those grievances under which they had laboured, and the vindication of those liberties which had been violated. Charles met the two houses without any sanguine expectations of success; but he called upon them to grant him an ample and speedy supply, and, to demonstrate to them the justice of his cause, exhibited an intercepted

<sup>1</sup> See Nelson, i. 258; the despatches of Windebank in the Clarendon Papers, ii. 80; Warwick's Memoirs, 119; D'Esades, 29; Whitelock, 31; and Sydney Papers, ii. 612, 620.

<sup>2</sup> Sydney Papers, ii. 614, 615, 616, 624. Clarendon Papers, ii. 81, 82. Laud's Troubles, 171.

<sup>3</sup> See Appendix, MMM.

<sup>4</sup> Rymer, xx. 359. Strafford Papers, 390-404. It has been asked why the English parliament was summoned for so late a day

as the 13th of April, if the king's wants were so urgent? Windebank informed the ambassador at Madrid that it was to give time for the meeting of the Irish parliament before the commencement of that in England.—Clarendon Papers, ii. 82. Rosetti, in his letter of March 23rd, hints, as an additional reason, that the king was raising an army of fifteen thousand foot and four thousand horse, which might serve "per tener a freno il parlamento."

letter, subscribed by seven of the principal Covenanters, and soliciting the aid of the king of France. The result, however, proved that the Commons had inherited the sentiments and policy of their predecessors. They took no notice of the prayers or the wants of the sovereign; but gave their whole attention to the national grievances, which, by the advice of Pym, they divided into three heads—innovations in religion, invasions of private property, and breaches of the privileges of parliament. 1. Under the first they enumerated all the charges made by the Puritans against the archbishop, and complained of the authority recently given to the convocation to make new and amend the old constitutions, an authority necessarily affecting the rights and liberties of the laity. 2. The second

comprised the monopolies granted the crown, the levy of ship-money during so many years, the enlargement of the royal forests, the char laid on the counties during the 1 campaign, and the vexatious prosecutions on account of the refusal pay unwarrantable taxes, and of assistance to unlawful monopolies. They reckoned as breaches of privilege the command given by the king to the late speaker to adjourn the house without its consent, and the attempts of the courts of law to punish the members for their behaviour in parliament. On all these subjects it was resolved to solicit the opinion and co-operation of the Lords.<sup>2</sup>

Charles viewed the apathy of the Commons at first with impatience afterwards with alarm. It was

<sup>1</sup> London, one of the subscribers, had come to London in quality of a commissioner, and was committed to the Tower. In his own justification he alleged that the letter was written in May of the last year, before the king came to Berwick; and that he did not understand French, but supposed that its sole object was to solicit the mediation of the king of France; that it did not please, and therefore was not sent, nor intended to be sent; and that whatever offence he had committed by signing it was covered by the pacification of Berwick and the act of oblivion.—Journals, April 16. Whitelock, 33. May. Reprint of 1812. These allegations were undoubtedly false. The intention of the Scots had been betrayed to the marquess of Hamilton, by whose means both Colvil the envoy, and the letter had been secured (Rosetti, 18th March, N.S.); but another envoy conveyed copies both of the letter and of Colvil's instructions to Paris, where they were safely transmitted through an officer named Erskine to Bellière, and by Bellière to Richelieu. The letter was merely of credence in favour of Colvil: by his instructions he was ordered to state to the king and the cardinal the miserable condition of Scotland, through the encroachments of the royal authority not only on the religion, but chiefly on the fundamental laws of the kingdom; to complain that the king had violated the late pacification at Berwick by dissolving the parliament in opposition to the will of the States, and contrary to all ancient precedents; to beg the mediation of the French king between them and their

sovereign, a mediation which they would have solicited before, had they not relied long on the justice of their own king; and to remind Louis that, if Charles were suffered to tread the liberties of Scotland under foot, he would throw the power of his three kingdoms into the scale in favour of Spain against France. (See Mazure iii. 406.) Leicester, the ambassador in France, received a copy of the letter with orders to read it to Louis. He demanded an audience at Chantilly (April 25). In the ante-chamber Bullion requested to know the object of his visit, which he refused to disclose. The king took the letter, read more than once, and replied that he knew nothing of it; but that he would not assist rebels against their sovereign, rebelling too who made religion a cover for their malice.—Sydney Papers, ii. 647. Bullion was instructed to dissemble, or to let Richelieu act on such occasions designed without consulting his sovereign? On the very day he gave instructions to Bellière to draw out an answer to the Scots, but in terms so guarded that, whilst it would encourage their hopes, it might not, if intercepted, compromise either the French court or the leaders of the insurgents. Mazure, iii. 412. Leicester at the same time demanded the arrest of William Colvil on suspicion; but an answer was given that he was innocent, and that, if he were not, Louis would not give him up any more than Charles had given up to him the French traitors in England.—Ibid. 413. Sydney Papers, ii. 646.

<sup>2</sup> Journals, April 17, 20, 22, 23, 24.



ain that he endeavoured to quicken their proceedings by an earnest and conciliatory speech at Whitehall; and his request to the Lords, that they would not listen to the grievances of the Commons till the royal wants had been supplied, was productive of a fatal dispute between the two houses. In the first conference the Lords expressed their opinion that the supply ought to have the precedence of every other question; in the second, the Commons complained that such intimation was an infringement of their privileges.<sup>1</sup> The Lords replied, that they claimed no right to originate bills of supply, or to point out their amount, or the manner in which the money was to be raised; but that they were competent for them to communicate to the lower house their advice respecting supplies in general, and to warn them of the prejudice likely to arise to the nation from their refusal or delay. In this stage of the quarrel a message from the king required an immediate answer from the Commons whether they would or would not proceed to the question of supply. The rest of that day and the whole of the next was spent by them in close and vehement debate; on the morning of Monday, Sir Henry Vane, the secretary, delivered a message from the king that the parliament would grant him twelve subsidies (eight hundred and fifty thousand pounds), to be paid in three years, he would consent to the abolition of ship-money for ever. Many were tempted with the bait, though they objected to the amount; and it became a struggle between the leaders on the opposite sides to secure

the votes of the wavering members. Hyde maintained that they ought in the first place to come to an understanding among themselves with respect to the grant of a supply, and then to determine its amount; Hampden, that the only question before the house was this, whether twelve subsidies should be voted or not. After a debate of nine hours, the house adjourned to the next day; and on that morning the secretary assured the king in council of his conviction that not a penny would be granted to aid him in his war against the Scots. Charles did not hesitate a moment. Proceeding to the upper house, he commanded the attendance of the lower, and, having eulogized the dutiful behaviour of the Lords, dissolved the parliament.<sup>2</sup>

Charles had reason to regret this precipitate measure. Had he waited a day longer, and the Commons returned a positive refusal, the provocation would in the opinion of many have justified the dissolution; had they granted a supply, though beneath the sum demanded, it would have checked the presumption of the Scots, and probably have induced them to stand on the defensive. Now they believed that the country was with them. Their commissioners had been in frequent though clandestine communication with the leaders of the opposition in parliament; and their knowledge of the king's poverty, and of the secret aid which they might expect from the discontented in England, whether enemies of episcopacy or advocates of republicanism (we now meet with the latter for the first time<sup>3</sup>), encouraged them to

<sup>1</sup> It has been said by Rushworth (1149) that the two parties made the trial of their strength by dividing on a motion for a second conference, which was rejected by 57 against 143. But this is a mistake. The Journals show that the motion was for a delay in the prosecution of Dr. Beale, master of St. John's College, Cambridge.—Journals, iv. May 1.

<sup>2</sup> I have followed Laud (his Troubles, 78), who was present at the council, and says that two only, Northumberland and Holland, voted against the dissolution. Vane had assured the house that the king would accept nothing short of twelve subsidies; yet Dugdale says that Vane had "a power to stoop to eight."—Short View, 61.

<sup>3</sup> Whitelock, 32.

hasten their military preparations, that they might act on the offensive on this side of the Tweed. The events which followed in the capital strengthened their hopes. The feelings of the lord mayor and aldermen were disclosed by their evasive answers to the royal application for a loan of money, whilst the lower classes indulged openly in expressions of discontent and menaces of vengeance. Strafford, who was supposed to rule in the council, obtained his share of public odium; but the resentment of the populace was chiefly directed against the archbishop of Canterbury. At first their passions were roused by the distribution of handbills and defamatory ballads; then placards posted on the Royal Exchange, and in the most frequented thoroughfares, called on the apprentices to meet in St. George's Fields, and "hunt William the fox, the breaker of the parliament;" and, though the trained bands kept the peace during the day, five hundred rioters attempted at night to force their way into the archiepiscopal palace at Lambeth. They demolished the windows, but, at the end of two hours, were repulsed with fire-arms. It was fortunate that, during this period of popular excitement, continual rains impeded the formation of numerous assemblages; yet the passions of the people were not suffered to cool, but papers were affixed to the walls of houses, and even to the gates of the palace, summoning every true Englishman to come forward in defence of his country and religion, to burn down the popish chapels, to root out the noxious weed of episcopacy, and to bring to deserved punishment Laud, Strafford, and Hamilton, the chief authors of the public grievances in England and Scotland. The king passed some days

in the deepest anxiety, looking with impatience for the arrival of troops from the army; and beholding, evening after evening, from his palace, the illegal proceedings of the parliament and the conflagration of houses on the opposite bank of the river. At last he found himself at the head of six thousand men. His first care was to remove the queen (she was in the last stage of pregnancy) to Greenwich, where she remained under the protection of a strong guard, with six pieces of artillery; his next to restore tranquillity by the exhibition of overwhelming force, and the punishment of the guilty. Most, however, of those whom the trained bands apprehended had been freed from prison by their associates; two only received judgment of death. They were put to the torture before execution; but either did not know, or had the resolution to conceal the names of the men who had been their principal instigators of the riot. Both suffered, not as felons, but as traitors; for the judges, following precedents set them in the reign of Elizabeth, had pronounced the offence to be that of levying war against the king, because the rioters had marched in martial array to the sound of drum.<sup>1</sup>

According to ancient custom, a convocation ought to have been dissolved with the parliament. But that case the king would have had a grant of six subsidies from the clergy, which had not been completed; and the archbishop must have sacrificed his new code of constitutions, adapted, as he contended, to the exigency of the times. To silence the scruples of the members, a written opinion was obtained from Finch, an obsequious lawyer, lately made lord-keeper, and from some

<sup>1</sup> Whitelock, 33. Laud's Diary, 58; his Troubles, 79. Rush. ii. 1173-9. I have added several interesting particulars from

Rosetti's Despatches of 25 Maggio 1641 Giugno, N.S.

the judges, that the convocation could legally continue its sittings; and a new commission—the last had evidently expired—was issued, empowering it to alter and improve the laws of the church. Amidst the alarms and misgivings of the more timid, and under the protection of a numerous guard, the work rapidly proceeded; and seventeen new canons, approved by the members, received the royal assent. It was ordered that every clergyman four times in the year should instruct his parishioners in the divine right of kings, and the damnable sin of resistance to authority; several constitutions followed, of the most intolerant tendency, against Catholics, Socinians, and Separatists; an oath of adhesion to the doctrine and government of the church of England, in opposition to popish tenets and presbyterian discipline, was appointed to be taken by all clergymen and all graduates in the universities; and a declaration was added respecting the lawfulness of the ceremonies used in the established church. These ecclesiastical enactments added to the general excitement. The right of the convocation to sit after the dissolution of parliament, and of the king to authorize it to make laws which might affect the interests of laymen, was called in question; exceptions were taken and petitions presented against the form of oath imposed upon the clergy; and religionists of every description, with the exception of churchmen, complained of several of the canons as highly oppressive and unjust.<sup>2</sup>

On Laud devolved the task of publishing these canons; and he improved the opportunity to propitiate

his enemies among the Puritans by an officious display of his antipathy to popery. To the publication he appended a letter subscribed by himself and the bishop of Rochester, in quality of judges of the High Commission court, directing that not only Catholic priests and the harbourers of priests, but all persons in possession of papistical or heretical books, all who had been, or were suspected of having been, present at the celebration of mass, all whose children had been baptized or were taught by popish priests, or had been, or were about to be sent to popish seminaries, should be apprehended and brought before his majesty's commissioners for ecclesiastical matters. Alarmed at the publication of this threatening letter, the Catholics applied to the queen, who, taking Windebank with her, reminded Charles of the present of fourteen thousand pounds, which he had lately received from the Catholic body in relief of his urgent wants, and of the additional pecuniary aid which he had solicited from them towards his war with the Covenanters. Gratitude or policy prevailed; sending for the archbishop, he reproved him for his officiousness, and ordered him to desist from measures which, in the existing circumstances, might tend to the prejudice of the crown.<sup>3</sup>

In the meanwhile the time for the meeting of the Scottish parliament had arrived. A second prorogation by the king was eluded under the pretence of an informality in the warrant; the members took their seats; elected a president, an officer hitherto unknown; passed all the acts which had been prepared before the prorogation; voted a tax for the sup-

<sup>1</sup> The first had the words "during the parliament;" the second "during our pleasure."

<sup>2</sup> Wilk. Con. iv. 538—553. Nalson, i. 351—376. Rush. i. 1205—9. Laud's Troubles, 79, 80.

<sup>3</sup> From a long despatch of Rosetti of

Luglio 27, N.S. When the High Commission Court assembled, it was attacked by the mob (Oct. 22). Several of the members were wounded with stones, and the archbishop escaped with difficulty.—Laud's Diary, 59. Rosetti, Nov. 9, N.S.

port of the war, of ten per cent. on the rents of land, and five per cent. on the interest of money; and for the government of the kingdom, till the next meeting of parliament, appointed a committee of estates, of whom one half was to reside permanently in Edinburgh, the other half to follow the motions of the army. It was in vain that Charles warned them of the treasonable tendency of such proceedings, and that he released Loudon, and sent him to Scotland under an engagement to further his interests; the Covenanters were not to be diverted from their purpose; and, though for want of the royal assent they could not give to their votes the denomination of laws, they imparted to them equal force by entering into bonds which obliged the subscribers to carry them into execution.<sup>1</sup>

The king had originally proposed to assail his opponents from three different quarters at the same time, with twenty thousand men from England under his own command, with ten thousand from Ireland, under the guidance of the lord lieutenant, and with an equal number from the Highlands led by the marquess of Hamilton. But this magnificent plan was defeated by his poverty and the decision of the Covenanters. He dared not commence his levies till he had the prospect of funds for their

support; on the dissolution of parliament, the Lords, according to their promise, relieved his wants by voluntary loan of two hundred thousand pounds, and immediately writs were issued to each county to supply a certain proportion of men.<sup>2</sup> But in some instances the commissioners neglected their duty; in others the recruits mutinied, murdered their officers, rifled the churches, and lived at free quarters on the inhabitants. In Scotland, on the contrary, the Covenanters acted with unanimity and enthusiasm. They had been careful to keep in full pay the officers whom in the last campaign they had invited from Germany; the men who had been disbanded after the pacification of Berwick cheerfully returned to their colours; and many individuals, on the security of noble men and merchants, sent their plate to the Mint that they might supply money for the weekly pay of the soldiers. When Charles commenced his preparations, his enemies were ready to act. Leslie collected his army at Chouseley Wood, near Dundee; during three weeks the men were daily trained to martial exercises, and encouraged by sermons and prayers; and on the 20th of August he crossed the Tweed with twenty-three thousand infantry and three thousand cavalry.<sup>3</sup> As soon as the army was

<sup>1</sup> Nalson, i. 502—508. Rush. ii. 1210. Balfour, ii. 373—379. These acts, says Balfour, caused "the reall grattest change at one blow, that ever hapned to this church and staite these 600 years. It overturned not onlie the antient staite government, but fettered monarchie with chynes, and sett new limits and marcks to the same, bezond which it was not legally to proceide."

<sup>2</sup> He had recourse to the most extraordinary schemes to raise money. He obtained a large sum by the purchase of pepper on credit, and the immediate sale of it at a low price, and extorted a loan of forty thousand pounds from the foreign merchants by the seizure of their bullion at the Mint; but failed in several other attempts.—See Rushworth, 1181, 1203, 1216; Sydney Papers, ii. 656, 7, 8; Raumer, iii. 317, 320.

<sup>3</sup> A letter is said to have been forged by Lord Savile, and sent to the Scots, inviting them to enter England, in the names of the earls of Bedford, Warwick, and Essex, and the lords Mandeville, Say and Sele, and Brooke, and of Henry Darley. The assertion rested on very questionable authority, but Locke, in his journal, at the date 28th December, 1650, repeats it on the authority of A. E. S. (probably Anthony earl of Shaftesbury), adding that "the letter was sent by the hands of Mr. J. Darley, who remained as agent from the said English lords until he had brought the Scots in.....at last my lord Savile, being reconciled to the court, confessed to the king the whole matter."—Locke's Life, i. Lord King, i. 222. That they were encouraged to pass the borders by the advice of their English friends, cannot be doubted.

on English ground, the ministers claimed the honour of forming the vanguard with their bibles in their hands; the soldiers, in token of their pacific intentions towards the inhabitants, followed with arms reversed; and a declaration was published that the Scots had undertaken this expedition at the call of the same divine Providence which had hitherto guided their steps: that they marched not against the people of England, but against the Canterburian faction of papists, atheists, Arminians, and prelates; and that God and their conscience bore them testimony that their object was the peace of both kingdoms by punishing the troublers of Israel, the firebrands of hell, the Korahs, the Balaams, the Doegs, the Rabshakahs, the Hamans, the Tobiahhs, and Sandballats of the times, after which they would return with satisfaction and pride to their native country.<sup>1</sup>

The lord Conway had arrived in Northumberland to take the command with the rank of general of the horse. He dared not oppose an inferior and undisciplined force to the advance of the enemy; but received a peremptory order from the earl of Strafford, the commander-in-chief under the king,<sup>2</sup> to dispute the passage of the Tyne. The works which he hastily erected in Stella-haugh were demolished by the Scottish artil-

lery; a division led by Leslie's guard passed at Newburn ford, and was speedily driven back into the river by a charge of six troops of horse; but these in their turn were checked by the fire from a battery; the Scots a second time formed on the right bank, and the whole English army retired, the horse towards Durham, the infantry, four thousand in number, to Newcastle. Thence they hastened by forced marches to the borders of Yorkshire, and the two northern counties remained in the undisputed possession of the conquerors.<sup>3</sup>

Here the leaders of the Scots began to hesitate.<sup>4</sup> The road to the northern metropolis lay open before them, but the cries of enthusiasm were checked by the suggestions of prudence. It was not their interest to awaken the jealousy, to arouse the spirit of the English nation, and they wisely resolved, surrounded as they were with the splendour of victory, to humble themselves in the guise of petitioners at the feet of the sovereign. Charles, on the other hand, was harassed with feelings of shame and disappointment for the past, and with the most gloomy anticipations of the future. He saw himself, indeed, at the head of twenty thousand men; with sixty pieces of cannon; but their attachment was doubtful, their inexperience certain; and,

"The earls of Essex, Bedford, Holland, the lord Say, Hampden, Pym, and divers other lords and gentlemen of great interest and quality, were deep in with them."—White-lock, 32. See also the Hardwicke Papers, ii. 187; Nalson, i. 508; Sydney Papers, ii. 860; Land's Troubles, 83.

<sup>1</sup> Rushworth, ii. 1226. Nalson, i. 412.

<sup>2</sup> The earl of Northumberland had been named to the command; but he was, as appears from his letters, ill-affected to the cause, and therefore declined the office, under pretence of indisposition. Strafford succeeded him.—Warwick, 147.

<sup>3</sup> Compare Conway's narrative (Dalrymple, ii. 82—107), and Vane's letter

(Hardwicke Papers, ii. 163), with the account in Guthrie (p. 82), and in Rushworth (ii. 1237), and the official despatch in Baillie, i. 211. Had they not succeeded in passing the river, and obtaining possession of Newcastle, they were in hazard of being compelled to disband through want of provisions (Baillie, i. 207), and the desertion of their followers in whole companies.—Balfour, ii. 180. Such as were discovered were brought back, and every tenth man was hanged.—Ibid.

<sup>4</sup> Baillie's remark is characteristic of the man: "We knew not what to do next: yet this is no new thing to us: for many a time from the beginning we have been at a non-plus, but God helped us ever" (204).

though Strafford affected to speak in public with contempt of the enemy, he assured the king in private that two months must elapse before his army could be in a condition to take the field.<sup>1</sup> Under these circumstances, the wish of the Covenanters, intimated through the earl of Lanark, the Scottish secretary, was graciously received; the king, that he might gain time, required to be put in possession of their demands; and on the return of their answer, promised to lay it before the great council of English peers, which he had summoned to meet him at York on the 24th of September.

Some centuries had elapsed since England had witnessed such an assembly; but Charles was driven to the most unusual expedients; and, as the Commons had always proved the more refractory of the two houses, he preferred a meeting of the Lords to a full parliament. He could not, however, avert what he so much apprehended. Twelve peers subscribed their names to a petition, stating the grievances of the nation, and pointing out a parliament as the only remedy;<sup>2</sup> this was followed by another, signed by ten thousand inhabitants of London; and his counsellors at York, as well as those in the south, repeatedly conjured him to acquiesce. It cost him a long struggle before he would submit; even after he had formed his resolution, he kept it secret till the

lords held their first meeting on the appointed day, and then he announced that he had ordered writs to be issued for a new parliament on the 3rd of November.

To the great council two questions were submitted: How might the king be enabled to support his army during the next three months? In what manner was he to proceed with the Covenanters who had invaded his English dominions? 1. They sent a deputation of six lords to London who, on the security of their bonds raised a loan of two hundred thousand pounds. 2. They named sixteen peers to proceed to Ripon, and to open a negotiation with eight commissioners appointed by the Covenanters;<sup>3</sup> but at the very outset a demand was made which startled and perplexed the king and his counsellors. When the Scots first entered England they had displayed the most edifying forbearance. Then the saints deemed it unlawful to plunder any but the idolatrous papists.<sup>4</sup> Their scruples however, were speedily silenced. The retreat of the royalists placed the counties of Northumberland and Durham at their mercy; and from that moment they had exacted a weekly contribution of five thousand six hundred pounds from the inhabitants; had confiscated all the property of the Catholics, with the tithes and rents of the clergy; and had taken at discretion coals and forage

<sup>1</sup> Hume represents him as advising the king "to put all to the hazard; to attack the Scots, and bring the affair to a quick decision. To show how easy this would be, he ordered an assault on some quarters of the Scots, and gained an advantage over them." The whole of this is fiction. It is certain, both from Lord Conway (Dalrymple, ii. 93) and the minutes of the council of peers (Hardwicke Papers, ii. 211), that he dissuaded the king from fighting. The assault to which the historian alludes was made by the Scots under Sir A. Douglas, who, without orders, plundered the house of Mr. Pudsey, on the right bank of the Tees, and was taken prisoner by Sir John Digby, with thirty-six of his men,

having lost twenty-three in the action. See Baillie, i. 209, and secretary Vane's letter in the Hardwicke Papers, ii. 183.

<sup>2</sup> See it in the Lords' Journals, iv. 18. It was subscribed by Rutland, Bedford, Hartford, Essex, Exeter, Warwick, Bollinbrook, Mulgrave, Saye, Mandeville, Brooke, and Howard.

<sup>3</sup> The English commissioners were the earls of Bedford, Hertford, Essex, Salisbury, Warwick, Bristol, Holland, Berkshire, Viscount Mandeville, the lords Wharton, Paget, Brooke, Pawlet, Howard, Savile, and Dunmore: the Scottish, Dunfermline, Loudoun, Sir Patrick Hepburn, Sir William Douglas, Smith, Wedderburn, Henderson, and Johnson.

<sup>4</sup> Hardwicke Papers, ii. 158.

for their own consumption. But these resources began to fail; and under the pretence that the negotiation would prevent them from seeking more abundant quarters, they boldly demanded a monthly subsidy of forty thousand pounds.

It was plain to the commissioners that the king must ultimately yield; their great object was to reduce the amount, and to modify the manner of payment. By industry and perseverance they overcame every difficulty, and concluded separate bargains, one with the gentlemen of the north, who, on the faith of a solemn promise that they should be reimbursed out of the first supply granted

by parliament, consented to raise the weekly sum of five thousand six hundred pounds, by county rates on the inhabitants of Northumberland, Cumberland, Westmoreland, and Durham; and another with the Scots, who engaged, as long as that subsidy were paid, to abstain from all acts of hostility, and from every species of compulsory demand.<sup>1</sup> The treaty was immediately transferred to London; the king and the lords hastened thither, that they might arrive in time for the opening of parliament, and the Scottish commissioners followed at their leisure, bringing with them a deputation of the most learned and zealous of their ministers.<sup>2</sup>

<sup>1</sup> For these transactions consult the letters and minutes in the Hardwicke collection, ii. 163—298; the papers in Rushworth, 1254—1310; and Nalson, i. 447—465.

<sup>2</sup> Baillic was one of the number. In an entertaining letter to his wife he gives an account of his journey. "None in our

company held out better than I and my man and our little noble nags. From Kilwinning to London I did not so much as tumble. This is the fruit of your prayers. We were by the way at great expenses; their inns are like palaces; no marvel they extortion their guests" (216).

## CHAPTER VI.

PROCEEDINGS IN PARLIAMENT—IMPEACHMENTS OF STRAFFORD AND LAUD—VOTE AGAINST THE LEGISLATIVE AND JUDICIAL POWERS OF BISHOPS—TRIAL AND EXECUTION OF STRAFFORD—TRIENNIAL PARLIAMENTS—THE KING HOLDS A PARLIAMENT IN SCOTLAND—REBELLION IN IRELAND—REMONSTRANCE OF THE COMMONS—PROTEST AND IMPEACHMENT OF TWELVE BISHOPS—KING IMPEACHES SIX MEMBERS—BISHOPS DEPRIVED OF SEATS IN PARLIAMENT—PROGRESS OF THE REBELLION IN IRELAND—KING RETIRES TO YORK—HE IS REFUSED ENTRANCE INTO HULL—THE HOUSES LEVY AN ARMY—CHARLES SETS UP HIS STANDARD AT NOTTINGHAM.

CHARLES met his parliament with the most lively apprehensions. He felt the dependent situation to which the late occurrences had reduced him; he saw the lives of his advisers and the prerogatives of his crown lying at the mercy of the two houses; and he recollected the talents, the violence, and the pertinacity which had hitherto distinguished his opponents of the country party. The terrors of

his counsellors added to his distress. He shunned the public gaze, and, instead of opening the session with the usual pomp, proceeded to Westminster by water. His speech from the throne was short but conciliatory. Three subjects he recommended to the attention of the two houses—the removal of the rebels, the payment of the army, and the redress of grievances. But the word "rebels"

gave offence; he condescended to apologize. Such in his opinion was the appropriate term for subjects in arms against their sovereign, but they were also his subjects of Scotland, and he had already given them that denomination under the great seal.<sup>1</sup>

For the office of speaker in the lower house the king had fixed on Gardiner, recorder of London; but Gardiner had lost his election; and in his place was chosen Lenthal, a barrister of reputation, but without energy, and without experience. The returns proved that, notwithstanding every exertion on the part of the ministers, the king could not command the votes of one-third of the members. The task of leading the opposition was assumed by Pym, Hampden, and St. John; of whom the first claimed the distinction as due to his services in former parliaments, the other two had earned it by their courage and perseverance in the celebrated case of the ship-money. They were ably supported by the abilities of Denzil Holles, second son to the earl of Clare, and formerly one of the prosecutors of Buckingham, of the lords Falkland and Digby, of Nathaniel Fiennes, second son to the lord Say, of Sir Henry Vane, son to the secretary, both enthusiasts in religion as well as politics;<sup>2</sup> and of Hyde, Selden, Rudyard, and several others, men of the most distinguished talents, and anxious by the redress of grievances to effect a thorough reformation in the disorders of the state. All these were at first bound together by one common object; but insensibly their union was

dissolved by difference of opinion on subjects of the first importance; some adhering to the monarch through all his difficulties, others persuading themselves that liberty could be secured only by the establishment of a commonwealth.

Among the Lords the king could reckon a greater number of friends. All the bishops, and one-half of the temporal peers, owed their honours to him or to his father. But the former were silent through fear; and the others suffered their gratitude to be overbalanced by policy, or patriotism, or resentment. The earls of Bedford and Essex, the lords Say and Kimbolton, took the lead; their opinions were echoed and supported by the earls of Warwick and Hertford, and the lords Brooke, Wharton, Paget, and Howard; and the friends of the king, awed by the combination which existed between them and the ruling party in the other house, instead of a manly resistance, tamely acquiesced in measures fraught with danger both to the crown and to themselves.

The distress of the country, the attacks which had been made on its liberties, and the dangers which threatened its religion, furnished the orators in both houses with ample scope for lamentation and invective and their complaints, printed and distributed through the nation, were quickly echoed back in petitions subscribed by many thousands from every county, and from the more populous boroughs. Supported by the voice of the people, the Commons neglected the royal recommendation, divided themselves into committees and sub-committees, and for several months

<sup>1</sup> Baillie, i. 218. Nalson, i. 481.

<sup>2</sup> Vane was a young man of four-and-twenty, the disciple of Pym and Sir Nathaniel Rich, of considerable talents and equal fanaticism. At the age of twenty, that, according to the sarcastic narrative of Garrard, "he might enjoy the liberty of receiving the sacrament standing," he re-

paired to Boston in America.—Strafford Papers, i. 463. In 1636 he was chosen governor of Massachusetts, but, having lost his election in the next year in consequence of a religious dispute, he returned to England, and was made treasurer of the navy in conjunction with Sir William Russel.



devoted their attention to three great subjects,—the investigation of abuses, the adoption of remedies, and the punishment of delinquents.

1. The Catholics, according to custom, were the first to feel their enmity. The cry that religion was in danger from the machinations of popery was revived. That no fear could be more groundless, is certain; but in times of general ferment the public credulity readily accepts of assertions in place of proofs, of appearances instead of realities. It was complained that the king had compounded with the recusants; that he had discharged some priests before trial, and others after conviction; that an agent from Rome resided near the queen; that the more opulent Catholics had, at the request of that princess, subscribed ten thousand pounds in aid of the northern expedition; that Catholics held commissions in the English army; and that they composed the force which Strafford had levied in Ireland. Charles, harassed with petitions, to relieve his Protestant subjects from their terrors, gave orders that all Catholics should quit the court, and be expelled from the army; that the houses of recusants should be searched for

arms; and that the priests should be banished from the realm within thirty days.<sup>1</sup> But he laboured in vain to appease that jealousy which it was the policy of his opponents to irritate; and the charge of encouraging popery was so confidently and incessantly urged against the monarch, that at length it obtained credit with the majority of his subjects.

2. The Commons undertook to “purge the church.” On the petition of the sufferers and their friends, they restored to their livings all such clergymen as had been deprived on the ground of nonconformity by the bishops or by the court of High Commission. On the other hand, they called to the bar of the house all ministers denounced as scandalous; under which epithet were comprised two classes of men—those who had disgraced themselves by public immorality, and those who had incurred the charge of superstition by their zeal to enforce the observance of the ceremonies. Both met with different degrees of punishment, according to the temper of the house: some were reprimanded by the speaker, some thrown into prison, and others bound to good behaviour.<sup>2</sup>

3. In like manner they revised

<sup>1</sup> Journals, Nov. 9, 23, 30; Dec. 3, 7, 24; Feb. 11, 26; March 15, 25; April 27; May 7. I may here relate a singular occurrence respecting Goodman, a priest, who had received judgment of death for having taken orders in the church of Rome. The Commons prevailed on the Lords to join in a petition for his execution. Charles replied that he would banish or imprison him for life, but that he did not wish to shed blood for the sole cause of religion. They renewed the petition: the king returned for answer, that he left the case in their hands; they might act as they thought proper; but at the same time he sent them a petition which he had received from Goodman, in the following words: “These are humbly to beseech your majesty rather to remit your petitioner to their mercy than to let him live the subject of so great discontent in your people against your majesty..... This is, most sacred sovereign, the petition of him who would esteem his blood well

shed to cement the breach between your majesty and your subjects on this occasion. Ita testor. John Goodman.” From that moment, whether they were moved by the magnanimous sentiments of the prisoner, or unwilling to entail on themselves the responsibility which they wished to fix on the sovereign, they desisted from the pursuit of Goodman’s life, who made his escape out of Newgate in the following year (see Rosetti, April 12, 1641), but was retaken, and died in prison in 1645. Baillie gives a very improbable reason for their interference; that they meant to deny the king’s power to pardon during the session of parliament, and feared that, if it were admitted in the case of Goodman, it might form a precedent for that of Strafford.—See Journals of Commons, Jan. 23, 25, 27; of Lords, 140, 141, 142, 146, 150, 151; Nalson, i. 738; Baillie, i. 238.

<sup>2</sup> Journals, Dec. 19; March 20; June 1.

those proceedings in the Star-chamber which had given offence by their severity. Prynne, Burton, and Bastwick were recalled from their several places of confinement, that they might pursue their own cause in person. They entered London on different days in triumphant procession, attended by hundreds of carriages and thousands of horsemen, amidst multitudes on foot, all wearing bay and rosemary in their hats. Their sentences were reversed, and damages to the amount of five thousand pounds were awarded to each against his judges.<sup>1</sup>

4. Both houses concurred in pronouncing the commissions for the levy of ship-money, and all the proceedings consequent on those commissions, to be illegal. The Commons resolved that the earl marshal's court, and that of the council at York, were grievances; appointed committees to inquire into the origin and constitution of the Stannary court, and that of the marches of Wales; to ascertain the legality or illegality of enforcing escuage, and exacting fines for neglect to receive the order of knighthood; and to investigate the conduct of all the lords lieutenants and their officers who had levied coat and conduct money during the late expedition.<sup>2</sup>

5. Among the king's advisers there was no man more feared for his abilities, more hated for his advocacy of despotism, than the earl of Strafford, "the great apostate," as he was termed, "from the cause of the people." His friends wished him to decline the approaching storm, either by remaining in Yorkshire at the head of the army, or by repairing to his

government of Ireland. But to a man of his stern and fearless mind such counsel savoured of cowardice; and when the king, assuring him of protection, requested his presence, he lost not a moment in repairing to the metropolis. His unexpected arrival surprised and disconcerted his enemies, who knew his influence over the judgment of their sovereign, and who feared that he might anticipate the charge against himself, by accusing them of a treasonable correspondence with the Scots. A day was spent in arranging their plan; the next morning the Commons debated with closed doors; and when these were opened, the majority of the members proceeded to the bar of the Lords, where Pym, in their name, impeached the earl of Strafford of high treason. That nobleman was, at the moment, in close consultation with the king; he hastened to the house, and was proceeding to his place, when a number of voices called on him to withdraw. On his re-admission he was ordered to kneel at the bar, and was informed by the lord keeper that, in consequence of the impeachment by the Commons, the house had ordered him into the custody of the black rod till he should clear himself from the charge. He began to speak but was immediately silenced, and departed in the charge of Maxwell, the usher.<sup>3</sup>

The next minister doomed to feel the severity of the lower house was secretary Windebank. In the execution of his office he had signed several warrants for the protection of recusants, and others for the discharge of priests from prison. In al

<sup>1</sup> Journals, Dec. 7, 9, 30; Feb. 22, 25; March 2, 12, 24; April 20; May 20. Baillie, i. 222.

<sup>2</sup> Ibid. Nov. 23, 24, 27; Dec. 7, 19, 23, 24; March 20; May 13, 14; July 1, 14. Lords' Journals, iv. 136, 156, 173.

<sup>3</sup> See Baillie, 217, and the Lords' Jour-

nals, 88, 89. This was only a general charge, without specifying any particular; it was not till the 24th that the house could agree on the several articles.—Journals, Nov. 11, 24. Yet Strafford had no right to complain; he had formerly advised a similar proceeding against the duke of Buckingham.—Warwick's Memoirs, 111.

these instances he had acted by the order of the king, and, for greater security, had obtained a pardon under the royal signature. Charles, however, was unwilling to have his name implicated in the question; nor were the patriots eager to shed the blood of the secretary. He availed himself of their delay in the prosecution of the case, obtained a passport from the king, and saved his head by a timely flight into France.<sup>1</sup>

To prepare the way for the impeachment of Archbishop Laud, the Commons resolved that the convocation had no authority to bind either laity or clergy without the consent of parliament; that the benevolence which it had lately granted to the king was illegal; that the constitutions which had been enacted were prejudicial to the authority of the crown, to the rights of parliament, and to the liberties of the subject; and that an inquiry should be instituted into the conduct of the metropolitan, who was supposed to be the real author not only of these measures, but of other attempts to subvert the laws and religion of the nation. Two days later Holles charged him at the bar of the upper house with the crime of high treason. He rose with his usual warmth, protested his innocence, and was proceeding to arraign the conduct of his accusers, when the earl of Essex and the lord Say sharply called him to order; and the house, refusing to hear his explanation, placed him under the custody of the black rod. Six weeks later the archbishop was transferred to the Tower.<sup>2</sup>

Finch, the lord-keeper, who, when he was chief justice, had distinguished

himself by the zeal with which he contended for the legality of ship-money, was previously admonished by the resolutions of the two houses of the fate which he had to expect. He solicited permission to plead his cause before the Commons; and his eloquence and tears awakened the compassion of many among the members; but such feelings were condemned as a criminal weakness by the more sturdy patriots; and Finch the same afternoon was impeached before the Lords of high treason. But he had already absconded; no trace of his retreat could be discovered; and in a few days it was understood that he had sought and obtained an asylum in Holland. That his brethren, the other judges, who had concurred with him in opinion, might not imitate him in his flight, each was bound, at the request of the Commons, to make his appearance when called upon, in the sum of ten thousand pounds.<sup>3</sup>

The king, though the prerogatives which he considered the firmest supports of his throne were crumbling beneath him; though his friends and advisers were harassed with impeachments, fines, imprisonment, and death, appeared to make no effort in his own favour, but to resign himself with indifference to his fate. The fact was, that he felt unequal to a contest with the two nations at the same time, and waited impatiently for the moment when the conclusion of the treaty, and the disbanding of the Scottish army, would permit him to reassume the ascendancy. But he had to deal with men as artful as himself. The commissioners from the Tables had been received as friends and deliverers

<sup>1</sup> Journals of Commons, 26, 33, 44, 45. See his letters in Prynne's *Hidden Works*. "Nevertheless rather than his majesty or his affairs should suffer, I desire the whole burden may be laid upon me: and, though I have his majesty's hand for most of them, and his commandment for all, yet I will

rather perish than produce them, either to his prejudice, or without his permission."—From Calais, Dec. 6, p. 127.

<sup>2</sup> Journals of Commons, 51, 54; of Lords, 112. *Laud's Troubles*, 75.

<sup>3</sup> Journals of Commons, 55; of Lords, 114, 115.

by the leaders of the country party. The strictest union was quickly cemented between them; both professed to believe that their cause was the same, that they must stand or fall together; and, while the patriots engaged to support the Scottish army during its stay, and to supply it with a handsome gratuity at its departure, the Covenanters stipulated to prolong the treaty, and to detain their forces in England, till the projected reform in church and state should be fully accomplished.<sup>1</sup>

Charles, in his eagerness to conclude the negotiation, was induced to concede many points which he would otherwise have refused. To the three first demands of the Scots, that the acts of their late parliament should be confirmed; that natives alone should be appointed to the government of the royal castles; and that their countrymen should not be harassed either in England or Ireland with unusual oaths,<sup>2</sup> after a few objections, he consented; but he made a resolute stand against the fourth, that the punishment of the incendiaries should be left to the discretion of the two parliaments. It was, he argued, to require that he should dishonour himself. Those whom *they* called incendiaries were men who had incurred their displeasure by obeying *his* commands, and whom, on that account, he was bound to protect. He pleaded particularly in favour of Traquair, and claimed the right of judging that nobleman himself, because he had acted as royal com-

missioner. But Traquair, falling on his knees, earnestly prayed that the life of an humble individual like himself might not stand in the way of a reconciliation between the king and his people; the Scots threatened to solicit the advice and interposition of the English parliament; and Charles, though it evidently cost him a painful struggle, signified his acquiescence. Their next claim, the restoration of captured ships and merchandise, was quickly adjusted; and that of indemnification, as a pecuniary question, the king referred to the house of Commons, who voted two sums, one of one hundred and twenty-five thousand pounds for the charges of the Scottish army during five months, and another of three hundred thousand pounds, under the denomination of "a friendly relief for the losses and necessities of their brethren in Scotland."<sup>3</sup> At length the commissioners came to their last demand, the establishment of a solid peace between the two nations. The king anticipated a speedy conclusion of this most vexatious treaty, but he soon found himself disappointed. Under this head they presented to him only two articles, reserving to themselves a discretionary power of adding others, when and in what manner they might deem expedient.<sup>4</sup>

It soon appeared that the Scottish deputies acted not only in a political, but also in a religious character. While they openly negotiated with the king, they were secretly but actively intriguing with their friends

<sup>1</sup> This is plain from almost every page of Baillie's correspondence during the six months that the negotiation continued. When they came in February to the last demand, Baillie writes, "This we will make long or short, according as the necessities of our good friends in England require: for they are still in that fray, that if we and our army were gone, yet were they undone" (p. 240).

<sup>2</sup> Strafford had compelled the Scots in Ireland to take an oath of allegiance, by which they renounced all contrary cove-

nants, and promised never to enter into any covenant against any other person without the king's authority.—See it in Rushworth, viii. 494.

<sup>3</sup> "300,000*l.* sterling," exclaims Baillie, "5,400,000 merks Scots, is a pretty sum in our land."—Baillie, i. 240.

<sup>4</sup> Journals, Jan. 22, Feb. 3. Lords' Journals, iv. 151. Baillie, i. 221, 223, 223, 233, 240. "It was not (to give in all the propositions at once) possible for us, nor conducive for the ends of the English, who required no such haste."—Ibid. 243.

the country party, to procure in England the abolition of the episcopal, and the substitution of the Presbyterian, form of church government. This they seemed to consider the chief object of their mission, and this they pursued with the most lively perseverance and industry. But it was a question on which great multitude of opinion prevailed. In the city the Presbyterians composed a very considerable party; but among the reformers in parliament there were many who, willing as they might to reduce the wealth, the power, and the jurisdiction of the bishops, resolutely opposed the extinction of the order; while others, under the banners of the lords Say, Wharton, and Brooke, looked with equal abhorrence on episcopacy and presbyterianism, and laboured to introduce the more equal system of the Independents. The Scots, however, with the aid of their English friends, procured petitions to be presented from several of the counties, from fifteen thousand inhabitants of the metropolis, and from one thousand eight hundred ministers, all praying for the total abolition of the hierarchy. They were strenuously opposed by the lords Digby and Falkland, by Selden and Ludyard: Lord Digby compared the petition from London, called the Root and Branch petition, to a comet with its tail pointing to the north, and portending nothing but confusion and anarchy; Lord Falkland was willing to relieve the bishops from those secular offices and dignities which rendered them less efficient as ministers of the gospel, and from that portion of secular wealth which was attendant on such offices and dignities; but he would oppose with all

his influence every attempt to abolish the episcopal order and episcopal jurisdiction. After a debate of two days, and a division in which the anti-episcopalians obtained a majority of thirty-two, the petitions were referred to a committee.<sup>1</sup> This success, though it encouraged their hopes, was far from assuring them of the victory. The king informed the parliament that his conscience would never allow him to assent to the destruction of an order which he deemed essential to Christianity; while the Scots on the contrary reasoned and solicited, prayed and preached, in favour of the Presbyterian kirk. Curiosity and devotion led numbers to their service; the church allotted for their use was crowded from morning to night; and the lessons inculcated by their divines were zealously diffused by the auditory throughout the city. They were taught the "knot of the question could only be cut by the axe of prayer;" and fasts were solemnly observed by the godly, that "the Lord might join the breath of his nostrils with the endeavours of weak men, to blow up a wicked and anti-scriptural church."<sup>2</sup>

The marquess of Hamilton had suggested to Charles the policy of disarming the hostility of the reformers, by admitting them to his counsels. The king heard him with expressions of displeasure; but the desire to save the lives of his friends, and to retain episcopacy in the church, subdued his repugnance; and Bristol, Essex, Bedford, Hertford, Mandeville, Savile, and Say, were, by his command, sworn of the privy council. At first the appointment gave general satisfaction; but in a few days it was remarked that the language of the

<sup>1</sup> "They contested on together from eight in the morning to six at night. All that night our party solicited as hard as they could. To-morrow some thousands of the citizens, but in a very peaceable way,

came down to Westminster Hall to countenance their petition."—Baillie, 244.

<sup>2</sup> Baillie, 222, 224, 227, 230, 231, 236, 244, 250. Journals of Commons, 72, 91, 101.

new counsellors had become more courtly, their zeal less bitter. They were charged with apostasy; the suspicion was extended to the Scottish commissioners; and the city rung with complaints against the selfishness and perfidy of public men. In their own defence, the Scots published a most intemperate paper against Strafford and Laud, and the whole bench of bishops. It offended not only the king, but their own friends in both houses; it was taken as an attempt on their part to dictate to the parliament of England. They had again recourse to fasting and prayer, and printed an explanation of their sentiments in more conciliatory language; but they had already lost so many votes, that their allies in the lower house dared not, as had been intended, to bring forward a motion for the abolition of episcopacy; and substituted in its place a resolution that "the legislative and judicial powers of the bishops in the house of Lords were a hindrance to the discharge of their functions, prejudicial to the commonwealth, and fit to be taken away."<sup>1</sup>

It was, however, of benefit to the cause of episcopacy that at this moment the minds of its adversaries were occupied with a subject of more absorbing interest—the trial and fate of Strafford. That the king was strictly bound in honour to protect the life of that obnoxious and unfortunate nobleman, cannot be doubted. Of this he was sensible himself; to this he was urged by the representations of the queen. But how or where was Charles, in his present condition, to discover the means of shielding Strafford from the vengeance of his ene-

mies? The presence of the Scottish army forbade any military movement, and the necessity of providing for its subsistence insured the permanency of the parliament; the recent prosecutions had silenced the friends of the crown in both houses; and the king's indigence had compelled him to pawn his jewels to obtain provision for his table. In these circumstances Charles pursued that line of conduct which is always pursued by men of irresolute habits; he waited to await himself of the first favourable accident, which the course of events might offer, and in the meanwhile amused himself with different attempts to procure assistance from foreign powers. 1. He saw that it was time to abandon the design which he had cherished of marrying his son Charles to an infanta, and his daughter Marjorie to the infant of Spain. Two Protestant suitors for the hand of Marjorie were now before him, his nephew the Prince Palatine, and William, the son of Frederick, prince of Orange, and at that time commander-in-chief of all the forces of the States-general by sea and land. The Palatine was the favourite with the popular leaders; Charles preferred the Dutch prince on account of the influence of his father with the States, and of the promises which he made of attachment and assistance. A royal message announced the intended marriage to the parliament; and the espousals followed in the beginning of May; but the princess (she was only in her tenth year) was permitted to remain in England till she should have completed her twelfth; and Frederick immediately, to prove his gratitude, transmitted to the king a sum

<sup>1</sup> Journals, March 10. Baillie's account of the offence taken at the paper published by the Scottish commissioners is amusing. He concludes thus: "We were fallen half asleep in a deep security.....By this blast God wakened us. We fled to our

wanted refuge, to draw near to God. They gathered godly in the city, in divers private societies, to fast and prayer. By these, our old and best weapons, we are beginning to prevail. Praise be to his holy name (p. 249).

oney amounting to several thousand pounds.<sup>1</sup>

2. Henrietta had persuaded herself that by personal application she might work on the feelings of her brother, the king of France; and, taking advantage of a slight indisposition, she gave out that a visit to her native country was necessary for the re-establishment of her health. The pretext was too flimsy to blind the eyes of the popular party; and the earl of Holland, whose services had been already secured by Cardinal Mazarin, was careful to acquaint that minister with her real object. Mazarin had no intention that the daughter of his inveterate enemy, the queen-mother of France, should enjoy the opportunity of instilling her opinions into the private ear of his sovereign; and when Henrietta solicited the assent of the king her brother, declaring that without his aid she saw nothing before her but inevitable ruin, she received an answer dictated by the cardinal, that, though Louis would be always happy to receive his sister, he was convinced that her absence from England at that moment would accelerate the ruin which she feared.<sup>2</sup> 3. The queen saw from whom this refusal proceeded, and was not slow to make known her vexation and disappointment; at the same time she derived some consolation from the partial success of an application which she had made to the pope, asking for a grant of one hundred and fifty thousand crowns from the treasure deposited in the castle of San Angelo, and offering in return the king's promise to abolish the penal laws against Catholics, in Ireland immediately, in

England as soon as he should have recovered the full exercise of his authority. But experience had taught Urban to put little faith in the royal promise; and he replied that the money in question was not his own, but a conscientious trust, of which he could dispose to none but Catholic princes, and to them only for religious purposes. His nephew Barberini, however, to soften the refusal, made to her a present of 35,000 crowns out of his own purse—a temporary and inadequate supply, but which was accepted with joy and gratitude.<sup>3</sup>

Thus it happened that Strafford had to contend singly with a multitude of foes. The population of the three kingdoms was arrayed against him. The Scottish commissioners pronounced him an incendiary, and loudly called for the blood of the man who had urged their king to make war on his faithful subjects. The Irish parliament had proved its dissatisfaction from the moment he ceased to awe it by his presence. Last year the Commons had torn from their journals the eulogium which they formerly voted on his administration, and, by cutting down the subsidies to their original amount, had prevented the Irish expedition from sailing in aid of the English army. Now they sent deputies to present to the king a remonstrance, detailing under sixteen heads the grievances which they suffered from the despotism of the lord lieutenant, and at the same time solicited the English house of Commons to join with theirs in procuring justice for an oppressed and impoverished people.<sup>4</sup> But the severest blow which he received was an order made by the

<sup>1</sup> Rosetti to Barberini, 17 Maggio, N.S.

<sup>2</sup> Mazure, iii. Notes, 414—422.

<sup>3</sup> MS. correspondence of Barberini and Rosetti, Jan. 26; Feb. 9, 16; April 12; May 10, N.S.

<sup>4</sup> Carte's Ormond, i. 109—115. Journals,

Nov. 30. Rushworth, iv. 53, 67. This has often been described as a petition from the Irish parliament; but in the Journals it is denominated "the petition of several knights, citizens, and burgesses of the Commons house of parliament in Ireland, whose names are underwritten."

Lords, and admitted by the king, that the privy counsellors should be examined upon oath, respecting the advice given by Strafford at the board; a precedent of lasting prejudice to the royal interest; for who after this would give his opinion freely, when he knew that such opinion might be made the matter of impeachment against him at the pleasure of his enemies?

Westminster Hall had been fitted up for the trial. On each side of the Lords sat the Commons on elevated benches, as a committee of their house, and near them the Scottish commissioners with the Irish deputies, the bearers of the remonstrance. Two private boxes behind the throne were prepared for the accommodation of the king and queen, whose presence, it was hoped, would act as a check on the forwardness of the witnesses and the violence of the managers. Near them a gallery had been erected, which was daily crowded with ladies of the highest rank. They paid high prices for admission; many took notes; and all appeared to watch the proceedings with the most intense interest. A bar, stretching across the hall, left one-third for the use of the public.<sup>1</sup>

Each morning at nine the prisoner was introduced. He made three obeisances to the earl of Arundel, the high steward, knelt at the bar, then rose, and bowed to the lords on his right and left, of whom a part only returned the compliment. The managers were thirteen in number; each

successively opened the proceedings of the day with a speech relating some particular charge; their names were examined and examined upon oath; and the court adjourned for thirty minutes, Strafford might have time to confer with his counsel, who sat behind him. When the court resumed, Strafford spoke in his own defence, and produced his witnesses, who, according to the practice of the day, were not examined upon oath. The managers then spoke to evidence, and the prisoner was remanded to the Tower.<sup>2</sup>

Thus the proceedings were conducted during thirteen days. The articles against him amounted to eight and twenty, three of which charged him with treason, the others with facts and words, which though perhaps treasonable separately, might in aggregate be called accumulative treason, because they proved in his fixed endeavour to subvert the liberties of the country. The foreigner stated that in Ireland he had billeted soldiers on peaceable inhabitants; he compelled them to submit to illegal commands; that he had raised an army in Ireland, and advised the king to employ it in bringing the kingdom into subjection; and that his own authority he had imposed a tax on the people of Yorkshire for the maintenance of the trained bands. The latter accused him of hasty, imperious, and unjustifiable expressions indicative of his temper and violence, and of illegal proceedings, by some

<sup>1</sup> Rushworth, viii. pref. Baillie, i. 257. Whitelock, 41.

<sup>2</sup> Principal Baillie has given an interesting account of the trial in his letters to the presbytery of Irvine. "Westminster Hall," he informs them, "is a room as long [and] as broad, if not more, than the outer house of the High Church at Glasgow, supposing the pillars were removed.....We always behaved to be there a little after five in the morning. The house was daily full before seven. The tirlies that made them [the king and queen] to be secret, the king

brake down with his own hands; so sat in the eyes of all, but little more regarded than if they had been absent... It was daily the most glorious assembly isle could afford; yet the gravity not as I expected.....After ten much pre- eating, not only of confections, but of bread, bottles of beer and wine g thick from mouth to mouth without e and all this in the king's eye.....Th was no outgoing to return; and oft sitting was till two, three, or four o'clock night" (p. 257—259).



which he benefited his own fortune, to others he had injured the king's subjects in their liberties and property. Strafford replied with a temper and eloquence which extorted praise even from his adversaries. To some of the charges he opposed warrants from the king, some he peremptorily denied, and others he sought to evade, by urging in his own favour the constant practice of the deputies who preceded him in Ireland. Against the new principle of accumulative reason he protested with spirit, ridiculing with felicity the arguments in its support, and appealing for protection to the statute law, which, as he maintained, the safeguard to preserve the liberties, and the reason to guide the conduct, of the subject.

As the trial proceeded, whether it were owing to his eloquence, or the violence of his prosecutors, or his eloquent appeals to the pity of the audience, it was plain that the number of his friends daily increased. The ladies in the galleries had long ago proclaimed themselves his advocates; on the thirteenth day it appeared that the Lords, who had formerly treated him so harshly, were won over to his cause. At the very commencement of the prosecution, Sir Henry Vane, the younger, had purloined from the cabinet of his father, the secretary, a very important document, containing short notes taken by that minister of a debate at the council-table on the morning of the day on which the last parliament was dissolved. In it Strafford was made to say, "Your majesty, having tried the affection of your people, are abolished and loosed from all rule of government, and to do what power will admit. Having tried all ways, and being refused, you shall be acquitted before God and man; and *you have*

*an army in Ireland, that you may employ to reduce this kingdom to obedience: for I am confident that the Scots cannot hold out five months."* Vane communicated the discovery to Pym; the contents of the paper were moulded into the form of a charge, though the source from which the information had been derived was carefully concealed; and, to procure evidence in its support, each of the privy counsellors was examined, not only by written interrogatories, but also *vivâ voce* before the committee of impeachment. Of the most important passage, the advice to employ the Irish army "to reduce this kingdom," meaning by the pronoun "this" the kingdom of England, none of them had any recollection: even the secretary himself, on the first examination, replied that "he could not charge Strafford with that," and, on the second, that "he could say nothing to that;" but, on the third (probably his memory had been aided by the inspection of a copy formerly taken by Pym<sup>1</sup> before the original note was burnt), he recollected the very words, and deposed that they were uttered by the lord lieutenant.<sup>2</sup> At the trial, itself he repeated the same evidence, but, on cross-examination, knew not whether by "this kingdom" was meant England or Scotland. In opposition to him, Strafford produced all the members of the council excepting Windebank, an exile in France, and Laud, a prisoner in the Tower, who declared that they had no recollection of the words; that the debate regarded the means of reducing Scotland, not England; and that they never heard the slightest hint of employing the Irish army anywhere but in the former kingdom. It was evident that in this charge the managers had failed; they determined, as their only resource, to bring

<sup>1</sup> Baillie, 233. Clarendon, i. 230.

<sup>2</sup> Rushworth, viii. 52.

forward the written note; and, with this view, on the morning on which the prisoner was to enter on the recapitulation of his defence, they demanded leave to produce additional evidence. The Lords adjourned twice to their own house: they required the advice of the judges, and, after a long debate, resolved, with only one dissenting voice, that, whatever favour was granted to the accusers, the same should be extended to the accused. This answer was received with a deep murmur of disapprobation. Suddenly was heard a cry of "Withdraw, withdraw," and the Commons, hastily retiring to their own house, deliberated with closed doors.<sup>1</sup>

It is singular that these ardent champions in the cause of freedom should have selected for their pattern Henry VIII., the most arbitrary of our monarchs. They even improved on the iniquity of the precedents which he had left them; for the moment that the result became doubtful, they abandoned the impeachment which they had originated themselves, and, to insure the fate of their victim, proceeded by bill of attainder. They saw, in fact, that during the fifteen days of public trial, Strafford had won many friends by the modesty of his demeanour and the eloquence of his answers; and they had ground to fear that, if they proceeded to argue in Westminster Hall the weakest part of their case, the question whether any or all the charges amounted to the legal guilt of high

treason, the defection from the ranks would be daily augmented. They had moreover received hints of some secret intrigue against them among the officers of the army,<sup>2</sup> and were not ignorant of the continual exertions of the king and queen, who spared neither prayers nor promises to influence the opinions and inclination of the Lords. Hence they concluded that the time was come to execute the plan which had been discussed among them long before Pym read, for the first time, his copy of the notes of Secretary Vane to the house; and immediately a bill was introduced to attain the earl of Strafford, for endeavouring to subvert the liberties of the country. It met with strong opposition in every stage, particularly from Lord Digby and the earl of Bristol, one of the most eloquent, and hitherto the most popular members.<sup>4</sup> But it was not in his power to stem the torrent: on the eleventh day the bill was read a third time and passed; and the next morning the names of fifty-four members who had the courage to vote against it, were placarded in the streets, under the designation "Straffordians, who, to save a traitor, were willing to betray their country."

In the mean time the Lords proceeded as if they were ignorant of the bill pending in the lower house. Strafford made his defence before them. He repeated in short observations which he had previously made; contended that nothing

<sup>1</sup> Baillie, i. 288, 289. Rushworth, viii. 552—571. Clarendon, i. 229. Lords' Journals, 207. Nalson, ii. 206. State Trials, iii. 1158. Cobb. Parl. Hist. ii. 744. While Whitelock was chairman of the committee, this important paper had disappeared. Every member solemnly protested that he did not take it away, nor know what had become of it. Copies, however, were given to the king and to Strafford. That in the possession of Charles was afterwards found to be in the handwriting of Lord Digby, whence it was inferred that he was the thief. The proof is not conclusive.—Whitelock, 43, 44.

<sup>2</sup> As early as the 3rd of March.—Dalrymple, ii. 114, 119.

<sup>3</sup> Wariston, in his letter of April 2, says "if they see that the king gains more from the upper house not to condemn him, they will make a bill of teinture."—Dalrymple, ii. 117. This passage appears to me to solve the question which is sometimes asked why the popular leaders abandoned their course on which they had entered, and chose to proceed by bill of attainder.

<sup>4</sup> See his speech in Rushworth, viii. 153; Nalson, ii. 157—160. It is, I think, decisive on this charge.

ected to him could amount to the crime of treason, and derided the new notion of accumulative treason, as if entity could be produced from an aggregation of nonentities. In conclusion he appealed to his peers in these words:—"My lords, it is my present misfortune, it may hereafter be yours. Except your lordships provide for it, the shedding of my blood will make way for the shedding of yours; you, your estates, your posterities be at stake. If such learned gentlemen as these, whose tongues are well acquainted with such proceedings, shall be started out against you; if your friends, your counsel, shall be denied access to you; if your professed enemies shall be admitted witnesses against you; if every word, intention, or circumstance, be sifted and alleged as treasonable, not because of any statute, but because of a consequence or construction pieced up in a high rhetorical strain, I leave it to your lordships' consideration to foresee what may be the issue of such a dangerous and recent precedent.

"These gentlemen tell me they speak in defence of the commonwealth against my arbitrary laws; give me leave to say it, I speak in defence of the commonwealth against their arbitrary treason. This, my lords, regards you and your posterity. For myself, were it not for your interest, and for the interest of a saint in heaven, who hath left me here two pledges upon earth" (at these words his breath appeared to stop, and tears ran down his cheeks; but, after a pause he resumed): "were it not for this, I should never take the pains to

keep up this ruinous cottage of mine. I could never leave the world at a fitter time, when I hope the better part of the world think that, by this my misfortune, I have given testimony of my integrity to my God, my king, and my country. My lords! something more I had to say, but my voice and my spirits fail me. Only in all submission I crave that I may be a Pharos to keep you from shipwreck. Do not put rocks in your way which no prudence, no circumspection can eschew. Whatever your judgment may be, shall be righteous in my eyes. In te Domine" (looking towards heaven) "confido: non confundar in æternum."<sup>1</sup>

The king, as soon as the bill of attainder passed the lower house, was careful to console his friend with the assurance that, though he might deem it expedient to make some sacrifice to the violence of the times, he would never consent that one who had served the crown with such fidelity should suffer in his life, or fortune, or honours. Perhaps, when he made this promise, he relied on his own constancy, perhaps on the success of some one of the projects in which he was engaged. 1. It had been suggested to him to secure the Tower, which had no other guard than the servants of the lieutenant, by the introduction of a company of one hundred trusty soldiers; or to order the removal of Strafford to another prison, so that he might be rescued on the way. But Balfour, the lieutenant, was true to the cause of his countrymen. He refused obedience to the royal warrant, and spurned

<sup>1</sup> State Trials, 1462—1469. "At the end he made such a pathetic oration for half an hour as ever comedian did on the stage. The matter and expression was exceeding brave. Doubtless, if he had grace and civil goodness, he is a most eloquent man. One passage is most spoken of: his breaking off in weeping and silence, when he spoke of his first wife. Some took it for a true defect

in his memory; others for a notable part of his rhetoric: some that true grief and remorse at that remembrance had stopt his mouth; for they say that his first lady, being with child, and finding one of his mistress's letters, brought it to him, and, chiding him therefore, he struck her on the breast, whereof she shortly died."—Baillie, 291.

the offer made to him by his prisoner of a bribe of twenty-two thousand pounds, and a desirable match for his daughter. 2. The preference which the Commons had shown for the Scottish army, their care to supply the invaders with money, while the pay of the English force in Yorkshire was allowed to accumulate in arrear, had created jealousy and discontent in the latter. Hence occasion was taken to sound the disposition of the officers, and to propose several plans by which the army might be brought into the neighbourhood of the capital, to overawe the parliament, and to give the ascendancy to the royalists. That the king was privy and assenting to these projects is certain; they were defeated by the disagreements among the officers, and the resentment of Colonel Goring, who had aspired to the rank of a principal commander, and who, to gratify his disappointed ambition, betrayed the substance of the project to the earl of Newport, by whom it was revealed to the leaders of the party.<sup>1</sup> 3. The king had offered to leave the disposal of all the great offices of state to the earl of Bedford, in return for the life of Strafford. The condition was accepted; and that nobleman communicated it to his friends, who, with the exception of the earl of Essex, cheerfully acquiesced. Unfortunately, in the course of a few days Bedford died, and the lord Say was employed in his place. By the advice of this new counsellor, Charles sent for the two houses, and informed them in a short speech that, had they pro-

ceeded according to law, he would have allowed the law to have its course; but, by adopting the way of attainder, they had forced him to resign in quality of a judge. He would therefore tell them that neither Strafford nor any other of his counsellors had ever advised him to employ the Irish army in England, or to alter the laws of the kingdom, or to look upon English subjects as disloyal or affected. With this knowledge it was impossible that he should condemn the earl of treason, or pass the bill of attainder if it were presented to him for his assent. That Strafford had been guilty of misdemeanors was evident; and he was willing to punish him by exclusion from office during his life; but further he could not; wherefore he conjured the Lords to discover some middle way, by which they might satisfy public justice without offering violence to the conscience of their sovereign.<sup>2</sup>

This well-meant but ill-timed speech sealed the doom of the unfortunate prisoner. The Commons resented as a most flagrant violation of their privileges of parliament; the ministers employed the following day (it was the Sabbath) in stimulating from the pulpit the passions and fanaticism of their hearers; and on the Monday crowds of men were seen in every direction, crying out "Justice, justice," and declaring that they would have the head of Strafford or that of the king. They paraded before Whitehall; they proceeded to Westminster, and, taking post in the Palace-yard, insulted and menac-

<sup>1</sup> Whitelock, 46. Nalson, ii. 272. Warwick, 178. See the evidence in Rushworth, iv. 252—257; and Husband's Collection, 1643. It is difficult to arrive at the real history of the intrigue, as all the witnesses evidently strove to secure themselves from blame both with the king and the parliament; but it is plain, from the despatches of Rosetti, that the king attempted to gain the army through the chief officers, and that he had ordered the fortifications of Ports-

mouth to be strengthened, and had given the command to Colonel Goring, for the same purposes,—that he might have a place of retreat, if he were forced to quit London; and a post for the disembarkation of troops which might come to his aid from Holland and France.—Rosetti, 12th April, 1. May, N.S.

<sup>2</sup> Journals, 231, 232. Rushworth, v. 734. Laud's Troubles, 176.

every member who was supposed to be friendly to the object of their vengeance. Pym seized the opportunity to detail and exaggerate to the house the dangers of the country, the real or imaginary plots to bring forward the army, to gain possession of the Tower, and to procure aid from France; and, while their minds were agitated with terror and resentment, proposed, in imitation of the Scottish covenant, a protestation, by which they bound themselves to defend their religion against popery, their liberties against despotism, and their king against the enemies of the nation. It was taken with enthusiasm, and transmitted to the Lords, who ordered it to be subscribed by every member of their house. The intelligence was communicated by Dr. Burgess, a favourite preacher, to the populace, who expressed their satisfaction by cheers, and, at his command, peaceably withdrew to their habitations.<sup>1</sup>

Care was taken to keep alive the public excitement by a variety of rumours; but what chiefly inflamed the passions of the populace was, first report that a French army was ready to come to the aid of the king, then that it had taken possession of Guernsey and Jersey, and lastly that it was actually landed at Portsmouth. That there was some ground for jealousy is plain; for Montague, a favourite of the queen, had been received at the French court, an army was actually assembled in Flanders, and a fleet had been collected on the coast of Bretagne. But Montreuil, the French envoy, had little difficulty in convincing the popular leaders, through the earl of

Holland, that the army was destined for the war in the Netherlands, and the fleet for the protection of Portugal; and that Richelieu had no thought of affording aid to a prince whom he considered a personal enemy. Still the irritation of the populace rose to such a height that the envoy was repeatedly advised to save his life by concealment, and the queen in alarm actually ordered her carriages to Whitehall, that she might seek an asylum at Portsmouth. Had she left the court, her life would have been in danger; but her flight was prevented by a remonstrance from the Lords to the king, and two hours later it became known that Colonel Goring had revealed the secrets with which he was intrusted to the popular party.<sup>2</sup>

In the meanwhile the enemies of Strafford proceeded steadily towards the accomplishment of their object. His avowed friends were kept away from the house of Lords by the threats of the rabble: the Catholic peers were excluded by their refusal to subscribe the protestation; and though eighty peers had attended the trial in Westminster Hall, not half that number assembled to discuss the bill of attainder. The majority voted that two of the charges had been proved, the fifteenth and nineteenth, importing that Strafford had quartered soldiers on the peaceable inhabitants without lawful cause, and had imposed of his own authority an illegal oath on all Scotsmen dwelling in Ireland. The judges were then called in; and to a question from the house replied that, taking the case as it had been proposed to them, Strafford had deserved to undergo the

<sup>1</sup> Journals of Lords, 232; of Commons, May 3. "They caused a multitude of tumultuous persons to come down to Westminster armed with swords and staves, to fill both the palace-yards and all the approaches to both houses with fury and

clamour, and to require justice, speedy justice, against the earle."—Stat. of Realm, v. 424.

<sup>2</sup> Journals, 236. Mazure, iii. 421—428. Rosetti, 24 Maggio, N.S.

pains and forfeitures of treason. The next morning the bill was read a fourth time and passed without amendment, and a deputation was appointed to solicit in the name of both houses the royal assent and the speedy execution of the delinquent.<sup>1</sup> All that day the court presented a scene of the utmost terror and distress. Every hour intelligence was brought of the excitement of the people, of the crowds assembled in the Palace-yard, of their tumultuous cries and threats of vengeance; and a general persuasion existed that the king's refusal would be followed by a forcible irruption of the rabble into Whitehall, the captivity of his person and that of the queen, and the massacre of their servants. A little after four the deputation arrived at the palace, and was admitted; the crowd which accompanied them, two thousand men, most of them with arms, remained at the gate. What passed within we know not, but after some delay a minister—probably the same Dr. Burgess—appeared at a window, and announced that the king had promised to go on Monday morning to the house of Lords and give the royal assent. The people immediately dispersed with shouts of triumph.<sup>2</sup>

Strafford had already written to Charles a most eloquent and affecting letter. He again asserted his innocence of the capital charge, and appealed to the knowledge of the king for the proof of his assertion; still he was ready, he was anxious, to sacrifice his life as the price of

reconciliation between the sovereign and his people. He would therefore set the royal conscience at liberty by soliciting him to give his assent to the bill of attainder. "My consent, sir," he proceeded, "shall more acquiesce in you herein to God, than all the world can do besides. To a willing man there is no injury done; and, as by God's grace I forgive all the world, so, sir, to you I can give the life of this world with all the cheerfulness imaginable, in the just acknowledgment of your exceeding favours, and only beg that in your goodness you would vouchsafe to cast your gracious regard upon my poor son and his three sisters, less or more, and not otherwise than as their unfortunate father may appear hereafter more or less guilty of this death." It may however, be questioned, whether he really felt the magnanimous sentiments which he so forcibly expressed. He knew that within three months a similar offer had saved the life of Goodman; and afterwards, when he heard that the king had complied, he is said to have started with surprise from his chair, exclaiming, "Put not your trust in princes, nor in the son of men, for in them there is no salvation."<sup>3</sup>

The king passed the Sunday in a state of the most poignant distress. Which was he to do, to break his word to the two houses, or to make himself accessory to the murder of a faithful servant? In this dilemma he sent for the judges, and inquired the grounds of the answer given

<sup>1</sup> Journals, 239—241. The original passage has been erased from the Lords' Journals; but Whitelock, who could not be ignorant, as he was one of the managers, informs us that the articles found to be proved were the fifteenth and nineteenth.—Whitelock, 45. Radcliffe says that the fifteenth, the twenty-third, respecting the advice to employ the Irish army in England, and perhaps one more, were voted to be proved; but, as his memory might be deceived, he refers to the journals. He

adds that the numbers on the division were twenty-two against sixteen.—Strafford's Papers, ii. 432. But, whatever the articles were, the bill was passed in the same shape in which it came from the Commons.—*ibid.* it in Rushworth, viii. 756.

<sup>2</sup> Journals, 242. Rosetti, 24. Magg Rosetti went by the meadow to Whitehall and found the queen afflittissima, liq facendosi in pianto.

<sup>3</sup> Rushworth, viii. 743.

them to the Lords; he sent for the bishops, and exposed to them the misgivings of his own conscience. One, Juxon of London, honestly advised him not to shed the blood of a man whom he believed to be innocent; Williams, and with him were three others, replied that, whatever might be his individual opinion as Charles Stuart, he was bound in his political capacity as king to concur with the two houses of parliament. At the same time he was reminded of the dangers which threatened both himself and his family; that the public mind in the capital was kept in a state of alarming agitation; that reports of plots the most improbable were circulated and believed; and that a refusal on his part would infallibly provoke a tumult, the consequence of which could not be contemplated without horror. Late in the evening he yielded, and subscribed with tears a commission to give his assent to the bill.<sup>1</sup>

As a last effort to save the life of a servant whom he so highly prized, Charles descended from his throne and appeared before his subjects in the guise of a suppliant. By the hands of the young prince of Wales he sent a letter to the Lords, request-

ing that, for his sake, the two houses would be willing that he should commute the punishment of death into that of perpetual imprisonment. But the vultures that thirsted for the blood of Strafford were inexorable; they even refused the king's request for a reprieve till Saturday, that the earl might have time to settle his temporal affairs.<sup>2</sup> The next morning the unfortunate nobleman was led to execution. He had requested Archbishop Laud, also a prisoner in the Tower, to impart to him his blessing from the window of his cell. The prelate appeared; he raised his hand, but grief prevented his utterance, and he fell senseless on the floor. On the scaffold the earl behaved with composure and dignity. He expressed his satisfaction that the king did not think him deserving so severe a punishment; protested before God that he was not guilty, as far as he could understand, of the great crime laid to his charge; and declared that he forgave all his enemies not merely in words, but from his heart. At the first stroke his head was severed from the body. The spectators, said to have amounted to one hundred thousand persons, behaved with decency; but in the evening the people dis-

<sup>1</sup> Strafford Papers, ii. 432. Clarendon, i. 257. Laud's Troubles, 177.

<sup>2</sup> Lords' Journals, iv. 245. Burnet tells us, from Holles, whose sister Strafford had married, that Holles advised the following plan to save the earl's life:—That Strafford should petition for a short respite to settle his affairs, the king with the petition in his hand should solicit the houses to be content with a minor punishment, and Holles should persuade his friends to accede to the proposal, on the ground that Strafford would revert to his first principles, and become wholly theirs. The queen, however, being told that Strafford would in that case accuse her, advised her husband to send the letter, "which would have done as well," had she not persuaded him to add the postscript, "if he must die, it were charity to reprieve him till Saturday;" which, he observes, was a very unhandsome giving up of the whole message.—Burnet's Own Times, 32.

This is told very incorrectly. That Strafford petitioned for a respite till Saturday, and that Holles promised him his life, if he would employ his credit with the king to procure the abolition of episcopacy, we learn from Laud; but he adds, on the authority of the earl's assertion to Archbishop Usher, that Strafford refused the condition.—Laud's Troubles, 177. Neither did the king give up the request by the conditional postscript; for the same condition runs through the whole letter: "If it may be done without discontentment to my people"—"If no less than death can satisfy my people, fiat justitia."—Journals, 245. The fact was, as Essex told Hyde, no minor punishment would satisfy the earl's enemies, who were persuaded that, if his life should be spared, the king would, at the conclusion of the parliament, grant him a pardon, and place him again over their heads. His death was their security.—Clarendon, i. 242.

played their joy by bonfires, and demolished the windows of those who refused to illuminate.<sup>1</sup>

Thus after a long struggle, perished the earl of Strafford, the most able and devoted champion of the claims of the crown, and the most active and formidable enemy to the liberties of the people. By nature he was stern and imperious, choleric and vindictive. In authority he indulged these passions without regard to the provisions of law or the forms of justice; and, from the moment that he attached himself to the court, he laboured (his own letters prove it) to exalt the power of the throne on the ruin of those rights of which he once had been the most strenuous advocate. As president of the north, he first displayed his temper and pretensions; in Ireland he trampled with greater freedom on the liberties of the people; and after the rupture with the Scots he ceased not to inculcate in the council that the king had a right to take what the parliament had undutifully refused to grant. Yet, numerous and acknowledged as his offences were, the propriety of his punishment has been justly questioned. His friends maintained that, where the penalties are so severe, the nature of the offence ought to be clearly defined, to enable the subject to know and eschew the danger; that Strafford could not possibly suspect that he was committing treason, while he acted after ancient precedents, and on the recent decision of the judges in the case of ship-money: that the doctrine of constructive and accumulative treason on which the Commons relied, was new and unknown to the law; that it was unjust in his prosecutors, after they had impeached him before the Lords, to interrupt the trial because they anti-

ipated his acquittal; and that the introduction of the bill of attainde the employment of force to intimidate the Lords, and the violent means adopted to extort the assent of the king, sufficiently proved that vengeance as much as justice was the object of his adversaries. On the side it has been contended that the man who seeks to subvert the national liberties is not to escape with impunity because his offence has not been accurately described in the statute-book; that the case, whenever it occurs, is one which ought to be submitted to the decision of the whole legislature; that no danger to the subject can be apprehended from such a proceeding, because the ordinary courts of law do not make to themselves precedents from the conduct of parliament; and that the attainde of Strafford was necessary to deter subsequent ministers from imitating his example. Perhaps it may be difficult to decide between these conflicting arguments; but to me there appears little doubt that, in a well regulated state, it is better to allow the offenders any benefit which they may derive from the deficiency of the law than to bring them to punishment by a departure from the sacred form of justice.

The Commons, however, were not satisfied with the blood of Strafford. They announced their intention of proceeding with the charge against Archbishop Laud, and impeached six of the judges of treason or misdemeanors, Wren, bishop of Ely, of an attempt to subvert religion by the introduction of superstition and idolatry; and thirteen of the prelates, of illegal proceedings in the late convocation. But, though they threatened they were slow to strike. Their attention was distracted by a multiplicity of business, and their progress was arrested at each step by the intervention of new subjects of de-

<sup>1</sup> Different copies of his speech may be seen in Somers's Tracts, iv. 254—265.



date. The issue of several of these prosecutions will be noticed at a later period.

But a more exalted personage than any of these, the queen herself, began to tremble for her safety. She was a Catholic; she had been educated in the court of a despotic monarch; and she was known to possess the attachment and confidence of her husband,—circumstances, any one of them, sufficient to excite the jealousy of the patriots, and to expose the princess to the misrepresentations of men who, with all their pretensions to religion, sedulously practised the doctrine that the end sanctifies the means.<sup>1</sup> They described her to the people as the head of a faction whose object it was to establish despotism and popery; and tales were daily circulated, and defamatory libels published, in proof of that pernicious influence which she was supposed to exercise over the uxorious mind of her husband. It is indeed true that, since the death of Buckingham, Charles had refused to have any other favourite than his wife; that he confided to her his cares, and fears, and designs; that he wished those who solicited favours to employ her mediation, that she might have the merit of serving them; and that he occasionally transmitted, through her agency, orders to his confidential friends. But the sequel of this history will demonstrate that she had not his judgment in her keeping; there were many points on which he required her to submit implicitly to his pleasure; and, when once he had

taken his resolution, it was not in her power, by reasoning or importunity, to divert him from his purpose.<sup>2</sup> Her mother, driven from France by the enmity of Richelieu, had found, during the two last years, an asylum in England; but the unpopularity of her daughter extended itself to the fugitive: she solicited a guard to protect her from the insults of the mob, and was induced by the advice of Charles to return to the continent. Henrietta, terrified by the threats of her enemies, announced her intention of accompanying her mother, but the Commons interposed; at their solicitation, the Lords joined in a petition requesting her to remain; and the queen, in a gracious speech pronounced in English, not only gave her assent, but expressed her readiness to make every sacrifice that might be agreeable to the nation.<sup>3</sup>

Hitherto on most subjects the two houses had cheerfully concurred. Both had voted that the court of presidency of York was contrary to law; that the convocation had no power to make regulations binding either clergy or laity, without the consent of parliament, and that bishops and clergymen ought not to hold secular offices, or be judges or magistrates; they had passed several bills successively, some giving tonnage and poundage to the crown, but only for short periods, that the repetition of the grant might more forcibly establish their right, and others abolishing the courts of Star-chamber and High Commission, forbidding the levy

<sup>1</sup> Clarendon, in his character of Lord Digby, mentions "the foul arts they could give themselves leave to use, to compass anything they proposed to do; as in truth their method was, first to consider what was necessary to be done for some public end, and which might reasonably be wished for that public end, and then to make no scruple of doing anything which might probably bring the other to pass, let it be of what nature it would, and never so much

concern the honour or interest of any person who they thought did not or would not favour their design."—Clarendon Papers, iii. Supplement, liii. Clarendon was an adversary, but this assertion seems to be fully supported by the facts.

<sup>2</sup> See instances of this in his letters to her from Newcastle, in the Clarendon Papers, ii. 295, et seq.

<sup>3</sup> Journals, iv. 314, 317.

of ship-money, taking away all vexatious proceedings respecting knight-hood, and establishing the boundaries of the royal forests; they had, moreover, obtained the king's assent to two most important acts,—one appointing triennial parliaments to be holden of course, and even without the royal summons,<sup>1</sup> and another investing themselves with paramount authority, since it prohibited the dissolution, prorogation, or adjournment of the present parliament without the previous consent of the two houses.<sup>2</sup> But the pretensions set up, and the power exercised by the Commons, began to provoke the jealousy of the Lords. Many of the latter professed a determination to withstand every additional attempt to subvert the ancient constitution of the legislature, or the undoubted rights of the crown; and the king, that he might gain the services, or at least mollify the opposition of the leading peers, gave the several offices of governor to the prince, lord chamberlain, lieutenant of Ireland, and master of the wards, to the earls of Hertford, Essex, Leicester, and the lord Say. A new spirit seemed to be infused into the upper house, which successively rejected, as invasive of their rights, two bills sent from the lower house, one to exclude the bishops, and persons in holy orders, from intermeddling

in secular affairs, the other to provide security for true religion. The Lords were willing that bishops should not sit in the privy council, nor the Star-chamber, nor courts of justice, nor on secular commissions, but refused to deprive them of their seats in the legislature; and with respect to the second bill, which proposed to substitute for episcopal government that by presbyters with a superintendent they threw it out on the second reading.<sup>3</sup>

These symptoms of misunderstanding between the Lords and Commons awakened the most pleasing anticipations in the mind of the king, who still cherished the hope of being able to give the law to his opponents, and with this view sought once more to interest the army in his quarrel. With his approbation, and under his signature, the form of a petition to be subscribed by the officers, was forwarded to Sir Jacob Astley, who acted in place of the earl of Holland, the commander-in-chief of the force in Yorkshire. It stated the many and valuable concessions which the king had made to his people, adverted to the riotous assemblages which he lately attempted to control both the sovereign and the two houses, and prayed permission that the army might march to London for the purpose of protecting the royal persons

<sup>1</sup> The summons was to be issued in the royal name by the chancellor or keeper of the great seal, and to this he was bound by oath; in his default, by any twelve peers assembled at Westminster; and, if no peers assembled, then on a certain day the sheriffs, mayors, constables, &c., were, without further notice, to proceed to the elections of representatives under very severe penalties.

<sup>2</sup> Charles gave his assent to this bill on the very day on which he consented to the death of Strafford, probably that he might mollify the enemies of that nobleman.

<sup>3</sup> Journals, iv. 257, 259, 269, 273, 281, 286, 298, 311, 333, 349, 357. To pay the English and Scottish armies, a poll-tax was voted, in which dukes were rated at one hundred pounds, marquesses at eighty pounds, earls at sixty pounds, viscounts

and barons at fifty pounds, baronets and knights of the Bath at thirty pounds, knights at twenty pounds, esquires at ten pounds, gentlemen of one hundred pounds per annum at five pounds, and recusants pay double: the scale descended through every rank and profession, to each person above sixteen years of age and not receiving alms. For these the lowest rate was six pence.—Somers's Tracts, iv. 299. This tax raised one hundred and fifty-seven thousand and sixty-one pounds, sixteen shillings, and eleven pence three farthings.—Ibid. p. 300. The reader is aware that in ancient times the three estates taxed themselves separately, and so much of the old custom was retained, that the Lords still appointed receivers for themselves, and for the dowagers as had the privilege of the peerage (268, 297).

and the parliament. But the vigilance of the patriots detected, and their promptitude defeated, the project.<sup>1</sup> Soon, however, a new source of disquietude was opened. The king unexpectedly announced his intention of meeting in person the Scottish parliament on the 15th of July; a measure which offered an enigma of no easy solution either to his friends or foes in the two houses. The jealousy of the latter was again alarmed. They became less eager for the conclusion of the treaty with the Covenanters: they daily interposed new difficulties: they brought forward other subjects for discussion. But Charles was not to be moved from his resolution: to accommodate them, he put off his departure for a fortnight, but refused to wait a day longer; and, having given his assent to the bill of pacification between the two kingdoms, hastily quitted London;<sup>2</sup> traversed, without stopping, the quarters of the English army in Yorkshire; accepted with apparent cheerfulness an invitation to dine with Leslie at Newcastle; and was received with honour by a deputation from the estates at his entrance into the capital of Scotland. The houses at Westminster continued to sit after his departure; but their measures were limited to the making of preparations for the disbandment of the army, the appointment of a committee from each house to sit during the adjournment, and the nomination of commissioners to attend on the king in Scotland, under the pretence of doing him honour, but in reality to

watch his conduct, and to correspond with the committee in London. They then adjourned to the middle of October.<sup>3</sup>

Charles was aware that in Scotland a reaction had long been working in the minds of moderate men, who, satisfied with the concessions already made by the sovereign, began to look with suspicion on the obstinacy and pretensions of the popular leaders. A party had some time before been secretly formed under the auspices of the earl of Montrose; and nineteen noblemen had been induced to subscribe a bond, by which they pledged themselves to oppose "the particular and indirect practices of a few, and to study all public ends which might tend to the safety of religion, laws, and liberties." The language of this instrument, whatever might be the views of its authors, was evidently in accord with that of the covenant; but the moment it came to the knowledge of the committee of estates, they pronounced it a breach of that clause which prohibited all attempts to divide the true worshippers of God; and Montrose and his friends having disclaimed "all evil and divisive intentions," gave up the bond to be burnt.<sup>4</sup> By their submission they hoped to disarm the resentment of their enemies; but, still persisting in their design, they opened a correspondence with the king, and assured him of the victory over the covenanting leaders, if he would only honour the parliament with his presence, confirm all his previous concessions, and judiciously withhold the

<sup>1</sup> See the examinations of Legge, Astley, Coniers, Hunks, Lucas, and O'Neil, in Husband's Collection, and the Journals.—Lords' Journals, 441. Commons' Journals, Nov. 17.

<sup>2</sup> Charles left a commission to give the royal assent to *certain* bills, when they should have passed the houses. The Commons brought in a bill to extend the powers of the commissioners to *all* the bills which should pass. The Lords, at their request, sat for this purpose on the Sunday, but they

designedly raised so many objections, that it was not ready on the Monday morning, and Charles, refusing to wait any longer, began his journey.—Journals, iv. 294, 349—357.

<sup>3</sup> Charles refused to sign the commission, though he consented to receive the commissioners.—Lords' Journals, 382, 383.

<sup>4</sup> See the bond and subsequent declaration in Mr. Napier's "Montrose and the Covenanters," i. 325, 326.

distribution of honours and offices to the end of the session. Charles was persuaded; but it had long been his misfortune to be surrounded by men who abused his confidence. Advice of the interchange of messages was sent to the committee of estates; and, by their order, Walter Stewart was seized near Haddington, the bearer of a letter from the king to Montrose, secreted in the pummel of his saddle. To correspond with the sovereign could not be a legal offence; but the concealment of the letter offered ground of suspicion; other papers of a mysterious character were found on the messenger, and a few days later Montrose, the lord Napier, Sir George Stirling, and Sir Archibald Stewart, were, after a short examination, conducted with great parade through the capital, and committed prisoners to the castle.<sup>1</sup>

The intelligence, though most mortifying to the king, confirmed him in his design of visiting Scotland. He had now to save not only Traquair and the other four, who, under the name of incendiaries, had been excepted from pardon, but also Montrose and the "banders and plotters," as they were called, whose lives were now placed in equal danger. Should he suffer these, as he had suffered Strafford, to be sacrificed to the vengeance of his enemies, where could he look for men who would afterwards devote their services to the cause of royalty? With this resolution he met the Scottish parliament, though there was little to cheer his hopes in the previous conduct of the house. The submission presented by Traquair, backed by the king's most

earnest recommendation in its favour had been contemptuously rejected and numerous examinations had taken place preparatory to the trial of Montrose and his fellow-prisoners. Charles sought to ingratiate himself by flattering their religious prepossession. He appointed Henderso his chaplain, listened with patience to the interminable sermons of the ministers, and attended assiduously at the service of the kirk. He hastened to confirm all the concessions which he had previously made: he consented, in all appointments of importance, to be guided by their advice and he submitted for their approbation a list of forty-two counsellors and of nine great officers of state. Here the struggle began; and ten days elapsed before the house would consent to the appointment of the lord Loudon to the office of chancellor.<sup>2</sup> The treasuryship came next an office of great emolument, to which Argyle is said to have aspired. Charles named the lord Amond; but his recommendation, and the arguments of his friends, were useless. For twelve days the appointment was kept in suspense, till the attention of both parties was unexpectedly averted to a new subject, that occurrence which in Scottish history is known by the name of the "Incident."<sup>3</sup>

The reader is aware that the marriage of Hamilton had long been loved and trusted by the king; yet whether it was his crime or his misfortune, he enjoyed not the confidence of the royalists, many of whom looked upon him as a hypocrite and a traitor. At the present day it must be difficult for us to judge; for his

<sup>1</sup> Napier, i. 440—468.

<sup>2</sup> Balfour, iii. 3, 14, 24, 28, 30, 36.

<sup>3</sup> Ibid. 58, 64, 66, 68, 72, 78, 85. After the king's arrival, Montrose demanded a trial. It is plain that his opponents, though they had condemned and executed John Stewart for leasing-making, because he had falsely charged Argyle with having said

that the king might be dethroned (Napier i. 475. Balfour, iii. 11, 17, 19), could prove nothing against him; for, instead of a trial they offered to accept his submission on accommodation. This he refused, and repeated his demand of a legal trial, which was put off to the end of the session.—Balfour, 49, 50, 51, 52.

<sup>4</sup> Balfour, 87, 88.

lilatory and temporizing conduct may possibly have originated from the indecision of his character, from his wish to stand well in the estimation of each party, and his unwillingness to urge matters to extremities between the king and his subjects. Certain, however, it is, that no enterprise had succeeded under his management, and that his successive failures were attributed by men of more stirring zeal to a secret understanding between him and the Covenanters. Long ago an offer to establish proof of his perfidy, "by the testimony of as good men as were to be found in Scotland," had been made to Strafford and Laud, who declined to listen to a charge which in the result might entail enmity and disgrace on themselves.<sup>1</sup> Hints of the same tendency had been often given to the king, on whose mind they began to make impression. One day in parliament,—at whose suggestion is unknown,—the young lord Kerr sent to the marquess, by the earl of Crawford, a challenge of treason. Hamilton appealed to the house, an act was passed in vindication of his loyalty; and the challenger was compelled to offer an apology, and make his submission.<sup>2</sup> About the same time, William Murray, the

favourite groom of the bedchamber,<sup>3</sup> obtained several interviews with Montrose in the castle, and brought from him messages to the king, of which the general object seems to have been to manifest the disloyalty of Argyle and the perfidy of Hamilton, and to advise the adoption of some spirited and decisive measure against both those noblemen. On the morning of Oct. 11th, Murray had brought a letter from Montrose; in the evening Hamilton, under the pretence of presenting a petition to the king, requested leave to withdraw into the country, and spoke, but in enigmatical and even discourteous terms, of the queen's prejudices against him, and of reports circulated to his dishonour. The following morning Charles found that the marquess, taking with him his brother Lanark and the earl of Argyle, had fled to his house of Kinneil during the night; that the cause of their departure was said to be the discovery of a plot on the part of the king to deprive the three noblemen of their liberty or their lives; and that the burghers of Edinburgh, in their alarm, had closed the gates, and armed themselves for the protection of the parliament.<sup>4</sup> Hastening to the

<sup>1</sup> Warwick, Memoirs, 140.

<sup>2</sup> Balfour, 82, 86.

<sup>3</sup> He had been playmate and whipping-boy to the king in his younger days.

<sup>4</sup> According to general report, it was intended to send for the three lords to the king's bedchamber, where they should be apprehended by the earl of Crawford, and taken thence on board a ship in the Firth, or be put to death in case of resistance. This was to be done in the night-time.—Baillie, i. 330. From documents still in existence, and the testimony of Clarendon, who had his information both from the king and Montrose, there can be little doubt that Murray had been the bearer of letters and messages between them both; that some resolution had been taken, or was on the point of being taken, against Hamilton and Argyle, and that such resolution, whatever it may have been, was revealed to the marquess by the perfidy of Murray. How

far their liberty or their lives might be in danger we know not; but, after the failure of the recent attempt of Lord Kerr to impeach Hamilton in parliament, I see no improbability in the supposition that violent counsels were suggested by Montrose, and also countenanced by Charles. Clarendon, in his original narrative (*Hist. of Rebel. ii., App. B. Oxford, 1826*), says that he left it to the accusers to bring forward the charge at their own peril; but in a subsequent account, which was substituted for the first by his editors (*Hist. i. 293, Oxford, 1720*), he says that Montrose came privately by the introduction of Murray to the king, and offered to make proof of treason against Hamilton and Argyle, but rather desired to kill them both; a statement which it is difficult to believe, for Montrose was then a close prisoner in the castle under the custody of his enemies, without whose connivance he could not have visited the king at Holyrood House.

house, he complained in vehement language of the insult which had been offered to him by the sudden flight of the three lords, and insisted that an inquiry into the whole matter should be immediately instituted. His demand could not with decency be refused; but to his surprise he soon found a powerful opposition marshalled against him. The charge was public; he claimed a public investigation as his right; his opponents would consent to nothing more than a private inquiry before a committee. He debated the question with them during ten successive days; their obstinacy was not to be subdued; at length he yielded, and even submitted to the inspection of the committee the last letter which Murray had brought to him from Montrose. In it was an assurance that the earl could "acquaint his majesty with a business which not onlie did concerne his honour in a heigh degree, bot the standing and falling of his croune lykwayes." On this passage Montrose was repeatedly examined, but persisted in returning the same answer, that by "business" he meant what, in his opinion, "concerned the peace and quiet of the public," and that "he would never wrong, nor did he intend to accuse, any individual whatsomever."<sup>1</sup> The earl of Crawford, Murray, and others, were also arrested and interrogated, but nothing of moment was extracted from their incoherent and often discordant answers. Thus the time was spent to no purpose; the council at Westminster, in the most urgent terms, required the king's presence in England, and Charles, after a long struggle, was compelled to forego the vindication of his character, and to

consent to what was called "an accommodation;" the arrangement which occupied a whole fortnight. By it a great portion of the bishop's lands were distributed among his opponents; eight new names were substituted in his list of privy counsellors for eight to which objection had been made; the treasury was put into commission, with Argyle at the head; and that nobleman was created a marquess, and General Leslie raised to the rank of earl, with the title of Leven. On the other hand, to gratify the king, Hamilton declared in writing that nothing in that unhappy business, "the Incident," reflected on his majesty's honour; and both the incendiaries and the plotters were discharged from prison, under the obligation of surrendering themselves to the committee of parliament in January, but with this understanding that, if any trial took place, the judgment should still be reserved to the king.<sup>2</sup> Having thus extricated his friends from actual confinement and immediate danger, the king gave an entertainment to the estates, and the next morning departed for England.

That which had rendered Charles so impatient to be gone was the alarming intelligence which he had received from Dublin. The proceedings of the English parliament, and the success of the Scottish Covenanters, had created a deep and general sensation in Ireland. Could that be blamable in Irishmen which was so meritorious in others? Had not they an equal claim to extort the redress of grievances, and to repel religious persecution? These questions were asked in every company; and in reply it was observed that new shackles had been forged for the national rights, nev-

<sup>1</sup> Balfour, i. 134. Napier, ii. 95.

<sup>2</sup> For the Incident consult Balfour, iii. 94-164; Hardwicke Papers, ii. 229; Evelyn's Memoirs, ii. App. 525, 529; and Bailie, i. 330-332. The plotters were re-

peatedly examined by the committee in January and February, and the proceeding forwarded to Charles; but there the matter ended. No mention was afterwards made of it by either party.

dangers prepared for the national faith; that the English parliament had advanced pretensions to legislate for Ireland, and that the leaders, both in England and Scotland, in all their speeches, publications, and remonstrances, displayed the most hostile feelings towards the Catholic worship, and a fixed determination to abolish it, wherever their influence should extend. Why, then, should not Irishmen unite in their own defence? Why not assert their rights, and establish their religion, while their enemies were occupied at home by the disputes which divided them and their sovereign?<sup>1</sup>

Among the gentlemen of Kildare was Roger Moore, of Ballynagh, of ancient descent, of insinuating manners, and considerable eloquence. He retained but a scanty portion of that ample domain which had once been the patrimony of his ancestors, but was now parcelled out among English planters; and the hope of recovering that which he believed to have been unjustly torn from his possession, led him into different parts of Ireland, where he exhorted the natives to take up arms, and to vindicate their own rights. He had sounded the disposition of the lords of the pale, and from them he proceeded to excite the more inflammable passions of the ancient Irish.

Though the two races were intermixed by marriages, though they professed, in opposition to the law, the same religion, there still remained a marked difference in their habits and feelings, which prevented any cordial co-operation between them. The an-

cient Irish had suffered more grievous wrongs from the English government by the transfer of their property to foreign planters; the modern, though they complained of fines and inquisitions, had hitherto been treated with greater indulgence. The former longed for the restoration of the Catholic church in its ancient splendour; the latter, who had obtained their share of ecclesiastical plunder, felt no desire of a revolution which might compel them to restore their late acquisitions. The one had always been in the habit of seeking the protection of foreign princes, the other had constantly adhered to the sovereign, even in wars against their countrymen of the same religion.<sup>2</sup> Hence the Irish chieftains of Ulster, particularly Cornelius Macguire, baron of Inniskillen, and Sir Phelim O'Neil, who, after the death of the son of Tyrone, became chieftain of that powerful sept, listened with pleasure to the suggestions of Moore. It was agreed among them to consult their countrymen abroad, and to prepare for a rising in the following autumn.<sup>3</sup>

The gentlemen of the pale adopted a very different plan. By their influence in the two houses they persuaded the Irish to imitate the conduct of the English parliament. Inquiries were instituted into the abuses of government, and commissioners were sent to London to demand from the justice of Charles those graces, the purchase-money of which he had received thirteen years before. It was plainly his interest to conciliate his Irish subjects. He gave them a most flattering reception, bestowed

<sup>1</sup> Nalson, 543. Borlase, App. 128. "The Irish," says Laud, "pretended the Scots example, and hoped they should get their liberties and the freedom of their religion as well as they."—Laud's Troubles, 184. "They demand," says the earl of Clanricarde, "why it might not be more lawful, and much more pardonable, to enter into a covenant for the preservation of their religion, your majesty's rights and preroga-

tives, and the just liberties of the subject, than for others to enter into one that hath been an occasion to lessen and impair your majesty's lawful power and interests."—Clanricarde, p. 61.

<sup>2</sup> Rinuccini's Manuscript Narrative, in initio.

<sup>3</sup> Nalson, 544, 555. Carte, iii. 30. Clarendon Papers, ii. 69, 80, 134.

particular marks of attention on Lord Gormanstown, the head of the deputation, and bade them hope for full redress from his equity and affection. But he had a more important object in view. Strafford had frequently assured him of the devotion and efficiency of the eight thousand men lately raised in Ireland; and Charles, as he foresaw that the quarrel between him and his opponents would ultimately be decided by the sword, had sent private instructions to the earls of Ormond and Antrim to secure them for his service, to augment their number under different pretexts, and to surprise the castle of Dublin, where they would find arms for twelve thousand men. But it was well known that these levies consisted principally of Catholics, a circumstance sufficient to provoke the jealousy of the English parliament. The houses petitioned that they should be immediately disbanded. Charles hesitated; they renewed their petition; he acquiesced; but with an order to that effect transmitted a secret message to the two earls, to prevent by some expedient or other the dispersion of the men, which was followed by commissions to several officers to enlist at first one half, afterwards the whole number, for the service of Spain.<sup>1</sup>

Charles, on the eve of his departure for Scotland, had granted the chief requests of the Irish deputation, and signed two bills to be passed into laws, one confirming the possession of all lands which had been held without interruption for sixty years, and another renouncing all claims, on the part of the crown, founded on the inquisitions held under the earl of Strafford. Gormanstown and his colleagues acquainted their countrymen with

their success, and hastened in triumph to Dublin. But the lords justices Borlase and Parsons were less the ministers of the king than the associates of his opponents. Aware that the passing of these bills would attach the whole population of Ireland to the royal interest, they disappointed the hopes of the deputies by proroguing the parliament a few days before their arrival.<sup>2</sup>

Whether Ormond attempted to execute the royal orders is uncertain. Antrim kept his instructions secret, and endeavoured to feel his way through the agency of the officers commissioned to raise soldiers for the Spanish service. These, by their intrigues with the members of the parliament, discovered among them men to whom they might safely reveal the real secret of their mission; that they had come not to take away, but to detain the Irish army in the island. Its services were required by the sovereign. He had received many wrongs from his subjects in England and Scotland: it remained for Irishmen to display their attachment to his person, and, by rallying in defence of the throne, to prevent the extirpation of their religion. From the Catholics of the pale they turned to the chieftains of Ulster, whose previous determination to unsheath the sword rendered such exhortations unnecessary. To them the intelligence was a subject of triumph; they approved the design of surprising the castle of Dublin, and promised not only to co-operate in the attempt, but to attack on the same day most of the English garrisons in the northern counties.

After much private consultation, it was determined by Antrim and his confidential friends to postpone the

<sup>1</sup> See Antrim's information in the Appendix to Clarendon's History of the Irish Rebellion; Lords' Journals, 229, 339, 345; Carte's Ormond, i. 132; iii. 31, 33.

<sup>2</sup> Carte's Ormond, iii. 139, 140. Temple, 15. Borlase, 17. Journals of Irish Com. 210, 539. Castlehaven's Memoirs, 40.



rising to the first day of the meeting of parliament in the month of November, to secure at the same moment the castle and the persons of the lords justices, and to issue a declaration in the name of the two houses, that the Irish people would support the sovereign in the possession of all the legal rights of the throne. But procrastination accorded not with the more sanguine temper of the ancient Irish, whose impatience was stimulated by the exhortations of Moore, and who persuaded themselves that, if they only began, the Pale would follow their example. It had been previously understood that the combined attempt should be made on the 5th of October; they now determined to make it themselves on the 23rd. On the morning of the 22nd several of the leaders repaired to Dublin; but many were wanting; and of two hundred trusty men appointed to surprise the castle, eighty only appeared. They resolved to wait till the next afternoon for the arrival of their associates; and during the night the plot was betrayed by Owen O'Conolly to Sir William Parsons. Though the gates of the city were instantly closed, the chief of the conspirators, with the exception of Lord Macguire and Macmahon, made their escape.<sup>1</sup>

Their associates in Ulster, ignorant of the discovery of the plot, rose on the appointed day. Charlemont and Dungannon were surprised by Sir Phelim O'Neil at the head of his sept; Mountjoy by O'Quin, Tanderage by O'Hanlan, and Newry by Macginnis. In the course of the

week all the open country in Tyrone, Monaghan, Longford, Leitrim, Fermanagh, Cavan, Donegal, Derry, and part of Down, was in their possession. The natives of the other planted counties soon followed the example; and by degrees, the spirit of insubordination and revolt insinuated itself into the most loyal and peaceable districts. Still the insurgents were no more than tumultuary bodies of robbers, for the most part unarmed, who rose in a mass, plundered some neighbouring plantation, and returned home to the division of the spoil. Whenever they were met by men in arms, they shrunk from the contest, or paid dearly for their temerity. No quarter was given by their enemies; and Sir Phelim O'Neil suffered during the month of November several severe losses.<sup>2</sup>

Whether it was that the lords justices felt themselves unequal to the station which they held, or that they allowed the insurrection to grow for the sake of the forfeitures which must follow its suppression, their conduct displayed no energy against the rebels, and little commiseration for the sufferings of the loyalists. They despatched information to the king and the lord lieutenant, fortified the city of Dublin, and, secure within its walls, awaited the arrival of succours from England. In the mean time the open country was abandoned to the mercy of the insurgents, who, mindful of their own wrongs and those of their fathers, burst into the English plantations, seized the arms and the property of the inhabitants, and restored the lands to the former

<sup>1</sup> See for most of these particulars, Macguire's relation in Borlase, App. 9, and Nelson, 543—555. He may perhaps conceal some things, but I have no doubt of his accuracy as far as he goes. What he relates respecting the intrigues of the officers strongly confirms the information of Lord Antrim.

Consult also the letter of the lords jus-

tices, and Conolly's testimony in the Lords' Journals, 412—416.

<sup>2</sup> See the letters in Carte's Ormond, iii. 38, 39, 40, 44. "The like war was never heard of. No man makes head: one parish robs another, go home and share the goods, and there is an end of it; and this by a company of naked rogues."—Ibid. 47. Also, Clancarde's Memoirs, 6, 35, 36, 38.

proprietors or to their descendants. The fugitives with their families sought in crowds an asylum in the nearest garrisons, where they languished under that accumulation of miseries which such a state of sudden destitution must invariably produce.<sup>1</sup>

In defence of their proceedings the rebel chieftains published a declaration, that they had taken up arms in support of the royal prerogative, and for the safety of their religion, against the machinations of a party in the English parliament, which had invaded the rights of the crown, intercepted the graces granted by the king to his Irish subjects, and solicited subscriptions in Ireland to a petition for the total extirpation of the Protestant episcopacy and of the Catholic worship. At the same time, to animate and multiply their adherents, they exhibited a forged commission from the king, authorizing them to have recourse to arms, and a letter from Scotland, announcing the speedy arrival of an army of Covenanters, with the Bible in one hand and the sword in the other, to proselytize or destroy the idolatrous papists of Ireland.<sup>2</sup>

Charles, having communicated this intelligence to the Scottish parliament, and appointed the earl of

Ormond commander of the forces in Ireland, repaired to England. The severity of the punishments lately inflicted by parliament on delinquents, — punishments scarcely less reprehensible than those of the Star chamber which they had put down and their neglect to repay the moneys which they had borrowed of the citizens, had caused a powerful reaction in his favour in the capital. On his entry he was met by the lord mayor, the sheriffs, and the principal citizens in procession, and, having dined in public in the Guildhall, was hailed, and he retired to his palace, with the loud congratulations of the spectators. This burst of loyalty taught him to augur well of the attachment of his subjects, and to bear with greater fortitude the new mortifications which had been prepared for him by his opponents in parliament. They had of late observed an alarming defect in the number of their supporters and saw that moderate men, satisfied with the sacrifices already made by the king, began to deprecate any further encroachment on the royal authority. On the other hand, the Incident in Scotland, the secret advices from their commissioners in that kingdom, and the knowledge that Charles had acquired information respecting their clandestine prac-

<sup>1</sup> "The planted country of Leitrim are all in combustion, and have taken all the towns but three strong places. They have set up O'Bourke, being formerly O'Bourke's country."—Clanricarde, 17. "There being no nobleman of the kingdom in action, nor any gentleman of quality of English extraction, and many of the ancient Irish still firm, yet such is the strange distrust and jealousy of this time, and the dilatory proceedings thereupon, that we are all like to be destroyed by loose desperate people, having not any manner of defence allowed us, and many possess with such panic fears that strong places are quitted without any resistance" (p. 29). See Appendix, N.N.N.

<sup>2</sup> Nalson, ii. 555, 557. The pretended commission is in Rushworth, iv. 400. Its authenticity has been denied by the friends, and affirmed by the enemies, of Charles. I

have no hesitation in pronouncing it a forgery. It was never appealed to by the rebels in any of their remonstrances, apologies, and contained clauses which never could have been authorized by the king; as for example, a warrant to the Catholics to arrest and seize the goods, estates, and persons of all English Protestants.—I may add here that the king's absence in Scotland afforded to the popular leaders an opportunity of encroaching on the royal prerogative. The houses, as if they were now independent, issued orders on matters on which they ought to have proceeded by petition; and into these orders they so introduced the word *ordain*, calling the ordinances, and thus furnishing precedent for the subsequent enactment of laws without the royal assent. The first ordinance was for the appointment of commissioners to the king in Scotland, Aug. 20.—L. J. 37

times with the invading army, convinced them that they had gone too far to expect forgiveness, and that additional security was necessary to preserve them from the vengeance of the offended monarch. To create a strong sensation, and prepare the public mind for their next demands, they resolved to present to the king a remonstrance on the state of the nation. It commenced by asserting the existence of a coalition of jesuited papists, bishops, corrupt clergymen, and interested courtiers, whose common object it was to subvert the liberties of England; then followed a long enumeration of every real or imaginary grievance which had excited complaint since the death of James; to this succeeded a catalogue of the several remedies which had been already provided, or were yet contemplated, by the wisdom of parliament, and the whole concluded with a complaint that the efforts of the Commons were generally rendered fruitless by the intrigues of the malignant faction which surrounded the throne, and the combination of the popish lords with ill-affected bishops, who formed so powerful a party in the upper house. This remonstrance met with the most spirited opposition; nor was it carried till after a debate of twelve hours, and then by a majority of eleven voices only. But the patriots were careful to pursue their victory. An order was made that it should be presented to the king on his return, and another that it should be printed for the edification of the people. Charles, though offended, was not surprised at the asperity of its language, or the groundlessness of its assumptions; but he

felt the publication as an insult of a new order, an appeal from the equity of the sovereign to the passions of the subject, and he declared, in a temperate but eloquent answer from the pen of Hyde, that he had never refused the royal assent to any one bill presented to him for the redress of grievances; and that, as he had secured for the present, so he would maintain for the future, the just rights of all his subjects. Evil counsellors he had no wish to protect; but the choice of his ministers was a right that he would not resign. If there were persons who desired to lessen his reputation and authority, and to introduce the evils of anarchy and confusion, he trusted in God with the help of his parliament to confound their designs, and to bring them to punishment.<sup>1</sup>

The rebellion in Ireland had furnished the zealots with a plausible pretext for indulging in invectives, and displaying their animosity against the professors of the ancient worship.<sup>2</sup> In August commissioners had been appointed to disarm the recusants in every part of the kingdom; now the Commons denounced to the peers seventy Catholic lords and gentlemen as dangerous persons, who ought to be confined in close custody for the safety of the state. The queen's confessor was sent to the Tower, and the establishment for the service of her chapel dissolved; pursuivants were appointed by the authority of the lower house, with the power to apprehend priests and Jesuits; orders were issued for the immediate trial of all such prisoners; the king was importuned not to grant them pardons or reprieves;<sup>3</sup> and a resolution

<sup>1</sup> Rushworth, iv. 436, 452. Journals, Nov. 22, Dec. 2, 3. Clarendon, i. 310—335, 336.

<sup>2</sup> On the credit of Beale, a tailor, who pretended to have heard some unknown persons conversing behind a hedge, the Commons gravely affected to believe that more

than a hundred members were marked out as victims to be slain by popish assassins.—Journals, Dec. 16, 17, 26, 27. Evelyn's Memoirs, ii. App. 73.

<sup>3</sup> If the reader wishes to see the pertinacity with which they sought the death of seven Catholic priests, he may consult the

was passed by both houses never to consent to the toleration of the Catholic worship in Ireland or in any other part of his majesty's dominions.<sup>1</sup> Charles gently chided their violence; they were making the war in Ireland a war of religion; let them rather provide supplies of men and money for the protection of the royalists and the defence of his crown. But to this there was an insurmountable obstacle. The country party had determined to possess themselves of the command of the army, and the king was resolved not to part with that which now seemed the last support of his throne. Before his arrival the houses had appointed a council of war, had passed an ordinance authorizing the earl of Leicester to raise men for the service in Ireland, and had given their approbation to the officers whom he proposed to employ. To hasten the levy, the Commons passed a bill for the pressing of soldiers; and at the same time complained in a conference of the slowness of the proceedings in the other house. They argued that the Lords were only private individuals, while the Commons were the representatives of the nation; and declared that, if the former refused to pass the bills which were necessary for the public safety, they, taking with them such peers as did not shrink from the performance of their duty, would represent the matter to the sovereign. This menace made little impression; the Lords objected to the declaratory clause, which denied to the king a right enjoyed by all his predecessors; but Charles unadvisably interfered, and assured the houses that he would pass the bill, if a proviso were added saving his claim and the liberties of

his people. Had the proposal come as an amendment from one of the ministers, no objection could have been made; but the personal interference of the sovereign during the progress of a bill, was undoubtedly informal, and both houses remonstrated against it as an infringement of the privileges of parliament.<sup>2</sup>

I should only fatigue the patience of the reader, were I to detail the minor causes of dissension which sprung up in quick succession between the king and his opponents, or to inquire who were the original aggressors in the quarrels which daily occurred between their respective partisans. Mob of armed men paraded the streets for the avowed purpose of protecting the parliament, and many officers and gentlemen spontaneously assembled at Whitehall, to defend the king and the royal family from insult. The two parties frequently came into contact with each other; and though but one life was lost, the most irritating language, and sometimes blows were exchanged.<sup>3</sup>

The remonstrance had pointed the fury of the populace against the bishops, who, daily, on their way to the house, were assailed with abuse and menaces by the rabble. On one occasion the cries for vengeance in the Palace-yard were so loud and alarming, that they remained after the other lords till the darkness of the night enabled them to steal away to their homes. The next day Williams, who had made his peace with the king, and had been preferred to the archbishopric of York, prevailed on eleven other prelates to join with him in a declaration, which was delivered by him without their permission to the lord-keeper, and read to

Journals, Dec. 8, 11, 13, 14, 15, 31; March 21, April 9. Lords' Journals, 472, 476, 479, 501.

<sup>1</sup> Journals, 473, 476, 480. Commons', Dec. 8. Rushworth, iv. 445.

<sup>2</sup> Commons' Journals, Dec. 3, 16. Lords' Journals, 476. Clarendon, ii. 325.

<sup>3</sup> Rushworth, iv. 463. Clarendon, i. 366, 371, 372. Warwick, 186.

the upper house. It stated that the bishops could no longer, without danger to their lives, attend their duty in parliament, and that they therefore protested against the validity of any votes or resolutions which might be passed during their absence. This protest was heard with surprise and indignation. To retire or to remain was at their option; but to claim the power of suspending by their absence the proceedings of parliament was deemed by their adversaries an assumption of sovereign authority. The lower house, to whom it was communicated after a debate with closed doors, impeached the twelve prelates of high treason. The charge of itself was ridiculous, and Williams boldly professed his readiness to meet it; but the others, intimidated by the violence of the times, apologized for their conduct. Ten were committed from the house to the Tower; two, the bishops of Durham and Lichfield, on account of their age and infirmity, to the usher of the black rod.<sup>1</sup>

Before the surprise excited by this unexpected event had worn away, the public mind was agitated by another and still more extraordinary proceeding. Some hints had been dropped by the patriots of an impeachment of the queen; the information, probably through design, was conveyed to Charles;<sup>2</sup> and he, irritated and alarmed, hastily adopted

the following bold but hazardous expedient.

On the fourth day after the committal of the prelates the attorney-general appeared at the bar of the House of Lords, and in the name of the king impeached of high treason the lord Kimbolton, Holles, Haslerig, Pym, Hampden, and Stroud, all distinguished members of the country party. He charged them with having conspired to alienate from the king the affections of his people, to excite disobedience in the army, to subvert the rights of parliament, and to extort the consent of the majority by the influence of mobs and terror; and with having moreover invited a foreign force into the kingdom, and actually levied war against the sovereign.<sup>3</sup> It was expected that the Lords would pay that deference to the king which they had so lately paid to the Commons, and would order the members impeached, as they had ordered the prelates, to be taken into custody. But the house appointed a committee to search for precedents; and Charles, indignant at the delay, sent a serjeant-at-arms to the Commons to demand the persons of the five members. They returned for answer, that it was a matter which required serious deliberation, but that the individuals accused should be forthcoming to answer every legal charge.<sup>4</sup>

The next day the king himself,

<sup>1</sup> Lords' Journals, 496—499. Commons' Journals, Dec. 30. Rushworth, iv. 466. Clarendon, i. 350. Thirteen bishops had been already (Aug. 13) impeached of high crimes and misdemeanors, on account of the canons framed in the last convocation (Lords' Journals, 363); but as they were admitted to bail, they still retained their seats. Those who were impeached for the protest were the prelates of York, Durham, Norwich, Gloucester, Lichfield, St. Asaph, Bath and Wells, Oxford, Hereford, Ely, Peterborough, and Llandaff. By committing them the country party deprived their opponents of twelve votes.

<sup>2</sup> Clarendon, i. 418.

<sup>3</sup> By the late treaty with the Scots, Charles had stipulated that an act of oblivion should be passed in parliament, "burying in forgetfulness all acts of hostility between the king and his subjects, which might arise from the coming of the Scottish army into England, or any attempt, assistance, counsel, or advice having relation thereunto."—Rushworth, iv. 370. After the ratification of this treaty, though the act of oblivion had not passed, I see not how the king could in honour impeach the six members on the subject of their previous intrigues with the Scots.

<sup>4</sup> Journals of Lords, 500—503; of Commons, Jan. 3. Rushworth, iv. 473—477.

attended by his guards and a number of officers with their swords, proceeded to the House of Commons. His purpose was to arrest the accused members; but his secret had been betrayed, and the objects of his search had already left the house. The king, having stationed his attendants at the door, entered with his nephew Charles by his side. Having taken the chair, he looked around him, and, not seeing the persons whom he sought, inquired of the speaker if they were present.<sup>1</sup> Lenthall, falling on his knees, replied that he was merely the organ of the house, and that he had neither ears to hear, nor tongue to speak, but as he was directed by it. The king, seating himself, said that in cases of treason there was no privilege; that it was not his intention to offer violence, but to proceed against the accused by due course of law; that, if the birds had not flown, he would have taken them himself; as the case was, he expected from the loyalty of the house that they would send them to him, or he should have recourse to other expedients. He was heard in silence, and retired amidst low but distinct murmurs of "Privilege, privilege."<sup>2</sup>

This unadvised and abortive attempt completed the degradation of the unfortunate monarch. It was equally condemned by his friends and enemies; and it furnished the latter with the means of working on

the passions of their adherents, and of exciting them to a state bordering upon frenzy. The Commons adjourned for a week; but during this recess a permanent committee sat in the city to concert matters with their partisans, and to arrange a new triumph over the fallen authority of the sovereign. On the appointed day the five accused members proceeded by water to the house. They were escorted by two thousand armed mariners in boats, and by detachments of the trained bands with eight pieces of cannon on each bank of the river, and were received on landing by four thousand horsemen from Buckinghamshire, who had come to assert the innocence, and to demand justice for the libel on the character of Hampden, their representative. The air resounded with shouts of joy and with military music; and, as the procession passed by Whitehall, the populace indulged in the most unseemly vociferation against the misguided monarch. But Charles was no longer there. Distrusting the object, and aware of the power of his opponents, he had, the preceding evening, fled with his family to Hampton Court.<sup>3</sup>

It now became evident that the hope of a reconciliation was at an end. Both parties resolved to state the issue of the contest on the sword, and, if they hesitated to declare themselves openly, it was that they might

Clarendon attributes this bold but unfortunate proceeding to the advice of Lord Digby, who, by supporting the bishops and Strafford, had become so odious in the House of Commons, that he had been called up to the Lords.—Clarendon Papers, iii. Supplement, lv. Hist. 359.

<sup>1</sup> "His design was betrayed by that busy stateswoman the countess of Carlisle, who had now changed her gallant from Strafford to Pym, and was become such a she saint, that she frequented their sermons, and took notes."—Warwick, 204. But the French ambassador claims the merit for himself: "J'avois prévenu mes amis, et ils s'étoient mis en sûreté."—Mazure, iii. 429.

<sup>2</sup> Commons' Journals, Jan. iv. Rushworth, iv. 477. Whitelock, 52, 53. Each of the five members made a short speech in his own defence: but they appear to have evaded the charge of inviting a foreign enemy into the kingdom, by supposing that it alluded to the vote by which the Commons requested the aid of the Scots to down the Irish rebellion. The speeches are in Somers's Tracts, iv. 330—340, where by mistake, that which belongs to Holles is attributed to Kimbolton, who was a member of the upper house.

<sup>3</sup> Rushworth, iv. 430—484. Nalson, 823, 829. Whitelock, 54. Clarendon 380.

make preparations, and obtain an opportunity of throwing the blame of hostilities on each other. In the mean time their most secret counsels were reciprocally betrayed. The king had many devoted servants in the house of Commons. Lord Falkland and Sir John Colepepper, who had accepted official situations, the latter that of chancellor of the exchequer *for life*, gave him every information in their power; and Hyde, while he cautiously disguised his attachment from his colleagues, repaired to the king in the night, acquainted him with what passed in the several committees, and supplied him with answers to the messages and declarations of his opponents, even before they were regularly submitted to the sanction of the house.<sup>1</sup>

On the other hand, the patriots had spies or associates in the court, and the council, and even in the closet of the king. His most secret designs were immediately known and prevented. Hence, to his surprise, a guard was established round the Tower to prepare against the danger of a surprisal. Goring, the governor of Portsmouth, received instructions to obey no order which was not communicated through the two houses; the earl of Newcastle, sent by Charles on a secret mission to Hull, was commanded to attend his duty as a peer. and Sir John Hotham, with his son, hastened to secure that important place for the parliament; and when it was known that the gentlemen who, as volunteers, had escorted the king to Hampton Court, under the command of Colonel Lunsford, had received a message from him the next

morning by the lord Digby, orders were issued to the sheriffs to disperse all assemblies of armed men in their respective counties; a committee of public safety was appointed, and Digby and Lunsford were impeached of high treason.<sup>2</sup>

Aware that, by his irregular entrance into the house of Commons, he had given the vantage-ground to his adversaries, Charles attempted to retrace his steps by apologising for his conduct, by promising to proceed against the five members by due course of law, by abandoning the prosecution altogether, and proposing that they should accept a general pardon. But these concessions, instead of mollifying, strengthened their obstinacy. They rejected every offer, and insisted that, to atone for so flagrant a breach of privilege, he should deliver up the names of his advisers. He scorned to return an answer.<sup>3</sup>

To probe, however, the sincerity of their declarations, he made to them a request that they should lay before him, in one view, a summary of all the enactments which they required, respecting his authority and revenue, their own privileges, the rights of the people, and the reformation of the church, with a promise that his answer should prove him one of the most easy and benevolent of monarchs. To such a proposal it would have been impolitic to return a direct refusal. But they grasped at the opportunity to effect what they had long sought, and what they had previously demanded as "a ground of confidence," that the government of the forts, and the command of the army and navy, should be entrusted to officers nomi-

<sup>1</sup> Clarendon's Life, 46, 58. The papers were transmitted from Hyde to the king by gentlemen who offered their services, and who, when he was at York, sometimes performed the journey and brought back the answer in the short space of thirty-four hours. To prevent the possibility of detection, the king copied with his own hand all

the papers sent by Hyde, and burnt the originals.—Ibid. 55, 59.

<sup>2</sup> Husband, 202. Whitelock, 54. Clarendon, i. 384, 388, 418. His Life, 57. Clarendon Papers, iii. App. liv. Rushworth, 495, 496, 565. Nalson, ii. 845, 863.

<sup>3</sup> Rushworth, iv. 490, 491.

nated by the two houses of parliament. The king was startled by this answer. To assent to it was to deprive himself of a power essential to royalty, and to throw himself without resource at the feet of his enemies. He resolved to refuse; but his repugnance was gradually removed by some of his advisers, who maintained that whatever was "radically bad could not be healed by the royal assent;" that, as a commission under the great seal was of no effect if it were contrary to law, so an act of parliament had no power to bind, when it was subversive of the ancient constitution of the realm. This reasoning was specious; it relieved the king from his present difficulties, by authorizing him to resume at pleasure what he should now concede through necessity; and he not only passed the two objectionable bills for pressing soldiers and depriving the bishops of their seats and of all temporal employments,<sup>1</sup> but offered to submit all disputes respecting the liturgy to the consideration of parliament; promised never to grant a pardon to a Catholic priest without the previous consent of the two houses; requested to know the names of the persons who might be trusted with commands in the army, approved of the list, and only required, 1. that their appointment should be limited to a certain time; and 2. that the extraordinary powers

to be exercised by them should previously be conferred by statute on himself, that they might receive them through him. But his opponent began to distrust the facility with which he now assented to their demands; they voted that his last proposal was in reality a denial; that those who advised it were enemies to the state, and should be brought to condign punishment; and that speedy remedy ought to be provided by the wisdom of parliament. In a few days an ordinance was prepared appointing by the authority of the two houses fifty-five lords and commoners lieutenants of different districts, with power to nominate deputies and officers, and to suppress insurrections, rebellions, and invasions.<sup>2</sup> A long succession of declarations and answers served to occupy the attention of the public during several months. But in this war of words, these appeals to the contending parties to the good sense of the people, the king had plainly the advantage over his adversaries. Abandoning the lofty pretensions of his predecessors—though he did not abandon them without a sigh—he claimed nothing more than the admitted rights of a constitutional monarch; whilst they, shrinking from the open avowal of their real object, sought to justify themselves by maintaining that there existed a design to bring in popery, that the sovereign

<sup>1</sup> Clarendon, i. 423—430. Colepepper was of opinion that the king might safely reject the bill for the pressing of soldiers, if he would give his assent to that respecting the bishops. But Charles refused. He then went to the queen, brought her over to his opinion, and assured her of the popular favour if she were known to promote the bill. With her aid he overcame the reluctance of the king. Such, at least, is the story told by Clarendon in the history of his own life (p. 50, 51). But I doubt its accuracy. He seems to have forgotten that Charles assented to both bills at the same time. He was then at Canterbury, accompanying the queen on her way to Holland; a circumstance which probably gave birth to the story.

<sup>2</sup> Rushworth, iv. 516—528. Journals, i. 625. When it was objected that by this ordinance the two houses assumed the power which constitutionally belonged to the sovereign, the oath of allegiance was read in the House of Lords, and a vote passed that there was nothing in the ordinance incompatible with the obligations of that oath. Sixteen peers entered the protests.—Ibid. 267. The pretence appealed to have been that, in cases of extreme danger, it is the duty of parliament to preserve the nation and the sovereign in defiance of the sovereign, and the duty of the people to obey the ordinances of the two houses, as much as to obey in ordinary times statutes enacted in the usual way.—See Journ. vi. 134.



was governed by a popish council, and that the papists were about to rise in England as their brethren had done in Ireland; allegations calculated, indeed, to operate on the minds of the ignorant and the prejudiced, but which from frequency of repetition without the semblance of truth, began to be looked upon by thinking men as false and chimerical.<sup>1</sup>

But the real object of Charles was, like that of his opponents, to prepare for war. He had in February sent his queen to Holland, under the pretence of conducting his daughter Mary to her husband, but for the purpose of soliciting aid from foreign powers, of raising money on the valuable jewels which she had carried with her, and of purchasing arms and ammunition.<sup>2</sup> In the mean time he gradually withdrew himself from the vicinity of the metropolis, first to Newmarket, then into the more northern counties, and at last fixed his residence in York. A body-guard was raised for him by the neighbouring gentlemen, to form in due time the nucleus of a more numerous army.

Leaving the king at York, the reader may now revert to the transactions in Ireland. Whatever projects might have been entertained by the lords of the pale, to whom Antrim had communicated his commission from the sovereign, they had been defeated by the premature insurrection of the Irish in Ulster. The castle of Dublin was secured from danger by the vigilance of its governor, Sir Francis Willoughby. The

parliament assembled on the appointed day, but found itself controlled by a garrison of four thousand men; and another adjournment, by order of the justices, prevented it from interfering with the administration of government. The Lords and gentry of English descent made a tender of their advice and support. Both were unceremoniously refused; even the arms which they had obtained for their own defence were re-demanded, and an order from the council compelled them to leave the capital, and to repair to their houses in the country. This distrust, though the leaders must have known that it was not unfounded, provoked dissatisfaction, which was considerably irritated by the successive proclamations of the government, and by military incursions, attended with pillage and bloodshed, which were occasionally made into the districts in the vicinity of Dublin.<sup>3</sup>

For six weeks the insurrection had been confined to the ancient Irish. In the beginning of December the lord Gormanstown issued, in quality of governor of Meath, a warrant for a general meeting of the county on the Hill of Crofty. It was attended by the lords Fingal, Slany, Netterville, Trimleston, and Lowth, fourteen gentlemen, and a thousand freeholders. After some time, Moore, O'Reilly, Byrne, and other leaders of the insurgents, appeared with a guard of musketeers. To the questions put by Gormanstown they replied that they had taken up arms to procure freedom of conscience to maintain the

<sup>1</sup> See them in Rushworth, iv. 528—552. Of the reports respecting the influence of the papists, secretary Nicholas writes thus to the king: "ye alarme of popishe plots amuse and fright the people here more then any thing, and therefore that is ye drum that is so frequently beaten upon all occasions." Oct. 27.—Evelyn's Memoirs, ii. App. 46. See also the king's speeches, in his "Workes," 20, 22, 31, 37.

<sup>2</sup> D'Orleans, *Revolutions d'Angleterre*,

91. Clarendon, i. 419. See an interesting letter from the queen during her stay at the Hague, in Appendix, 000.

<sup>3</sup> Carte's Ormond, i. 244—247. Carte, iii. 49, 52. Clanricarde, 67. "Since the distemper began, they (the lords justices), have so disposed of affairs, as if the design were laid to put the whole kingdom in rebellion."—Clanricarde to the duke of Richmond. Memoirs, 63.

just prerogatives of the crown, and to obtain for the people of Ireland the same privileges which were enjoyed by the people of England. Of these objects the meeting approved. A national association for the purpose of effecting them was formed, and the members, in imitation of the Scottish Covenanters, bound themselves by a common oath to maintain the free and public exercise of the Catholic worship, to bear true faith and allegiance to King Charles, and to defend him against all who should endeavour to subvert the royal prerogative, the power of parliament, or the just rights of the subject. The example once given determined those who had hitherto wavered; and the whole people of Ireland, with the exception of those who inhabited the fortresses in possession of English garrisons, and of Galway, which was retained in obedience by the earl of Clanricarde, agreed to draw the sword against the common enemies of their king, of their rights, and of their religion.<sup>1</sup>

In vindication of their conduct they alleged, 1. That in hatred to their religion they were subjected to numerous restraints, and excluded from offices under government, while persons of low birth and needy circumstances rose to the highest honours in the state without any merit of their own, but because they were Protestants and Englishmen. 2. That the "graces" which they had purchased at an enormous expense were still withheld from them by two successive prorogations of parliament,—a proof that it was the design of their enemies to deprive them of their property under the pretext of defective titles. 3. That the parliament of England had usurped the authority

of the parliament of Ireland, and maintained that the latter country was bound by the orders and resolutions of the English houses, whenever it was expressly named. 4. That the men who took the lead in Ireland had avowed themselves the implacable enemies of the Catholic religion, had sworn to extirpate it, had enforced the penal code against the Catholics of England, and meant, in consequence of their new pretensions, to enforce it also in Ireland. On these accounts they resolved never to lay down their arms till they had obtained an acknowledgment of the independence of the Irish on the English parliament, the repeal of all degrading disqualifications on the ground of religion, the free exercise of the Catholic worship, the confirmation of the graces, and the exclusion of all but natives from civil and military offices within the kingdom. The Scots, they added in a petition to the king, whose grievances were certainly less numerous, and whose church had been less persecuted, had appealed to the sword in defence of their religion and liberties; and their conduct had been ultimately approved both by him and the parliament of England; whence they inferred that what was commendable in Scotsmen could not, by impartial judges, be considered as blameable in Irishmen.<sup>2</sup>

By degrees the war in Ulster had assumed the most ferocious appearance. The natives, looking on the planters as intruders and robbers, had stripped them of their property, and chased them from their homes, and in some instances had taken their lives. On the other hand, the military, acting by the orders of the council, executed, where they had the power,

<sup>1</sup> Temple, 19, 20. Carte, iii. 49. Rushworth, iv. 415. Nalson, ii. 907.

<sup>2</sup> Rushworth, iv. 411, 414. Carte, iii. 47, 49, 50, 55, 99, 110, 136. Clanricarde, 70. Borlase, App. 46. "Your majesty would make no worse construction of us for what

we have done than our loyalties and affections to your majesty do deserve, and no worse than your majesty hath made of others of your subjects, who upon less or the same occasions have done the like" (p. 47).

martial law on the insurgents, laying waste the country, and slaying the fugitives without distinction or mercy.<sup>1</sup> One act of violence was constantly retaliated by another; the thirst for revenge was reciprocally excited and gratified; and men on both sides learned to indulge in murder without remorse, even with feelings of triumph. It has been usual for writers to present to their readers only one half of the picture, to paint the atrocities of the natives, and to conceal those of their opponents; but barbarities too revolting to stain these pages are equally recorded of both; and, if among the one there were monsters who thirsted for the blood of their victims, there were among the others those who had long been accustomed to deem the life of a mere Irishman beneath their notice. Nor is it easy for the impartial historian, in this conflict of passion and prejudice, amidst exaggerated statements, bold recriminations, and treacherous authorities, to strike the balance, and allot to each the due share of inhumanity and bloodshed. If the Irishman must blush when he hears of a hundred captives driven at the point of the pike into a deep and rapid river; the Englishman will read with a sigh the orders issued by the lords of the council to the army, not only to burn to the ground every house, but to put to the sword every male inhabitant capable of bearing arms, in those districts in which the rebels

had been received during the progress of their march.<sup>2</sup>

The lords justices had expected prompt and abundant aid from England. To their disappointment it was only on the last day of the year that a single regiment arrived; and five months elapsed before they had received a reinforcement of five thousand men. The Scots, indeed, offered to send twice that number; but national jealousy interfered to refuse an army which might hereafter claim the island as a dependency on the Scottish crown. The king signed a proclamation declaring the insurgents traitors,<sup>3</sup> and published his intention of raising ten thousand volunteers, of putting himself at their head, and of chastising in person the presumption of the rebels. But the two houses would not listen to a project calculated to furnish the prince whom they had offended with a military force; and they preferred to vote supplies of men, of money, and of provisions; though, anxious at the same time to husband their resources for the contest which they anticipated at home, they took little care to put such votes in execution. The project which they chiefly urged, and to which they obtained the reluctant consent of the king, was to raise a large fund on the security of the lands which the insurgents were supposed to have already forfeited by their rebellion. For this purpose two million five hundred thousand acres were

<sup>1</sup> Carte, iii. 61, 62, 68. Cox, App. viii. I observe that in Ulster, as early as October 27th, the English garrisons began to plunder the lands of the Irish in that province.—Carte, i. 185, 186.

<sup>2</sup> Carte, iii. 61. "To wound, kill, slay, and destroy all the rebels, and their adherents and relievers, and burn, spoil, waste, consume, destroy, and demolish all the places, towns, and houses, where the rebels were or have been relieved or harboured, and all the corn and hay there, and to kill and destroy all the men there inhabiting able to bear arms."—Ibid. See

Appendix, NNN.

<sup>3</sup> Carte, iii. 53. Rushworth, iv. 472, 473. The lords justices requested the king to sign several copies of this proclamation, that they might send them into different counties, and prove their authenticity by his signature. For the sake of expedition, forty copies were printed, and signed by him. Yet this was afterwards converted into a charge against him, as if, by limiting the number to forty, he wished the proclamation to be but little known; whereas, it was in reality a greater number than had been asked for with his signature.

reserved by act of parliament; and the public credit was pledged to the subscribers that, for every sum of money advanced, they should receive a proportionate return of forfeited property. This plan succeeded; but if it relieved the poverty of the treasury, it served also to cement the union, and to invigorate the efforts of the insurgents. The former vote, never to suffer the public exercise of the Catholic worship, had shown that their religion, this proved that their property, was also at stake. They were reduced to the alternative that they must either conquer or abandon the worship, and forfeit the inheritance of their fathers.<sup>1</sup>

At York the king was no longer controlled by the vicinity of the two houses. Instead of daily insults from mobs, he received loyal addresses from different bodies of the inhabitants, and his court was frequented by the most distinguished families in the neighbourhood. But in one of the principal objects of his journey he completely failed. He had been informed that Sir John Hotham felt little attachment to the popular cause, and that it required no more than the royal presence to obtain from him the surrender of the magazine at Hull. Confiding his secret to three or four confidential servants, Charles sent his son the duke of York, and his nephew the prince elector, to Hull, on a party of pleasure. They were received and entertained with the respect due to their rank. The next morning the governor received two letters, one by Sir Lewis Dives from the king himself, announcing his intention of dining with Hotham on that day; the other from an unknown correspondent, said to have been W. Murray, afterwards earl of Dysart, warning

him to be on his guard, for, if he admitted the king, his life would be in danger for his previous misconduct. Hotham ordered the drawbridge to be raised, the gates closed, and the walls manned. At eleven Charles arrived. His commands, entreaties, promises, and threats were equally disregarded. At four he received back his son and nephew, and, returning in an hour, ordered Hotham to be proclaimed a traitor by sound of trumpet. The two houses voted this proclamation a breach of the privileges of parliament.<sup>2</sup>

This inauspicious attempt was followed by a succession of petitions and complaints, answers and replications, remonstrances and protests, in which much ability was displayed by the writers on each side, though the advantage still seemed to rest with the king. He maintained that the arms at Hull were his private property; he had bought them with borrowed money, previously to the Scottish invasion; that the town was his, for it had belonged to the crown, and was still held by royal charter; and that the fortress was his, because to him belonged the command of all the fortifications within the kingdom.<sup>3</sup> But it was idle to talk of legal rights at a time when a real though disguised war raged between the parties.

The two houses had already voted a levy of sixteen thousand men in opposition to the king, who intended to levy war against the parliament. The trained bands of London, under General Shippon, professed the strongest attachment to the cause; the arms at Hull were removed to the Tower; a forced loan, to bear interest at eight per cent., and paid in money or plate, replenished the treasury; large sums were employed

<sup>1</sup> Rushworth, iv. 553—563.

<sup>2</sup> Clarendon, i. 506—518; Husband, 138; Rushworth, iv. 565—599; and the Journals,

v. 16, 23. The Hothams, father and son, afterwards repented, but were seized and beheaded by order of parliament.

<sup>3</sup> Rushworth, iv. 567—588.

the purchase of stores; the earl of Warwick (Northumberland's commission had been revoked by the king) took the command of the fleet, and the earl of Essex was appointed lord general, with a solemn promise from both Lords and Commons, that they would live and die with him in the national quarrel.<sup>1</sup>

On the other hand the king was not idle. Numbers of the nobility and gentry, and clergy, with the members of both universities, lent him money; a vessel sent by the queen from Holland brought him a supply of arms, ammunition, and sixteen pieces of cannon; the neighbouring gentlemen of the county offered him their support; and in opposition to the ordinance for levying the militia, he issued commissions of array according to the ancient custom, for each separate county. Thus the whole kingdom was thrown into confusion.<sup>2</sup> In every shire, almost in every township, were persons raising men at the same time for the opposite parties. In the southern counties the interest of the parliament was generally predominant, for there the lower classes had long looked up to it for protection against the illegal assumptions of royalty; and the speedy vengeance with which the least symptom of disobedience was visited, induced the higher classes to feign sentiments which they did not feel. In many places rencontres took place between the parties; some blood was spilt, and prisoners were reciprocally made; but whenever the royalists had the worst,

their property was pillaged by the mob.<sup>3</sup>

There were, however, many, both at York and in the parliament, who still laboured to effect an accommodation. The king, they contended, had made most ample concessions; all that could be desired, was security for the performance, and why might not this be obtained by treaty as readily as by war? Charles demanded an answer to the proposals which he had made at the commencement of the year; and his adversaries, to silence the clamour of their adherents, offered nineteen articles, as the basis of a pacification. They were chiefly framed after the model of the concessions obtained by the Scots; that all matters of importance should be debated and concluded in parliament; that the members of the council and the great officers of state, the chief justice and chief baron, should be always chosen with the approbation of parliament, and should retain their offices during their good behaviour; that the governors and tutors of the king's children should also be chosen by parliament; that no treaty of marriage, respecting any member of the royal family, should be negotiated without its consent; that the king should dismiss all his guards, should recall his proclamations, and should suffer the ordinance for the militia to remain in force, till the question were settled by bill; that a reform should be made in the church and the liturgy; that no peer should sit in parliament unless he were admitted

<sup>1</sup> Journals, v. 29, 34, 40, 56, 64, 66, 70, 79, 7, 91, 105, 121, 140, 152, 181, 186, 196, 206. The pay of the soldiers was eightpence per day for the infantry, two shillings and sixpence for the cavalry; viz. sixteen-pence for the keep of the horse, the rest for the man.—Ibid. 196, 197. The lord general received ten pounds, the general of the horse six pounds per day.

<sup>2</sup> At first it was objected to the commissions issued by the king at York, that they were of no force, because they wanted the

great seal. To remove this difficulty, Lyttleton, the lord keeper, was induced by Hyde to send the seal to the king, and to repair to York in May. The two houses were irritated; but in their own defence they ordered a new great seal to be made, and intrusted it to commissioners of their own.—Clarendon's Life, 61, 64. Hist. i. 563—574. Rushworth, iv. 718. Lords' Journals, 93.

<sup>3</sup> Ibid. 74, 111, 115, 147, 149, 182, and Mercurius Rusticus.

with the consent of both houses; that the popish peers should be deprived of their votes until they had conformed; and that the children of Catholics should be brought up in the Protestant faith.

Charles replied that he was willing to concur in the forced education of Catholic children, to compel the Catholic peers to give their proxies to Protestants, and to abolish all innovations in religion; but he could not consent to the rest of the demands. He deemed them unnecessary; "for the power legally placed in the two houses was more than sufficient to prevent and restrain the power of tyranny." He would therefore say with the barons of old, "*Nolumus leges Angliæ mutari.*" Otherwise he might still have his hands kissed, still be addressed with the style of majesty, still wear a crown and carry a sceptre, but he would be deprived of all real power, a dependant on the bounty, and a slave to the caprice, of a faction among his subjects.<sup>1</sup>

As long as the two parties adhered to these principles, reconciliation was impracticable; and it became an object of the first importance to each, to persuade the nation that the impending civil war was to be attributed to the unreasonable pretensions of the other. The houses voted a humble petition to the king, to recall the commissions of array, to disband his forces, consent to the punishment of delinquents, and to return to one of his usual residences in the vicinity of the capital. Charles, in his reply, appealed to the Almighty in proof of

his readiness to disarm his adherents to meet the two houses, and to settle every difference in a parliamentary way; but then he required as previous conditions that they should repeal the ordinance of the militia, replace the navy under the command of the admiral whom he had appointed, and meet him in some place where both he and they might be secure from insult and intimidation. But the quarrel was now drawing to a crisis; and the houses answered that to accede to such conditions would be to betray the trust reposed in them for the safety of the kingdom.

The commencement of hostilities was occasioned by the following circumstance. Colonel Goring, the governor of Portsmouth, an officer distinguished by merit, was raised by parliament to the rank of lieutenant-general, and appointed to organize and discipline the new levies. He hesitated to accept the commission, and pleaded in excuse of his delay the necessity of superintending the construction of some new fortification; but a peremptory order to join the army extorted from him an answer that he could not in honour quit command without the royal permission. Aware of the consequences, he administered an oath of allegiance to the soldiers and inhabitants, and in a few days was besieged by a strong force under the parliamentary general, the earl of Essex. The king immediately proclaimed that general and the officers under him traitors, unless they should return to the

<sup>1</sup> Lords' Journals, 90, 97, 153. Rushworth, iv. 722, 735. Clarendon, i. 634-647. In this answer the friends of the church remarked and lamented an important departure from the language of ancient times. The parliament was now described as consisting of three estates, the King, the Lords, and the Commons; whereas, formerly the three estates were the Clergy, the Lords, and the Commons, with the king for their

head.—Clarendon's Life, p. 67. In omission of the clergy the answer was right; for the clergy had long ceased to form a separate estate in parliament. numbering the king as one of the estates it was wrong; he was their head still much as he had ever been.

<sup>2</sup> Lords' Journals, v. 206, 235, 242. Clarendon, i. 684-693.

duty within the space of six days; the houses on their part declared the royal proclamation a libellous and scandalous paper, and retorted the crime of treason on all those by whom it had been advised, and by whom it should be afterwards abetted or countenanced.<sup>1</sup>

In these circumstances Charles resolved on hostile measures. Having sounded the disposition of the Yorkshire gentlemen, he summoned all his loving subjects north of the Trent, and within twenty miles to the south of that river, to meet him in arms at Nottingham on the twenty-second of August. On that day the royal standard, on which was a hand pointing to a crown, with this motto, "Give to Cæsar his due," was carried by a guard of six hundred foot from the castle into a large field; the king followed with a retinue of two thousand men; and the inhabitants crowded around to hear the proclamation read by the herald-at-arms. This ceremony, called the raising of the standard, was deemed equivalent to a declaration of hostilities.<sup>2</sup>

Thus step by step was the country led into the most direful of national calamities, a civil war. The Stuarts, seated on the throne of the Tudors, doubted not that they were rightfully possessed of all those arbitrary powers claimed and exercised by their predecessors. But within the last fifty years the minds of men had undergone a wonderful revolution. It had become fashionable to study the principles of government, and to oppose the rights of the subject to the pre-

tensions of the sovereign. We have seen that Elizabeth, with all the awe inspired by the firmness of her character, had been unable, towards the close of her reign, to check the expression of liberal sentiments. Under the gentle sway of James they were diffused with rapidity; and the necessities of Charles, arising from his wars and his debts, emancipated them altogether from restraint. Good sense should have taught him to go along with the general feelings of his people; but princes in all ages have been slow to learn the important lesson, that the influence of authority must ultimately bend to the influence of opinion. The monarch clung with pertinacity to every branch of the prerogative; and if he ever relinquished his hold, it was after so long a struggle, and with so bad a grace, that he excited in his subjects suspicions of his sincerity; suspicions confirmed by that habit of duplicity which had ever marked his conduct since his first entrance into public life. Their distrust formed an antidote to their gratitude; they gave him no credit for the most valuable concessions; and the wish to secure what they had gained, induced them to make new and more galling demands.<sup>3</sup>

The reader, however, will have remarked that the controversy between the king and his opponents no longer regarded the real liberties of the nation, which had already been established by successive acts of the legislature; but was confined to certain concessions, which *they* demanded as essential to the preservation of

<sup>1</sup> Clarendon, i. 711—715. Rushworth, vi. 761, 773. Lords' Journals, 76, 257, 261, 283, 288, 503. Commons' Journals, May 20, 22.

<sup>2</sup> Lords' Journals, 297. Rushworth, 783.

<sup>3</sup> This general feeling is strongly expressed by a female and contemporary writer. "He made no conscience of granting anything to the people, which he resolved should not oblige him longer than it should serve his turn; for he was a prince that had nothing

of faith or truth, justice or generosity in him. He was the most obstinate person in his self-will that ever was; and so bent upon being an absolute uncontrollable sovereign, that he was resolved either to be such a king or none." Though the portrait is too highly coloured, the outline may be deemed correct.—Lucy Hutchinson's Memoirs of her Husband, Colonel Hutchinson, p. 66.

those liberties, and which he refused as subversive of the royal authority. That some securities were requisite, no one denied; but while many contended that the control of the public money, the power of impeachment, and the right of meeting every third year, all which were now vested in the parliament, formed a sufficient barrier against encroachments on the part of the sovereign, others insisted that the command of the army, and the appointment of the officers of state, the councillors, and the judges, ought also to be transferred, for a time at least,

to the two houses. Diversity of opinion produced a schism among the patriots; the more moderate silent withdrew to the royal standard; the more violent or more distrustful resolved to defend their opinions with the sword. It has often been asked who were the authors of the civil war? The answer seems to depend on the solution of this other question—were additional securities necessary for the preservation of the national rights? If they were, the blame will belong to Charles; if not, it must rest with his adversaries.



## APPENDIX.

## NOTE EEE, p. 9.

EXTRACTS from the voluntary declaration of Anthony Copley, dated 14th and 15th July, 1603, taken before the earl of Shrewsbury, the lords Marr, Howard, Cecil, and others.

“On these grounds of discontentment, Mr. Watson, with a choice number of his brethren and some special lay Catholics, inasmuch as the king was not yet crowned, did consult upon their case, and resolve upon an oath, to be drawn and tendered to Catholics concerning some action to be enterprised for the good of the cause, and therein to be contained a clause of secrecy, for two reasons, the one for caution against discovery thereof to the state, the other against the Jesuits’ partie, which we were certainly informed were likewise distasted with the king, and had their course for the common cause in design, and that in caution against us. And for the drawing in of associates and the timorous, it was to be intimated by the tender of the oath that the business was no more than to present a supplication to his majesty of eighty or a hundred of the chief Catholics at a hunting or other convenient moment. The tenor of the supplication was, that they were a chosen band of Catholics, who had in the late reign assisted his majesty’s title against all

pretenders, and against the Spanish faction, putting him in mind of Watson’s book,—they beseeched toleration, &c.”

“The examinant deposed, that Watson tendered the oath to him, which he took at first under a false impression, when Watson gave him a glance of the attempts to be made if their suit failed, and at parting requested him to come to town with as many able men as he could.”

“They had several meetings. Watson, on one occasion, talked of dispelling privy counsellors, cutting off heads, getting the broad seal, and seizing the Tower, which Copley marvelled at; conversations without head or foot, the grounds of which he then knew not.

“A day or two after, Watson told him the Jesuits had crossed his purpose in Lancashire and Wales, whence he expected large supplies of men.

“A meeting took place between him, Watson, and Sir Griffin Markham, when Copley’s scruples were satisfied that it was for the good of the Catholic cause they should enter into the enterprise. It was proposed to seize the king’s person at Greenwich, and to possess themselves of the Tower. It was intended to give a free use of religion to all, and that Catholics should hold offices equally

with Protestants. Watson proposed to depose the king, which Copley opposed, because it would impair the dignity of the crown by dismembering Scotland from England, and would draw on the Dane, together with Scotland and Brunswick. At this meeting of Sir Griffin Markham, which occurred at a supper given by Watson, some ludicrous remarks were made on King James—his vulgar

manner of drinking is particularly spoken of.

“Watson at last, finding things did not succeed, told them they might all go to their homes, affirming that he despaired of the action: he afterwards himself departed.”

This document fills twelve pages and has since been published at full length by Mr. Tierney, Dodd, iv App. No. 1.

NOTE FFF, pp. 22, 28, 30.

*Letter from Garnet to his Superior in Rome.*

“Magnifice Domine,

“Accepimus dominationis vestræ literas, quas ea qua par est reverentia erga suam sanctitatem et vestram paternitatem amplectimur. Et quidem pro mea parte quater hactenus tumultum impedivi. Nec dubium est quin publicos omnes armorum apparatus prohibere possimus, cum certum sit multos Catholicos, absque nostro consensu, nihil hujusmodi nisi urgente necessitate attendere velle.

“Duo tamen sunt quæ nos valde sollicitos tenent. Primum ne alii fortassis in una aliqua provincia ad arma convolent, unde alios ipsa necessitas ad similia studia compellat.

“Sunt enim non pauci, qui nudo suæ sanctitatis jussu cohiberi non possunt. Ausi sunt enim, vivo papa Clemente, interrogare num posset papa illos prohibere quo minus vitam suam defendant. Dicunt insuper suorum secretorum presbyterum nullum fore conscium: nominatim vero de nobis conqueruntur etiam amici nonnulli, nos illorum molitionibus obicem ponere.

“Atque ut hos aliquo modo leniremus, et saltem tempus lucraremur, ut dilatione aliqua adhiberi possint congrua remedia, hortati sumus, ut communi consilio aliquem ad sanctissimum mitterent: quod factum est, eumque ad illustrissimum Nuntium

in Flandriam direxi, ut ab ipso suæ sanctitati commendetur, scriptis etiam literis quibus eorum sententiam exposui, et rationes, pro utraque parte. Hæ literæ fuse scriptæ et plenissima fuere: tutissimè enim transferentur atque hoc de primo periculo. Alterum est aliquanto deterius, quia periculum est ne privatim aliqua proditio vel vis Regi offeratur, et hoc pacto omnes Catholici ad arma compellantur.

“Quare meo quidem judicio duo necessaria sunt; primum ut suæ sanctitas præscribat quid quoque in casu agendum sit; deinde, ut sub censuris omnem armorum vim Catholicis prohibeat, idque Brevi publico edito, cujus occasio obtendi potest nuper excitatus in Wallia tumultus qui demum in nihilum recidit: Restat ut (cum in peius omnia quotidie prolabantur) oremus suam sanctitatem his tantis periculis ut brevi necessarium aliquod remedium adhibeat cujus sicut et reverendæ paternitatis vestræ benedictionem imploremus.

“Magnificæ Dominationis vestræ servus,

“HENRICUS GARNET.

“Londoni, 24 Julii, 1605.”

There is in the State Paper Office a copy of the first portion of this letter as far as the words ad sanctissimum

mitterent, which is followed by an &c. —Dodd, by Tierney, iv. App. p. cix. The only difference between it and the published letter is, that where the latter has “ Duo tamen sunt quæ nos valde sollicitos tenent: primum ne alii,” the MS. has “ Est tamen quod nos valde sollicitos tenent, ne alii.” Which of the two may be the true reading is uncertain; but it does not appear to me that a small fragment of the letter, with its &c. in place of the rest of its contents, can be very deserving of credit, as long as we are ignorant by whom, or for what purpose, it was copied. There is a still greater difficulty in this letter, where Garnet says, on July 24, that he has despatched the common messenger to the nuncio in Flanders, whereas it

is well known that Baynham, that messenger, did not leave England before September. I have endeavoured to explain it away in different manners, but it now appears to me that Garnet has been misunderstood. He does not say that he had actually despatched the messenger to the nuncio, but that he had directed him, —“ direxi,”—which may mean nothing more than that he had given to him instructions with letters of credence. Now it was very possible that, after he had done this, events might happen to prevent the immediate departure of Baynham, or to retard it for a few weeks, in which supposition the letter will perfectly agree with the fact.

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NOTE GGG, p. 32.

*Letter from Garnet to Persons.*

“ My verie lovinge sir, we are to goe within fewe dayes neerer London, yet are we unprovided of a house, nor can find any convenient for any longe tyme. But we must be fayne to borrowe some private house, and live more privately untill this storme be overlowne; for most strict inquiries are practised, wherein yf my hostesse be not quite undone, she speedeth better than many of her neighbours. The courses taken are more severe than in Q. Elizabeth's tyme. Everie six weeks in a severall court, juries appointed to indite, present, find the goods of Catholicks, prize them, yea, in many places to drive away whatsoever they find (contra ordinem juris), and putt the owners, yf perhaps Protestants, to prove that they be theirs and not of recusants with whom they deale. The commissioners in all contreys are the most earnest and base Puritans, whom otherwise the kinge discountenanceth. The prisoners at Wisbich

are almost famished: they are verie close, and can have no healpe from abroad, but the kinge allowinge a marke a weeke for eche one, the keeper maketh his gains, and giveth them meate but three dayes a weeke. If any recusant buy his goods againe, they inquire diligently yf the money be his own, otherwise they would have that toe. In fine yf these courses hould, everie man must be fayne to redeeme once in six moneths the verie bedd he lyeth on: and hereof, that is of twice redeeminge, besides other presidents I find one in this lodginge where nowe I am. The judges nowe openly protest that the kinge nowe will have blood, and hath taken blood in Yorkshier: that the kinge hath hitherto stroaked the papists, but nowe will strike. This is without any least desert of Catholicks. The execution of two in the north is certayn, and, whereas it was done uppon could blood, that is, with so great staye after their condemna-

tion, it argueth a deliberate resolution of what we may expect. So that there is noe hope that Pope Paulus V. can doe any thinge : and whatsoever men give owt there of easie proceedings with Catholicks, is mere fabulous. And yet I am assured notwithstandinge, that the best sort of Catholicks will beare all their losses with patience. But howe these tyrannicall proceedinges of such base officers may drive particular men to desperate attempts, that I can not answer for, the kinge's wisdome will foresee.

"I have a letter from Field in Ireland, whoe telleth me that of late there was a verie severe proclamation against all ecclesiasticall persons, and a generall command for goinge to the church; with a soleme protestation that the kinge never promised nor meant to give toleration."

"October 4, 1605."

In former editions I published this document from the copy in Gerard's manuscript narrative. The original is, however, in existence, and the comparison of the two shows what liberties were taken by the copyist with the original. Had his object been only to present the public with an account of the persecution to which the English Catholics were at that moment subjected, there would not have been great cause to complain of his alterations in the first part; for they were evidently made to conceal from government the names of the persons who occasionally afforded Garnet an asylum. Neither is his omission of several short paragraphs which follow in the original of any great consequence; for they mostly relate to private concerns, and are not of general interest. But to the original letter is appended a postscript, of the date of the 21st of October. This is most important. It shows that the letter of the 4th was still in the possession of Garnet, almost three weeks after it was written. In the postscript he states that the letter had been returned to him by the

friend to whom it had been intrusted because that friend had been "stayed," and that he had taken the opportunity "to blot out some word purposing to write the same by the next opportunity, as he will do apart. What these words were we know not; but that he thought them of the greatest importance is plain from the pains which he took to "blot them out;" for this he has done so effectually that it is impossible to decipher a syllable of the original writing. Then follows the notice about Field in Ireland, which, though for what purpose it is difficult to guess, has in Gerard's copy been taken out of the postscript, and introduced into the letter itself, under the date of October 4.

The object for which this letter was made up in the shape which it thus assumes in Gerard's manuscript, is plain from the reasoning which both he and Greenway found upon it. They contend that, if Garnet had been privy to the conspiracy, he must have believed on the 4th, that the explosion had already taken place on the 3rd, the day on which the parliament had been summoned to meet though no reason is assigned why he might not, as well as others, have been aware of the prorogation to the 5th of November: and they add that under such belief, he would never have resolved to encounter the danger of making, as he proposed to do, a journey to London; though in fact he made no such journey, but changed his route, and was actually, at the time in which he wrote, on his way to the meeting appointed at Dunchurch. Hence it became necessary to suppress the postscript, because it was irreconcilable with such statements. There was, moreover, this benefit in the suppression, that it kept the reader in ignorance, 1. of the real date of the letter, the 21st of October, the very time when it is admitted that Greenway made to Garnet a full disclosure of the plot and 2. that Garnet took that opportunity of blotting out a most im-

portant passage in the letter written on the 4th, with a promise to forward the same passage later in an epistle apart; two facts which would furnish strong presumptions against the alleged innocence of the provincial. I do not know, however, that his advocates ever ventured to send the letter in this shape to the press. It was exhibited to Eudæmon Joannes, when he wrote his *Apologia* against Coke;

for he refers to it, and draws from it the same conclusions which had been already drawn for him by Gerard and Greenway.—*Ad actionem proditoriam Edouardi Coqui Apologia*, cap. ix., versus finem. But he merely mentions the date of October 4, without transcribing the letter, or quoting any passage from it. Mr. Tierney has published both the original letter and the pretended copy, vol. iv. App. p. cii.

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NOTE HHH, pp. 33, 41.

In this note I shall mention the chief presumptions against Garnet, Greenway, and Gerard, and their answers, with those of their advocates.

1. With respect to Garnet, it is admitted on all hands that no overt act of treason was ever proved against him.

2. Garnet himself admitted that he had incurred the legal guilt of misprision of treason, because he had concealed the general knowledge which he derived from one of the conspirators, that a treasonable plot was in agitation.

3. It is moreover admitted that he afterwards became acquainted with the particular plot, and also concealed that knowledge: but that concealment he justified by the plea that the knowledge came to him under the seal of sacramental confession.

4. It now became a question whether this was really the fact. To discover the truth he was made to believe that Greenway, whom he had named as his informant, had been taken, and had asserted in his examination that, when he mentioned the plot, it was not in confession. Garnet now appeared to waver; and the discrepancy in his several answers was taken for the tergiversation of one who, being caught in a falsehood, seeks by evasion to escape conviction. Yet all his answers amount in reality

to the same thing; for it is universally understood among Catholics, that if a confessor consult another theologian respecting any case made known to him in confession, that person, in whatever way the information may be conveyed, is equally bound to secrecy with the confessor himself. Garnet's answers are all founded on this doctrine. The discrepancy arises from his solicitude not to injure Greenway by contradicting what he had been falsely told was the confession of Greenway.

5. Supposing then the statement of Garnet to be correct, it is of importance to ascertain at what time the communication was made to him. If in the month of July, what excuse can be alleged for the indolent security in which he seems to have passed the months of August, September, and October? He had indeed no authority over any but the members of his order; he could not control the actions of Catesby and the other conspirators; yet so great was the influence which he possessed among them, and so many opportunities must have offered themselves of exercising that influence, that he undoubtedly might, if he had been so inclined, have discovered, during those three months, some means of preventing the attempt without danger of betraying the secret. But is it then certain

that he was acquainted with the plot in July? It has, indeed, been said that "Garnet invariably asserted, both in the examinations which are yet preserved, and also in his defence, and in his speech from the scaffold, that he first heard of the plot from Greenway on the 26th of July" (Jardine, 363); and certainly, if this statement is correct, his silence and apathy during the three following months will furnish a strong presumption against him. But I have been unable to discover any proof of it, either in Garnet's defence at his trial, or in his speech at his execution. It depends solely on the record of his confession of March 12, in which he is made to assign "St. James's tide" as the date of the communication from Greenway; a confession, however, into the record of which I am convinced, for several reasons, that a very important error has crept. For 1. as late as October 4, he wrote to Persons the letter in Note GGG, in answer to one inquiring what stir was in agitation among Catholics. Now it is plain, from the tenour of that letter, that Garnet was then (October 4) ignorant of any particulars of the plot, unless we suppose that he sought by equivocation to impose on his superiors in Rome,—a supposition which no one acquainted with the constitution of the order will be disposed to admit. 2. According both to Greenway in his narrative, and to Eudæmon Joannes, who derived his information directly from Greenway, it was after the return of Garnet from St. Winifred's Well, and consequently in October, that Greenway made the communication to him. 3. De Thou, who wrote from documents furnished by the prosecutors, states that Garnet, when he was examined respecting his interlocutions with Oldcorne, and consequently after March 2, confessed that he learned the particulars from Greenway *five* months before, having previously to that received a general hint of the matter from Catesby: *fateri quidem se ante v. menses a Grenwello de re*

*omni edoctum, antea in genere a Catesbeio monitum* (vi. 344). This testimony therefore places the communication also in October, the fifth month before March. These considerations induce me to believe that by mistake the name of Greenway has been used for that of Catesby, and that "St. James's tide," the date assigned to the communication by Greenway in the confession of March 12, was in reality the date of the communication made by Catesby, which gave occasion to Garnet's letter of July 24, in Note FFF; and that the other communication was made to him at Harrowden shortly after October 20; for on that day he went there on a visit to Lord Vaux in the company of the two aunts of that nobleman, and there Catesby and Greenway met him, as we are informed by Greenway himself.

6. But how did Garnet act after he had become acquainted with the particulars of the plot? He goes on the last day of the month with Sir Everard Digby to Coughton, where that conspirator had invited several Catholic gentlemen to meet him under pretence of hunting at Dunchurch, on the 5th of November. What could take him there at such a time with the knowledge which he possessed? It certainly bears a suspicious appearance, and Garnet himself was aware of it. In his conversation with Oldcorne (Jardine, 220), he expresses his anxiety on that head; and in a letter to Anne Vaux he writes, "The time of my coming to Coughton is a great presumption; but all Catholics know that it was necessity."—Jardine, 392. What, then, was that necessity? Coughton was his appointed station for the festival of All Saints: he was expected there by the different Catholic families in those parts: all who used his ministry would be there to receive the sacrament from him. He could not disappoint them without exciting among them strange surmises as to the cause of his absence.

7. At Coughton, we are told, tha

he prayed to be "rid of heresy," and called upon his hearers to pray for some good success towards the Catholic cause.—Oldcorne examin. 6th March. Handy exam. 27th Nov. The spies, who overheard his conversation with Oldcorne, understood him also to state that he had made a form of prayer and a hymn for the success of that business.—Interlocution of 23rd and 25th Feb. Jardine, 217, 221. In this there is much mistake and misrepresentation, arising perhaps from the difficulty of hearing; for the form of prayer was one in common use, and the hymn had been a portion of the service of the day for centuries. It is, however, plain that Garnet had acted very imprudently at Coughton, probably had suffered expressions to escape him which, though sufficiently obscure then, might now prove his acquaintance with the plot; for he writes to Anne Vaux, on March 4th, "There is some talk here of a discourse made by me or Hall; I fear it is that which I made at Coughton."—Antil. 144.

8. There was something extraordinary in the simplicity or credulity of Garnet whilst he remained in the Tower. Aware that he had been duped and betrayed by the men who offered to him their services, he suffered himself to be duped and betrayed to the very end. He still continued to write letters; and of all these there was not perhaps one which did not come into the hands of the lieutenant: many served as proofs against him, and one acquired considerable celebrity after his death, from the use made of it by the writers whom the king employed to persuade

foreign nations of Garnet's guilt. It was written on Palm Sunday (April 13), to his brethren of the society, being an apology for his several confessions and disclosures, which, as he had been falsely informed, had scandalized the whole body of Catholics. Dr. Andrews, at that time bishop of Chichester, made from it a selection of passages, which he published in his *Tortura Torti*, printed in London in 1609, and in Hanau in 1610. The same were copied from the work of Andrews by Casaubon in his *Epistola ad Frontonem Ducæum*, printed in London in 1611, and in Frankfort in 1612. Lastly came Dr. Robert Abbot, brother to the archbishop, who added to the former selection, and published the whole in a new Latin version in 1613. In former editions of this history, judging from the specimen exhibited by Dr. Andrews, I had no hesitation in pronouncing the letter a forgery. The remarks of Mr. Jardine (p. 323) have induced me to compare the two versions; and the comparison has led me to the conclusion, not, indeed, that there was no original, but that so many falsifications inconsistent with facts were introduced into the translation by Dr. Andrews, that I was justified in supposing that there was none.

That the reader may judge of the arts employed to confirm the conviction of the Jesuit, he may compare the parallel passages out of this letter in the following columns, the first taken from the more correct version of Dr. Abbot, the other from the false version of Dr. Andrews, published four years earlier:—

Causa, qua adductus sum agnoscere conscientiam meam, fuit quod me accusaverant omnes qui antecesserant, Catesbeio nomen meum obtendente, quo aliis persuaderet, qui me multo magis reum existimarunt quam revera fueram (p. 146).

Porro interceptæ sunt, nescio qua perfidia, literæ meæ ad Dnam Annam

Nam quid facerem? 1. Accusabant me *reliqui* omnes conjurati. 2. Catisbæus usus semper apud eos fuerat auctoritate mea, *qua adduxit pene omnes ut bene sentirent de negotio*, quo factum est ut ad unum omnes me haberent *pro reo* (p. 426).

Literæ etiam a me aurantiarum succo scriptæ ad D. Annam, nescio

aurantiarum succo scriptæ, per quas adversum me *aliquid ansæ arripuerunt, quanquam sine causa.*—Ibid.

Atque hic coactus sum quoque nominare Grenwellum; quod nunquam fecissem, nisi mihi pro certo dictum fuisset ab amico eum in partes ultramarinas, evasisse. Quod nisi ita sensissem, colligere me oportuisset, sensus meos ad aliam formalem fabulam excogitandam.—Ibid.

Re ita, ut factum est, habente, necessarium erat. Primo namque non poteram a conjuratorum aliquo mutuam dicere notitiam meam: hoc enim contrarium erat religiosissimis protestationibus meis, quas scripto feceram Catholicis omnibus, et verbo consiliariis regiis.—Ibid.

It cannot escape the notice of the reader that the many erroneous renderings in the translation of Dr. Andrews are wilful, all being made for the purpose of aggravating the guilt of Garnet. Dr. Abbot's translation has the appearance of being much more correct, though he also seems not to have felt any objection to the employment of a little fraud, when its object was to blacken the character of a Jesuit. This is manifest from his attempt to persuade his readers that Anne Vaux was the mistress of Garnet. With this view he copies certain apparently endearing expressions from her letters, and makes her sign them with the initials A. G., as if she had taken Garnet's name, and looked upon herself as his wife (Antil. 135); whereas her words are only expressive of her grief to be deprived of one who had been for many years her spiritual director; and her real signature (for these letters are still in the State Paper Office) is not A. G., but, as Mr. Jardine has remarked (p. 200), A. V., or Anne Vaux.

There is in the same letter, written on Palm Sunday, a passage which appears to me to explain the whole of Garnet's conduct. "Always," he says, "I condemned the plot *absolutely in my own mind*; and my opi-

quomodo, in illorum manus pervenerunt, *quibus scientiam meam non obscure confessus eram.*—Ibid.

De accusato Grenwello ita respondit, sibi quidem, *si fuga sibi consulisset Grenwellus* (putabat enim tum captum et in custodia); aliam aliquam rationem ineundam esse, atque fabulam aliam formalem sibi fingendam esse.—Ibid.

*Cum enim rem scire me jam scirent omnes*, aliunde petenda mihi fuit origo cognitionis meæ. A conspiratoribus laicis non poteram; quod sæpe *illis dicto, scripto, sancte protestatus essem me illos non proditurum unquam* (p. 427).

nion generally was, that all stirrs against the king were unlawful, because the authority of the pope, who had forbidden all such attempts, was wanting. And of this my opinion I have many witnesses, with whom I have reasoned on the subject, though I did not dare absolutely *to condemn the opinions of others*, or to take away the liberty which many theologians allow to Catholics, though against my opinion."—Antil. 146. The fact was, that Garnet followed the doctrine of probabilism. He did not conceal his own sentiments, but he refused to condemn those who thought themselves justified in adopting the opposite opinion.

9. In 1675 certain letters were discovered, written from the Tower by Digby to his wife, but intended for Gerard. In them he expresses his surprise and sorrow that the design should be condemned by the Catholics and missionaries in general, and declares that he would never have engaged in it had he not been persuaded that it was lawful. "It was my certain belief that those which were best able to judge of the lawfulness of it had been acquainted with it, and given way unto it. More reasons I had to persuade to this belief than I dare utter, which I will never to the suspicion of any, though I



should be to the rack for it."—Gunpowder Treason, edition of 1679, p. 242. In reference to the same subject he proceeds in a subsequent letter: "I do answer your speech with Mr. Brown thus. Before that I knew anything of this plot, I did ask Mr. Farmer (Garnet) what the meaning of the pope's brief was." (This brief was sent to Garnet on the 19th of July, 1603, in consequence of Watson's treason, which I mention because a very erroneous meaning has been given to the passage in Miss Aikin's Court of James I.) "He told me they were not, meaning priests, to undertake to procure any stirrs: but yet they would not hinder any (neither was it the pope's mind they should), that should be undertaken for Catholick good. I did never utter thus much, nor would not but to you: and this answer, with Mr. Catesbye's proceedings with him and me, gave me absolute belief that the matter in general was approved, though every particular was not known" (p. 250, 251). Hence it appears to have been the persuasion of Digby that Garnet approved of the plot. But had he any assurance of it? It is plain that he had not. "As I did not know directly that it was approved by such, so did I hold it in my conscience the best not to know any more if I might" (p. 242). This concession appears to take away the force of his previous testimony.

With respect to Greenway, it is certain that he knew of the secret in confession; but of this the ministers were unacquainted at the time of the proclamation. The grounds of the charge against him were the following:—1. According to the attorney-general at the trial, Bates had acknowledged that he mentioned the matter to Greenway, and received from him instructions to do whatever his master should order. On the other side Greenway, in a paper which lies before me, declares on his salvation that Bates never spoke one word to him on the subject, either in or out of confession; and Bates himself,

in a letter written before he suffered, asserts that he merely said it was his suspicion that Greenway might have known something of the plot. 2. On the 6th of November, Greenway rode to the conspirators at Huddington, and administered to them the sacrament. He replies that, having learned from a letter written by Sir Everard to Lady Digby, the danger in which they were, he deemed it a duty to offer to them the aids of religion before they suffered that death which threatened them; that for this purpose he rode to Huddington, and then, after a few hours, left them for the house of Mr. Abingdon, at Henlip. Greenway escaped to Flanders.

The charge against Gerard rested at first on the very slender foundation I already mentioned in chapter 1st, p. 24, note. The moment it was made, he loudly proclaimed his innocence, and in several letters demanded justice from the lords in the council. Six-and-twenty years later the charge was revived against him by Anthony Smith, a secular clergyman, who made affidavit before Dr. Smith, bishop of Chalcedon and vicar-apostolic in England, that in his hearing Gerard had said, in the novitiate at Liege, that he worked in the mine with the lay conspirators till his clothes were as wet with perspiration as if they had been dipped in water; and that the general condemnation of the plot was chiefly owing to its bad success, as had often happened to the attempts of unfortunate generals in war.—MS. copy, dated April 17, 1631. On the contrary, Gerard, being called upon by his superiors, again proclaimed his innocence, asserted it on oath, and took the sacrament upon it: and it may be thought some, though not very conclusive proof in his favour, that Faukes, in his examination on the 8th of November, says that "none but gentlemen worked in the mine."—Original in the State Paper Office. For my own part, after having read what he wrote in his own vindication, I cannot doubt his innocence, and suspect that Smith

unintentionally attributed to him what he had heard him say of some other person.

I will only add that implicit faith is not to be given even to the documents published by the government. Winter is said to have confessed that Faukes went to Flanders with the intention of communicating the plot to Owen.—Gunpowder Treason, p. 56. Faukes is also made to assert the same. "I retired into the Low

Countreys "*by advice and direction of the rest, as well to acquaint Owen with the particulars of the plot, as also least by my longer stay I might have grown suspicious.*"—Ibid. 42. The original of Winter's confession is lost; that of Faukes is still in the State Paper Office, but I understand that it does not contain the passage which is printed in italics. Two other instances are noticed by Mr. Jardine, p. 6.

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NOTE III, p. 51.

This controversy brought to light a fact which James was most anxious to conceal.

The reader is aware of the two papal breves which had been issued by Clement VIII. in contemplation of the approaching death of Elizabeth. I cannot discover that any copies of these breves exist;\* but from a copy of the letter which accompanied them, when they were sent to the nuncio at Brussels, may be formed a pretty correct notion of their purport. "Ad Anglos Catholicos," says the pontiff, "scripsimus, eosque efficaciter hortati sumus ut, si unquam alias, nunc maxime concordet et unanimes sint, ac quibusvis terrenis affectibus et perturbationibus semotis, ad solam Dei gloriam, veram regni utilitatem, et fidei Catholicæ conservationem aspiciant: neque se ad hæreticorum consilia adjungi, eorumve dolis et astu se de sua constantia dimoveri patiantur. Scripsimus etiam et Archiepiscopum Angliæ ejusque assistentes, et cæterum clerum, ut tam necessariam Catholicorum, præsertim nobilium, unionem summo studio conservent, eosque omni officii genere permoveant, ne cui suffragentur in

hoc gravissimo negotio, nisi vere Catholico, ut quod summopere in Domino cupimus, sancta et salutaris novi regis creatio, Dei adjutrice gratia, sequatur."—MS. letter.

Of the breves James had complained as prejudicial to his right to the crown; and Bellarmine in his reply, under the name of Matthæus Tortus, took occasion to publish a letter written by the king himself to Clement VIII. in 1599, in which he solicited the dignity of cardinal for a Scottish Catholic, the bishop of Valdon, and subscribed himself, Beati tudinis vestræ obsequentissimus filius J. R. (See it in Rushworth, i. 166. This was a stroke for which James was not prepared; at first he said under it, he saw himself convicted of duplicity or perfidy in the eyes of all Europe. As his only resource he determined to deny the fact. Balmerino, his secretary at the time was summoned before the council, and after several examinations, at the last of which the king himself attended unseen, yet within hearing, he consented to acknowledge that he had artfully procured the royal signature to the letter, but at the same time had kept his sovereign in ignorance

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\* [This is an oversight on the part of Dr. Lingard, who appears to have forgotten that one of these breves had been printed

previously by Mr. Tierney, in his edition of Dodd, vol. iv. Appendix, p. cvi.]

both of its contents and of its address.

If we inquire more nearly into the artifice which he was supposed to have employed for this purpose, we shall pronounce the story totally unworthy of credit. Balmerino was made to confess that, finding he could not prevail on the king to open a correspondence with the pope, he procured a letter to be composed by Edward Drummond; this, at a moment when James was about to mount his horse on a hunting-party, was laid in the midst of several other despatches before him, and the king, in the hurry, signed it together with the others in total ignorance of its object.

This is sufficiently improbable; but let us ask what were the other despatches? They were letters to the dukes of Florence and Savoy, and to the cardinals Aldobrandini, Bellarmine, and Cajetan, at Rome. So much it was necessary to admit, otherwise Bellarmine would have published them. Now what could induce the king to write to these three cardinals? The answer is, that he never meant to do so; that the letters were placed before him without any address, and signed by him under the notion that they would be forwarded to the cardinals of the house of Guise, his maternal relations; that they were thus sent in one packet to the archbishop of Glasgow, his ambassador at the court of

France, and directed by that prelate, without any authority from the king, to the three cardinals Aldobrandini, Bellarmine, and Cajetan!—See Balmerino's confession, or rather the declaration which was composed for him to sign, in Tortura Torti, p. 288.

No man can read this story without pronouncing it at once a collection of falsehoods. Indeed it was so understood at the time. "He confessed simulatly, as was thought by these that best wnderstood the courte, and hou matters then went, to liberat the king of suche grossnes."—Balfour, ii. 29.

In consequence of his confession, Balmerino's name was erased from the list of privy councillors in England, and he was sent to be tried in Scotland, where he received judgment of death. "Bot by the king's secrett commands to the earle of Dumbar, he was againe remitted to the custodey of the lord Scone, as a crosse prisoner, to be kept at Falkland; and from thence was enlarged and confyned to his auen housses in Angus shyre, and Balmerinoche in Fyffe shyre, quher he deyed of a feuer and waicknes in the stomache, some few mounthes after the death of his arch-enimey and competitor, Ceicill, earl of Salisburrey (after quhome), if aney tyme he had surviued (as was talked by them that best knew the king's mynd), he had beine in grater crydit with his master than euer."—Balfour, ii. 30.

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NOTE KKK, p. 120.

The chief object of Bennet's mission to Rome was to obtain a bishop to preside over the English Catholic church. The secular clergy had repeatedly remonstrated against the government by an archpriest; but, though their case was supported by the favourable testimony of Barberini, the nuncio at Paris, and of

Bentivoglio, the nuncio at Brussels, they did not succeed before the death of Harrison, the second archpriest after Blackwall. Then Bennet, accompanied by Farrar, another clergyman, pressed the matter on the attention of Gregory XV., the reigning pope. Their principal advocate was Cardinal Bandini, who argued

that every church, by the institution of Christ, ought to be placed under the superintendence of bishops; that, had episcopal government been established among the English Catholics, the disputes of the missionaries, the unadvised attempts against the state, and even the gunpowder plot, would in all probability have been prevented; and that, unless the request of the clergy were granted, the French prelates, and particularly the archbishop of Rouen, who had already made some attempts, would take upon themselves the chief care of the English church. He was opposed by Cardinal Mellini, who contended that episcopal government was not essential to the existence of a provincial church; that to introduce it into England would be to expose the Catholics to additional severities; and that the connection already existing between the French and English clergy made it probable that the latter, if placed under a bishop, would make common cause, and demand the same privileges with the former. The petition of Bennet was strongly supported by the French and Spanish ambassadors; and the pope had expressed a disposition to gratify the clergy, when the adversaries of the measure, as a last resource, appealed to the fears and jealousies of James. Toby Matthews, pretending an un-

willingness that any arrangement should be adopted which might prove disagreeable to the king, revealed the whole proceeding to the council. James was not deceived as to his motive (see a letter in Cabala, 292, and others in Bacon's works, vol. vi.); but he communicated to the pontiff, through the Spanish ambassador, his resolution never to admit a Catholic bishop into his dominions. Gregory hesitated; instead of four bishops, he appointed only one; and, that the new prelate might be less objectionable, he selected for the office Dr. Bishop, who had formerly signed the celebrated protestation of allegiance in the last year of Elizabeth. Still, as it was doubtful how far the king might yield, or the bishop himself might form connections with the French prelates, he made him revocable at pleasure. He was consecrated in France, and received power to exercise episcopal authority over the Catholics of England and Scotland. But the Scots immediately remonstrated; they never had been, they never would be, subject to an English prelate; and Gregory, to satisfy this national jealousy, ordered Bishop to abstain, till further orders, from pretending to any jurisdiction within the kingdom of Scotland.—MSS. penes me.

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NOTE LLL, p. 183.

Rushworth and Prynne complain bitterly of the indulgence granted to recusants in their compositions. The fact was, that the fine to the proprietor in the first instance was moderate in comparison with the penalty due by the law. But every estate was burthened with a great number of annuities to different branches of the family, and of these, as they fell in, one-third was secured to the crown. I will give, for an example the compo-

sition of Mr. Tankard, of Boroughbridge, and have selected it because it was one of those selected by Rushworth as a subject of complaint.

Com.	}	Sessio Commiss. apud	}
Ebor.		Maner.	
	}	Dni Regis, &c. 16 <sup>o</sup> die	}
		Octob. An. 1630.	

“Thomas Tankard of Borowbrigg in the county of York Esqr. hath this day compounded with his majestie

commissioners for himself and Frances his wife, for all his manors, lands, tenements, and hereditaments with their appurtenances in the county of York, for the sum of sixty-six pounds, thirteen shillings four pence in present. And after the determination of an annual rent of 100*l.* payable to Roger Beckwith of Alborough, the sum of 33*l.* 6*s.* 8*d.* more. And after the death of Merial Tankard of Copgrave widow, the sum of 33*l.* 6*s.* 8*d.* more. And after the determination of an annuity to Mary Tankard his sister, the sum of 16*l.* 13*s.* 4*d.* more. And after the determination of an annuity of 80*l.* payable to Catherine Tankard, sister of him the said Thomas Tankard, till the sum of six hundred pounds be paid, 26*l.* 13*s.* 4*d.* more. And after the determination an annuity of 10*l.* payable to Christopher Lancaster of Crabtrees in the county of Westmoreland during his life, the sum of 3*l.* 6*s.* 8*d.* more. And after the determination of an annuity of 10*l.* payable unto Hugh Tankard during his life, the sum of

3*l.* 6*s.* 8*d.* more. And after the determination of an annuity of 10*l.* payable to Peter North after the expiration of 15 years beginning

3*l.* 6*s.* 8*d.* more. And after the determination of an annuity payable to Ralph Ellis during his life, the sum of 5*l.* 6*s.* 8*d.* more. All which several sums as they shall fall due, are to be paid at Martinmass and Whitsontide by equal portions. And to give bond for the first half year's rent accordingly, as also for the payment of one whole year's rent, which was due unto his majesty at Martinmass An. 1629, and Whitsontide 1630. All his arreaiges are included in this composition."

This estate was forfeited under the Commonwealth, and Rushworth, who thought two hundred pounds a year too small a fine to be paid by the Catholic proprietor on account of his religion, was not ashamed to value the fee simple at no more than six hundred pounds. He purchased it for that sum.—MS. copies of the compositions penes me.

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NOTE MMM, p. 219.

This is plain from the following letter of the king to the earl of Nithsdale, preserved in the charter-room at Terregles:—

"Nithisdail,—It is now time for me to bidd you looke to yourselfe: for longer then the 13 of the next month" (the day on which the English parliament was to meet) "I will not warrant you but that ye will hear of a breache betwixt me and my covenanting rebelles. Of this I have written to the marquiss Douglas, but under condition of secresy, the wh lykewais I requyre of you. Onlie

I permit you with the same caution to advertise Winton: For the rest referring you to this bearer (who knows nothing of the substance of this letter), I rest your assured friend,

"CHARLES R.

"Whytehall the 27 March

"1640.

"Assistance by the grace of God ye shall have, and as soon as I may, but when, as yet I cannot certainly tell you."

But assistance the unfortunate earl had not.

## NOTE NNN, pp. 254 and 263.

The reader will perhaps be surprised that I have not alluded to the immense multitude of English Protestants said to have been massacred at the breaking out of the rebellion. I am perfectly aware that Clarendon speaks "of forty or fifty thousand murdered before they suspected themselves to be in any danger, or could provide for their own defence by drawing together in towns or strong houses" (Clarendon, i. 299. See also his *History of the Irish Rebellion*); that a nameless writer, copied by Nalson, says that the insurgents "within a few days murdered an incredible number of Protestants, men, women, and children, indiscriminately" (Nalson, ii. 591); that May asserts "that the persons of above 200,000 men, women, and children were murdered, many of them with exquisite and unheard-of tortures, within the space of one month" (May 18); and that the same has been repeated by writers without number. But such assertions appear to me rhetorical flourishes, rather than historical statements. They are not founded on authentic documents. They lead the reader to suppose that the rebels had formed a plan to surprise and murder all the Protestant inhabitants; whereas the fact was, that they sought to recover the lands which, in the last and in the present reign, had been taken from them and given to the English planters. They warned the intruders to be gone; they expelled them from the plantations; they seized their goods, and burnt their houses. That in the prosecution of this object many lives would be lost on both sides is evident. As early as October 27, Colonel Crawford killed three hundred Irish with his cavalry without the loss of a man, and on the 28th Colonel Matthews slaughtered above one hundred and fifty more "starting them like

hares out of the bushes" (Carte, i. 186); and on the other hand, many insulated acts of murder by the rebels prompted chiefly by the revenge of individuals, occurred. But that no premeditated design of a general massacre existed, and that no such massacre was made, is evident from the official despatches of the lord justices during the months of October, November, and December.

1. We have their despatches of October the 25th, with the accompanying documents (Lords' Journals, iv. 412; Nalson, ii. 514—523), but in these there is no mention of any one murder. After detailing the rising and plundering by the insurgents, they add "this, though too much, is all that we yet hear is done by them."—*Journals*, *Ibid.* Nalson, ii. 516.

2. In a letter to the privy council of November 15, they thus describe the conduct of the rebels: "They have seized the houses and estates of almost all the English in the counties of Monaghan, Cavan, Fermanagh, Armagh, Tirone, Donegal, Leitrim, Longford, and a great part of the county of Downe, some of which are houses of good strength, and dispossessed the English of their arms, and some of the English gentlemen whose houses they seized (even without any resistance in regard of the suddenness of their surprise), the rebels most barbarously, not only murdered, but, as we are informed, hewed some of them to pieces. They surprised the greatest part of a horse troop of his majesty's army, commanded by the lord Grandison, in the county of Armagh, and possessed themselves of their arms. They apprehended the lord Caulfield and Sir Edward Trevor, a member of this board, and Sir Charles Pointes, and Mr. Branthwait, agent to the earl of Essex, and a great number of other gentlemen of good quality of the English in several parts, whom the

still keep prisoners; as also the lord Blayney's lady and children, and divers other ladies and gentlewomen. They have wasted, destroyed, and spoyled wheresoever they came, and now their fury begins to threaten the English plantations in the Queen's county and King's county, and, by their example, the sheriff of the county of Longford, a native and papist, is likewise risen in arms, and followed by the Irish there, where they rob, spoyl, and destroy the English with great cruelty.

"In these, their assaults of the English, they have slain many, robbed and spoyled thousands, reduced men of good estates in lands, who lived plentifully and well, to such a condition as they left them not so much as a shirt to cover their nakedness. They turned out of their estates many of considerable fortunes in goods, and left them in great want and misery, and even the Irish servants and tenants of the English, who lived under them, rise against them with great malignity, and joyn with the rebels. They defaced the chargeable buildings and profitable improvements of the English, to their uttermost power. They threaten all the English to be gone by a time, or they will destroy them utterly; and indeed they give out publickly that their purpose is totally to extirp the English and Protestants, and not to lay down arms until, by act of parliament here, the Romish religion be established, and that the government be settled in the hands of the natives, and all the old Irish restored to the lands of their supposed ancestors."—Nalson, p. 889.

3. In another of the same date, to be read in the house of Commons, they express themselves thus: "By killing and destroying so many English and Protestants in several parts, by robbing and spoyling of them, and many thousands more of his majesties good subjects, by seizing so many castles, houses, and places of strength, in several parts of the kingdom, by threatening the English to depart, or

otherwise they will destroy them utterly; and all their wickedness acted against the English and Protestants with so much inhumanity and cruelty, as cannot be imagined to come from Christians, even towards infidels."—Ibid. p. 893.

4. In the fourth, of November 25, they describe the progress of the rebellion. "In both counties, as well Wickloe as Wexford, all the castles and houses of the English, with all their substance, are come into the hands of the rebels, and the English, with their wives and children strip'd naked, and banished thence by their fury and rage. The rebels in the county of Longford do still increase also, as well as in their numbers as in their violence. The Ulster rebels are grown so strong, as they have sufficient men to leave behind them in the places they have gotten northward, and to lay siege to some not yet taken . . . . They have already taken Mellifont, the lord Moor's house, though with the loss of about 120 men of theirs, and there (in cold blood) they murdered ten of those that manfully defended that place . . . . In the county of Meath also . . . . the rebels rob and spoil the English Protestants till within six miles of Dublin."—Ibid. 900, 901.

5. We have a fifth despatch, of Nov. 27th:—"The disturbances are now grown so general, that in most places, and even round about this city, within four miles of us, not only the open rebels of mere Irish, but the natives, men, women, and children, joyn together and fall on the neighbours that are English or Protestants, and rob and spoil them of all they have, nor can we help it."—Nalson, 902.

6. I shall add a sixth, of December 14:—"They continue their rage and malignity against the English and Protestants, who, if they leave their goods or cattel for more safety with any papists, those are called out by the rebels, and the papists goods or cattel left behind; and now, upon

some new councils taken by them, they have added to their former a farther degree of cruelty, even of the highest nature, which is to proclaim, that if any Irish shall harbour or relieve any English, that he suffered to escape them with his life, that it shall be penal even to death to such Irish; and so they will be sure, though they put not those English actually to the sword, yet they do as certainly and with more cruelty cut them off that way, than if they had done it by the sword; and they profess they will never give over until they leave not any seed of an Englishman in Ireland."—Ibid. 911. They then add an account of a castle in the town of Longford having surrendered on a promise of quarter, when a priest killed the minister, and others killed some of the captives and hanged the rest.—Ibid. 913. "The rebels of the county of Kildare have taken the Naas and Kildare, in the county of Kildare. The rebels of Meath have taken Trim and Ashboy, in the county of Meath, and divers other places. The rebels of the county of Dublin have possessed Swords and Rathcoole, and spoiled all the English and Protestants even to the gates of Dublin."—Nelson, 914.

If we consider the language of these despatches, and at the same time recollect who were the writers, and what an interest they had in exaggerating the excesses of the insurgents, we must, I think, conclude that hitherto no general massacre had been made or attempted.

On the 23rd of December the same lords justices granted a commission to Henry Jones, dean of Kilmore, and seven other clergymen, in these words: "Know ye that we. . . . do hereby give unto you. . . . full power and authority. . . . to call before you, and examine upon oath on the holy Evangelists. . . . as well all such persons as have been robbed and despoiled, as all the witnesses, that can give testimony therein what robberies and spoils have been committed on them since the 22d of October

last, or shall hereafter be committed on them or any of them: what particulars were, or are, where they were or shall be so robbed or spoiled; to what value, by whom what their names are, or where they now or last dwelt that committed these robberies. On what day or night the said robberies or spoils committed, or to be committed, were done; what traitorous or disloyal words, speeches, or actions, were then or at any other time uttered or committed by those robbers or any of them, and how often; and all other circumstances concerning the said particulars, and every of them. And you, our said commissioners, are to reduce to writing all the examinations, &c., and the same to return to our justices and council of this our realm of Ireland."—Temple Irish Reb. p. 137.

Let the reader consider the purpose of this commission, and he will certainly think it strange that, if a general massacre of the Protestants had taken place; if 200,000, as May says or even the smaller number of 40,000 or 50,000, had been murdered, the lords justices should have omitted to extend the inquiry to so bloody a transaction. However, on the 18th of January, 1643, they issued another commission to the same persons, with this additional instruction, to inquire "what lands had been seized, and what murders committed by the rebels; what numbers of British Protestants had perished in the way to Dublin, or any place whither they fled, and how many had turned papists since the 22d of October."—Warner 161, 294. Here murders are indeed mentioned, but in such a manner: to prove that the justices were still ignorant of any general or even extensive massacre.

The commissioners accordingly took depositions from March 24 till October, 1644, and the examinations fill thirty-two large volumes folio, deposited in the College library at Dublin. Warner, after a diligent inspection observes, that "in infinitely the



greatest number of them, the words *being duly sworn*, have the pen drawn through them, with the same ink with which the examinations were written; and in several of those where such words remain, many parts of the examinations are crossed out. This is a circumstance which shows that the bulk of this immense collection is parole evidence, and upon report of common fame."—Ibid. 95.

Out of these examinations, therefore, the commissioners collected those which had been made upon oath, and consigned them to another book, attesting with their signatures that the copies were correct. "From these, then, it appears that the whole number of persons killed by the rebels *out of war*, not at the beginning only, but in the course of the two first years of the rebellion, amounted altogether to 2,109: on the report of other Protestants, 1,619 more; and on the report of some of the rebels themselves, a further number of 300: the whole making 4,028. Besides these murders, there is in the same collection evidence, on the report of others, of 8,000 killed by ill-usage: and if we allow that the cruelties of the Irish out of war extended to these numbers (which, considering the nature of several of the depositions, I think in my conscience we cannot), yet, to be impartial, we must allow that there is no pretence for laying a greater number to their charge."—Warner, 297.

I shall not lengthen this note by narrating the recriminations of the Irish. That they suffered as much as they inflicted, cannot be doubted. But the blame of such barbarities should not rest solely with the perpetrators on either side; it ought to be shared by those who originally sowed the seeds of these calamities by civil oppression and religious persecution.

Here, in this new edition, I may be allowed to notice a fact which has lately come to my knowledge very

lately. It may perhaps be supposed that the Catholic priesthood, after the merciless treatment to which they had been subjected for years, would behold with pleasure, perhaps countenance with their approbation, the outrages committed by the rebels. It appears, however, that the clergy of Galway were actuated by sentiments more worthy of their sacred calling. In 1642 the O'Flaherties besieged the fort of Galway, and one of these chieftains (Morogh na Mart) kept the English inhabitants of the town in a state of consternation during three days, parading the streets with three hundred followers, who committed several robberies, and some murders on English Protestants. Among the proofs of his guilt, recorded by the commissioners already mentioned, are the following testimonies:— "Lieut. John Gell, 7 March, 1653, saith, that it was commonly spoken in Galway, that the O'Flaherties of Ire-Connaught were brought into the town purposely to murder all the English; and he believeth they would have murdered them all accordingly, had not some priests hindered them by going out in their vestments, with tapers and a crucifix carryed before them, commanding the said murderers to surcease. And where some goods had been plundered, they commanded restitution to be made, as the examinant, being then in the fort of Galway, was credibly informed." The testimony of his maid-servant, Mary Bowles, is more full. "That she herself saw the priests of the town and other priests, being about eight in number, going about the town in their vestments, with tapers burning, and the sacrament borne before them, and earnestly exhorting the said Murrough na Mart and his company for Christ's sake, and our Lady's, and St. Patrick's, that they would shed no more blood; and, if they did, they would never have mercy. That the said Murrough, and one Edmund O'Flaherty, were at the committing of the said murders,

and aiding and abetting the same ; and that she doth verily believe that, had it not been for the said priests, the said O'Flaherties and their company had killed all the English Pro-

testants they had found in Galway." From a note by Mr. Hardiman in O'Flaherty's *West Connaught*, p. 406, published by the Irish Archæological Society.

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NOTE 000, p. 261.

The following letter from the queen to Madame de Saint-Georges explains her feelings, and the reasons of her voyage to Holland :—"Ma mie Saint-Georges, ce gentilhomme s'en va si bien informé des raisons, que j'ai eues de sortir d'Angleterre, que lorsque vous les saurez, vous vous étonnerez que je ne l'aie pas fait plutôt : car, à moins que de me résoudre à la prison, je ne pouvois pas demeurer. Encore s'il n'y avoit eu que moi à souffrir, je suis si accoutumée aux afflictions que cela eut passé comme le reste. Mais leur dessein étoit de me séparer du roi mon seigneur, et ils disoient publiquement qu'une Reine n'étoit qu'une sujette, et étoit pour passer par les lois du pays comme les autres : ensuite ils m'ont accusée publiquement en disant que j'avois voulu renverser les lois et la religion du royaume, et que c'étoit moi que avois fait révolter les Irlandais. On a fait venir des témoins pour jurer que cela étoit ; enfin, on prétendoit que tant que je demeurerois auprès du roi, l'état seroit en danger, et beaucoup d'autres choses qui seroient trop longues à écrire ; telles que venir à ma maison, lorsque j'étois à la chappelle, enfoncer mes portes, menacer de tout tuer : et cela, j'avoue, ne m'a fait grande peur : mais il est vrai

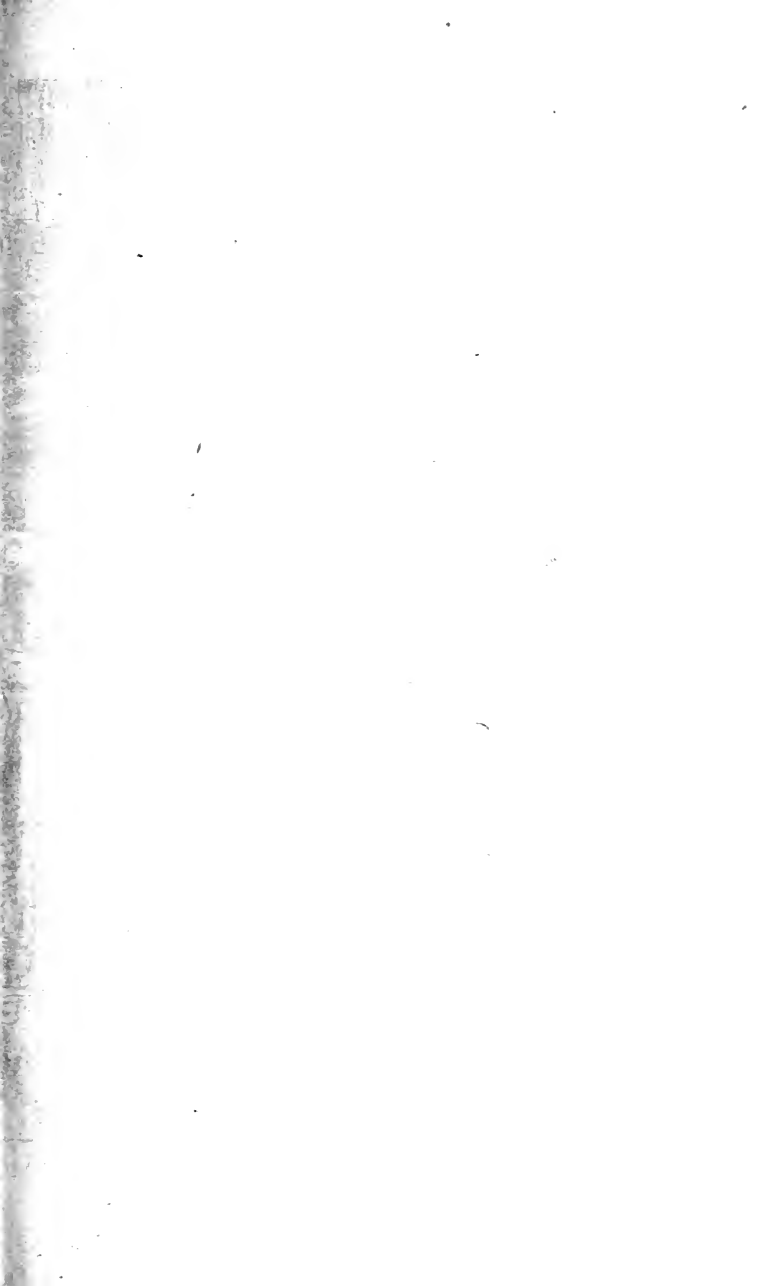
que d'être sous la tyrannie est une chose qui ne se peut exprimer, et durant ce temps assistée de personne, jugez en quel état j'étois.—S'il arrivoit que je vous visse, il y auroit choses qui ne se peuvent écrire, et pires que tout ce qu'on peut penser, que je vous dirois. Priex Dieu pour moi, car il n'y a pas un plus misérable créature au monde que moi. Eloignée du roi mon seigneur, de mes enfans, hors de mon peys et sans espérance de retourner sans danger évident, délaissée de tout le monde : ah ! Dieu m'assiste et les bonnes prières de mes amis, parmi lesquels vous êtes ma mie. Je vous prie de faire mes recommandations à ma mie Vitry, et lui dites que j'ai tant à écrire, que j'espère qu'elle m'excusera pour cette fois. Recommandez moi aux bonnes Carmélites de Paris. Si je pouvois, je me souhaiterois bien avec elles : mais je ne sais si cela me sera permis. Je vous assure que c'est la seule chose à quoi je songe avec plaisir. Faites aussi mes recommandations à ma nièce, et croyez que rien ne m'em pêchera d'être ce que je vous ai tous jours promis, votre-bien bonne amie.

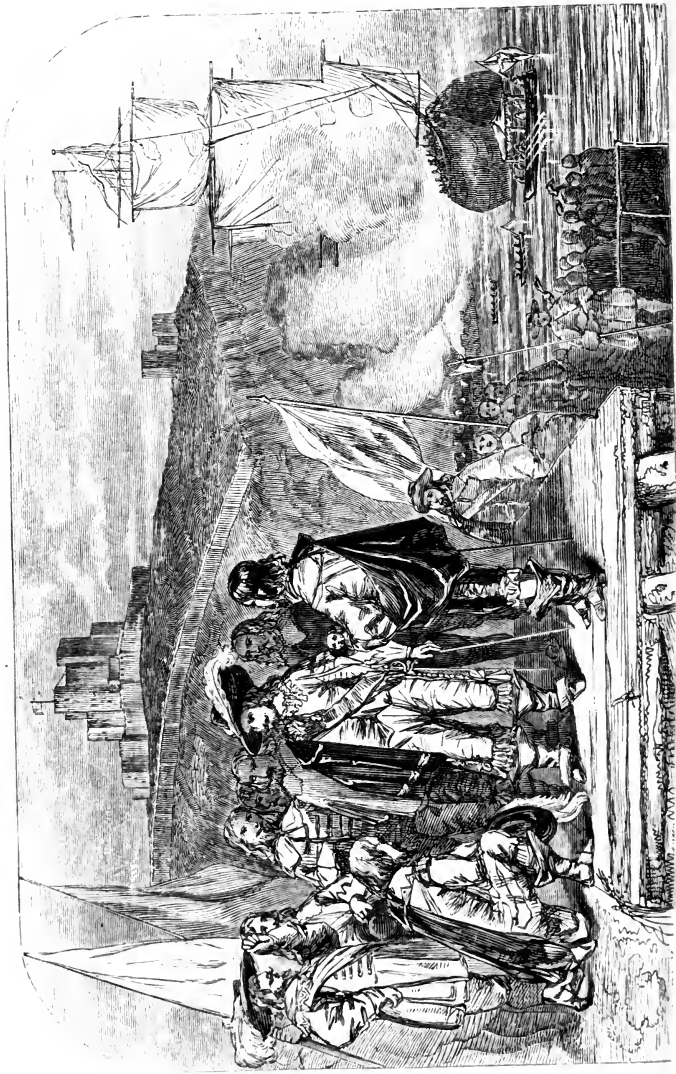
"HENRIETTA-MARIE, Reine.

"La Haye, ce 28 Mai."

Capefigue, from MSS. Béthune  
9332.

END OF VOL. VII.





THE  
HISTORY OF ENGLAND,

FROM THE FIRST

INVASION BY THE ROMANS

TO THE

ACCESSION OF WILLIAM AND MARY

IN 1688.

BY JOHN LINGARD, D.D.

*The Sixth Edition, Revised and considerably Enlarged.*

IN TEN VOLUMES.

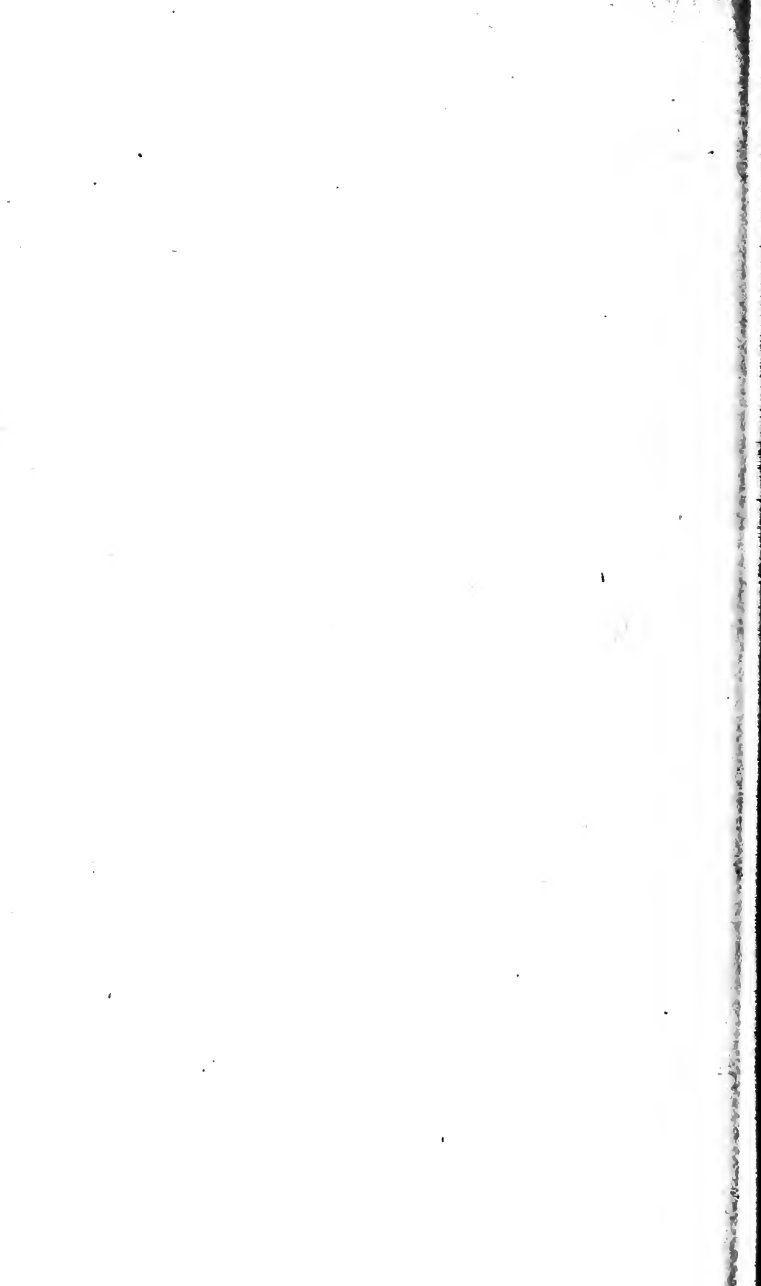
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MDCCLV.



# CONTENTS

OF

## THE EIGHTH VOLUME.

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### CHAPTER I.

#### CHARLES I. (*Continued*).

*Battle of Edge Hill—Treaty at Oxford—Solemn Vow and Covenant—Battle of Newbury—Solemn League and Covenant between the English and Scottish Parliaments—Cessation of War in Ireland—Royalist Parliament at Oxford—Propositions of Peace—Battle of Marston Moor—The Army of Essex Capitulates in the West—Self-denying Ordinance—Synod of Divines—Directory for Public Worship—Trial of Archbishop Laud—Bill of Attainder—His Execution.*

Treaty proposed and refused ..	1	New great seal .. .. .	16
Royalists .. .. .	3	Commissioners sent to Scotland ..	17
Parliamentarians .. .. .	<i>ib.</i>	Solemn league and covenant ..	18
State of the two armies .. .. .	<i>ib.</i>	Scots prepare for war .. .. .	19
The king's protestation .. .. .	4	Covenant taken in England .. .. .	<i>ib.</i>
Battle of Edge Hill .. .. .	5	Charles seeks aid from Ireland ..	20
Action at Brentford .. .. .	6	Federative assembly of the Ca-	
King retires to Oxford .. .. .	<i>ib.</i>	tholics .. .. .	<i>ib.</i>
State of the kingdom .. .. .	7	Their apologies and remonstrance	21
Treaty at Oxford .. .. .	<i>ib.</i>	Cessation concluded .. .. .	22
Intrigues during the treaty .. .. .	8	A French envoy .. .. .	<i>ib.</i>
Return of the queen .. .. .	9	Royal parliament at Oxford .. .. .	23
Fall of Reading .. .. .	<i>ib.</i>	Propositions of peace .. .. .	<i>ib.</i>
Waller's plot .. .. .	10	Methods of raising money .. .. .	25
Solemn vow and covenant .. .. .	<i>ib.</i>	Battle of Nantwich .. .. .	27
Death of Hampden .. .. .	11	Scottish army enters England .. .. .	<i>ib.</i>
Actions of Sir William Waller .. .. .	<i>ib.</i>	Marches and countermarches .. .. .	28
The Lords propose a peace .. .. .	12	Rupert sent to relieve York .. .. .	<i>ib.</i>
Are opposed by the Commons .. .. .	<i>ib.</i>	Battle of Marston Moor .. .. .	29
New preparations for war .. .. .	13	Surrender of Newcastle .. .. .	30
Battle of Newbury .. .. .	16	Essex marches into the west .. .. .	<i>ib.</i>

His army capitulates .. ..	31	Synod of divines .. ..	37
Third battle of Newbury ..	<i>ib.</i>	Presbyterians and Independ-	
Rise of Cromwell .. ..	32	ents .. ..	<i>ib.</i>
His quarrel with Manchester ..	33	Demand of toleration .. ..	38
First self-denying ordinance ..	<i>ib.</i>	New directory .. ..	<i>ib.</i>
Army new modelled .. ..	34	Trial of Archbishop Laud ..	39
Second self-denying ordinance ..	<i>ib.</i>	His defence .. ..	40
Ecclesiastical occurrences .. ..	35	Bill of attainder .. ..	<i>ib.</i>
Persecution of the Catholics ..	<i>ib.</i>	Consent of the Lords .. ..	41
Of the Episcopalians .. ..	36	Execution .. ..	<i>ib.</i>

## CHAPTER II.

*Treaty at Uxbridge—Victories of Montrose in Scotland—Defeat of the King at Naseby—Surrender of Bristol—Charles shut up within Oxford—Mission of Glamorgan to Ireland—He is Disavowed by Charles, but Concludes a Peace with the Irish—The King Intrigues with the Parliament, the Scots, and the Independents—He Escapes to the Scottish Army—Refuses the Concessions required—Is delivered up by the Scots.*

Dissensions at court .. ..	43	Who yet concludes a peace in	
Proposal of treaty .. ..	44	Ireland .. ..	62
Negotiation at Uxbridge .. ..	45	King proposes a personal treaty	63
Demands of Irish Catholics .. ..	46	Montreuil negotiates with the	
Victories of Montrose in Scotland	48	Scots .. ..	64
State of the two parties in Eng-		Ashburnham with the Inde-	
land .. ..	49	pendents .. ..	65
The army after the new model ..	50	Charles escapes to the Scots ..	67
Battle of Naseby .. ..	51	The royalists retire from the con-	
Its consequences .. ..	52	test .. ..	<i>ib.</i>
Victory of Montrose at Kilsyth ..	54	King disputes with Henderson ..	68
Surrender of Bristol .. ..	<i>ib.</i>	Motives of his conduct .. ..	<i>ib.</i>
Defeat of royalists at Chester ..	56	He again demands a personal	
Of Lord Digby at Sherburne ..	<i>ib.</i>	conference .. ..	69
The king retires to Oxford .. ..	57	Negotiation between the parlia-	
His intrigues with the Irish ..	<i>ib.</i>	ment and the Scots .. ..	70
Mission of Glamorgan .. ..	58	Expedients proposed by the king	<i>ib.</i>
Who concludes a secret treaty ..	59	Scots deliver him up to the par-	
It is discovered .. ..	<i>ib.</i>	liament .. ..	71
Party violence among the parlia-		He still expects aid from Ireland	72
mentarians .. ..	60	But is disappointed .. ..	73
Charles attempts to negotiate		Religious disputes .. ..	<i>ib.</i>
with them .. ..	61	Discontent of the Independents	74
He disavows Glamorgan .. ..	62	And of the Presbyterians .. ..	<i>ib.</i>



## CHAPTER III.

*Opposite Projects of the Presbyterians and Independents—The King is brought from Holmby to the Army—Independents driven from Parliament—Restored by the Army—Origin of the Levellers—King Escapes from Hampton Court, and is Secured in the Isle of Wight—Mutiny in the Army—Public Opinion in Favour of the King—Scots Arm in his Defence—The Royalists Renew the War—The Presbyterians Assume the Ascendancy—Defeat of the Scots—Suppression of the Royalists—Treaty of Newport—The King is again brought to the Army—The House of Commons is Purified—The King's Trial—Judgment—And Execution—Reflections.*

The king at Holmby .. ..	76	Presbyterians again superior in parliament .. ..	101
Character of Fairfax .. ..	77	Defeat of the Scots .. ..	103
Opposition of the Independents ..	<i>ib.</i>	And of the earl of Holland .. ..	<i>ib.</i>
Demands of the army .. ..	79	Surrender of Colchester .. ..	<i>ib.</i>
Refusal of parliament .. ..	80	Prince of Wales in the Downs ..	104
The army carries off the king ..	81	Treaty of Newport .. ..	105
Marches towards London .. ..	84	Plan of new constitution .. ..	<i>ib.</i>
And treats the king with indulgence .. ..	85	Hints of bringing the king to trial	106
The Independents are driven from parliament .. ..	86	Petition for that purpose .. ..	<i>ib.</i>
Charles refuses the offers of the army .. ..	88	King's answer to the parliament	107
Which marches to London .. ..	89	His parting address to the commissioners .. ..	108
Enters the city .. ..	<i>ib.</i>	He is carried away by the army ..	<i>ib.</i>
And gives the law to the parliament .. ..	<i>ib.</i>	Commons vote the agreement with the king .. ..	109
The king listens to the counsels of the officers .. ..	90	The House of Commons is purified ..	<i>ib.</i>
And intrigues against them .. ..	91	Cromwell returns from Scotland	110
Rise of the Levellers .. ..	<i>ib.</i>	Independents prevail .. ..	<i>ib.</i>
The king's escape .. ..	92	Resolution to proceed against the king .. ..	111
He is secured in the Isle of Wight	93	Appointment of the High Court of Justice .. ..	<i>ib.</i>
Mutiny suppressed .. ..	94	Hypocrisy of Cromwell .. ..	112
King rejects four bills .. ..	95	Conduct of Fairfax .. ..	<i>ib.</i>
Vote of non-addresses .. ..	96	King removed from Hurst Castle	113
King subjected to farther restraint .. ..	<i>ib.</i>	Few powers interest themselves in his favour .. ..	<i>ib.</i>
Public opinion in his favour .. ..	97	Proceedings at the trial .. ..	114
Levellers prevail in the army .. ..	98	Behaviour of the king .. ..	<i>ib.</i>
The Scots take up arms for the king .. ..	99	He proposes a private conference	115
Also the English royalists .. ..	<i>ib.</i>	Is condemned .. ..	<i>ib.</i>
Feigned reconciliation of the army and the city .. ..	100	Lady Fairfax .. ..	116
Insurrection in Kent .. ..	101	King prepares for death .. ..	<i>ib.</i>
		Letter from the prince .. ..	117
		The king is beheaded .. ..	118

## CHAPTER IV.

## THE COMMONWEALTH.

*Establishment of the Commonwealth—Punishment of the Royalists—Mutiny and Suppression of the Levellers—Charles II. Proclaimed in Scotland—Ascendancy of his Adherents in Ireland—Their Defeat at Rathmines—Success of Cromwell in Ireland—Defeat of Montrose, and Landing of Charles in Scotland—Cromwell is sent against him—He Gains a Victory at Dunbar—The King Marches into England—Loses the Battle of Worcester—His subsequent Adventures and Escape.*

Abolition of the monarchy ..	121	Progress and defeat of Montrose	139
Appointment of a council of state ..	<i>ib.</i>	His condemnation .. ..	140
Other changes .. ..	122	His death .. ..	141
Attempt to fill up the house ..	124	Charles lands in Scotland ..	142
Execution of the royalists ..	125	Cromwell is appointed to command in Scotland ..	143
Opposition of the Levellers ..	<i>ib.</i>	He marches to Edinburgh ..	144
Their demands .. ..	126	Proceedings of the Scottish kirk	145
Resisted by the government ..	127	Expiatory declaration required from Charles .. ..	<i>ib.</i>
The mutineers suppressed ..	<i>ib.</i>	He refuses and then assents ..	<i>ib.</i>
Proceedings in Scotland ..	128	Battle of Dunbar .. ..	147
Charles II. proclaimed in Edinburgh .. ..	<i>ib.</i>	Progress of Cromwell .. ..	<i>ib.</i>
Answer of the Scots .. ..	<i>ib.</i>	The king escapes and is afterwards taken .. ..	148
Their deputies to the king ..	129	The godliness of Cromwell ..	<i>ib.</i>
Murder of Dr. Dorislaus ..	<i>ib.</i>	Dissensions among the Scots ..	149
State of Ireland .. ..	130	Coronation of Charles .. ..	150
Conduct of the nuncio .. ..	<i>ib.</i>	Cromwell lands in Fife ..	151
His flight from Ireland ..	132	Charles marches into England ..	152
Articles of peace .. ..	<i>ib.</i>	Defeat of the earl of Derby ..	153
Cromwell appointed to the command .. ..	133	Battle of Worcester .. ..	154
Treaty with O'Neil .. ..	<i>ib.</i>	Defeat of the royalists .. ..	155
Cromwell departs for Ireland ..	135	The king escapes .. ..	<i>ib.</i>
Jones gains the victory at Rathmines .. ..	<i>ib.</i>	Loss of the royalists .. ..	156
Cromwell lands .. ..	<i>ib.</i>	Adventures of the king at White-ladies .. ..	<i>ib.</i>
Massacre at Drogheda .. ..	136	At Madeley .. ..	157
Massacre at Wexford .. ..	<i>ib.</i>	In the royal oak .. ..	158
Cromwell's further progress ..	137	At Moseley .. ..	159
Proceedings in Scotland ..	138	At Mrs. Norton's .. ..	160
Charles hesitates to accept the conditions offered by the commissioners .. ..	<i>ib.</i>	His repeated disappointments ..	<i>ib.</i>
		Charles escapes to France ..	161

## CHAPTER V.

*Vigilance of the Government—Subjugation of Ireland—Of Scotland—Negotiation with Portugal—With Spain—With the United Provinces—Naval War—Ambition of Cromwell—Expulsion of Parliament—Character of its leading Members—Some of its enactments.*

The Commonwealth, a military government .. .. .	163	Subjugation of Scotland ..	179
Opposition of Lilburne .. ..	164	Attempt to incorporate it with England .. .. .	180
His trial and acquittal .. ..	<i>ib.</i>	Transactions with Portugal ..	181
And banishment.. .. .	165	With Spain .. .. .	182
Plans of the royalists .. ..	<i>ib.</i>	With United Provinces.. ..	<i>ib.</i>
Discovered and prevented .. ..	<i>ib.</i>	Negotiation at the Hague ..	183
Execution of Love .. .. .	166	Transferred to London .. ..	184
Transactions in Ireland.. ..	167	Rencontre between Blake and Van Tromp .. .. .	185
Discontent caused by the king's declaration in Scotland ..	168	The States deprecate a rupture ..	<i>ib.</i>
Departure of Ormond .. .. .	169	Commencement of hostilities ..	186
Refusal to treat with the parliament .. .. .	170	Success of De Ruyter .. .. .	<i>ib.</i>
Offer from the duke of Lorraine .. .. .	171	Of Van Tromp over Blake ..	187
Treaty with that prince .. ..	<i>ib.</i>	Another battle between them ..	<i>ib.</i>
It is rejected .. .. .	172	Blake's victory .. .. .	<i>ib.</i>
Siege of Limerick .. .. .	<i>ib.</i>	Cromwell's ambition .. .. .	188
Submission of the Irish.. ..	174	Discontent of the military .. ..	<i>ib.</i>
State of Ireland .. .. .	<i>ib.</i>	Cromwell's intrigues .. .. .	189
Trials before the High Court of Justice.. .. .	175	His conference with Whitelock ..	190
Transportation of the natives .. ..	<i>ib.</i>	With the other leaders .. ..	191
First act of settlement .. .. .	176	He expels the parliament .. ..	192
Second act of settlement .. .. .	177	And the council of state .. ..	<i>ib.</i>
Transplantation .. .. .	<i>ib.</i>	Addresses of congratulation ..	193
Oppressive laws.. .. .	<i>ib.</i>	Other proceedings of the late parliament .. .. .	<i>ib.</i>
Breach of articles .. .. .	178	Spiritual offences .. .. .	<i>ib.</i>
Religious persecution .. .. .	<i>ib.</i>	Reformation of law .. .. .	194
		Forfeitures and sequestrations..	<i>ib.</i>
		Religious intolerance .. .. .	195

## CHAPTER VI.

## THE PROTECTORATE.

*Cromwell calls the little Parliament—Dissolves it—Makes himself Protector—Subjugation of the Scottish Royalists—Peace with the Dutch—New Parliament—Its Dissolution—Insurrection in England—Breach with Spain—Troubles in Piedmont—Treaty with France.*

Establishment of a new government .. .. .	196	Meeting of parliament .. .. .	197
Election of members .. .. .	<i>ib.</i>	Its character .. .. .	198
		Prosecution of Lilburne.. .. .	199

His acquittal .. .. .	200	The new parliament meets ..	219
Parties in parliament ..	<i>ib.</i>	Is not favourable to his views ..	<i>ib.</i>
Registration of births, &c. ..	201	Debates respecting the instrument ..	220
Taxes .. .. .	<i>ib.</i>	The protector's speech ..	221
Reform of law .. .. .	202	Subscription required from the members ..	<i>ib.</i>
Zeal for religion .. .. .	<i>ib.</i>	Cromwell falls from his carriage	222
Anabaptist preachers .. ..	203	The parliament opposes his projects ..	<i>ib.</i>
Dissolution of parliament ..	204	Reviews the instrument ..	223
Cromwell assumes the office of protector .. .. .	205	Is addressed by Cromwell ..	<i>ib.</i>
Instrument of government ..	<i>ib.</i>	And dissolved .. .. .	224
He publishes ordinances ..	206	Conspiracy of the republicans ..	<i>ib.</i>
Arrests his opponents .. ..	207	Conspiracy of the royalists ..	<i>ib.</i>
Executes several royalists ..	<i>ib.</i>	Executions .. .. .	226
Executes Don Pantaleon Sa ..	208	Decimation .. .. .	<i>ib.</i>
Executes a Catholic clergyman	209	Military government .. .. .	<i>ib.</i>
Conciliates the army in Ireland	<i>ib.</i>	Cromwell breaks with Spain ..	228
Subdues the Scottish royalists	210	Secret expedition to the Mediterranean ..	<i>ib.</i>
Incorporates Scotland .. ..	211	Another to the West Indies ..	229
Is courted by foreign powers ..	<i>ib.</i>	Its failure .. .. .	<i>ib.</i>
War with the United Provinces	212	Troubles in Piedmont .. .. .	230
Victory of the English .. ..	<i>ib.</i>	Insurrection of the Vaudois ..	231
The Dutch offer to negotiate ..	213	Cromwell seeks to protect them	232
Second victory .. .. .	<i>ib.</i>	Sends an envoy to Turin ..	<i>ib.</i>
Progress of the negotiation ..	214	Refuses to conclude the treaty with France ..	<i>ib.</i>
Articles of peace .. .. .	<i>ib.</i>	The Vaudois submit, and Cromwell signs the treaty ..	233
Secret treaty with Holland ..	215		
Negotiation with Spain .. ..	216		
Negotiation with France .. ..	<i>ib.</i>		
Negotiation respecting Dunkirk	217		
Cromwell comes to no decision	218		

## CHAPTER VII.

*Poverty and Character of Charles Stuart—War with Spain—Parliament—Exclusion of Members—Punishment of Naylor—Proposal to make Cromwell King—His hesitation and refusal—New Constitution—Sindercomb—Sexby—Alliance with France—Parliament of two Houses—Opposition in the Commons—Dissolution—Reduction of Dunkirk—Sickness of the Protector—His Death and Character.*

Poverty of Charles in his exile	234	Speech of the protector .. ..	24
His court .. .. .	<i>ib.</i>	Debate on exclusion .. .. .	24
His amours .. .. .	235	Society of friends .. .. .	<i>ib.</i>
His religion .. .. .	236	Offence and punishment of Naylor ..	24
He offers himself an ally to Spain	237	Cromwell aspires to the title of king ..	24
Account of Colonel Sexby ..	<i>ib.</i>	He complains of the judgment against Naylor ..	24
Quarrel between the king and his brother .. .. .	238	Abandons the cause of the major-generals .. .. .	<i>ib.</i>
Capture of a Spanish fleet ..	239		
Exclusion of members from parliament .. .. .	240		

First mention of the intended change .. .. .	246	The Commons inquire into the rights of the other house ..	257
It is openly brought forward ..	<i>ib.</i>	Cromwell dissolves the parliament .. .. .	259
Opposition of the officers ..	247	Receives addresses in consequence .. .. .	<i>ib.</i>
Cromwell's answer to them ..	<i>ib.</i>	Arrival of Ormond .. .. .	260
Rising of the Anabaptists ..	248	Treachery of Willis .. .. .	<i>ib.</i>
Cromwell hesitates to accept the title .. .. .	<i>ib.</i>	Royal fleet destroyed .. .. .	261
Confers on it with the committee .. .. .	249	Trials of royalists .. .. .	<i>ib.</i>
Seeks more time .. .. .	250	Execution of Slingsby and Hewet	262
Resolves to accept the title ..	<i>ib.</i>	Battle of the Dunes .. .. .	263
Is deterred by the officers ..	<i>ib.</i>	Capitulation of Dunkirk .. .. .	264
Refuses .. .. .	<i>ib.</i>	Cromwell's greatness .. .. .	<i>ib.</i>
His second inauguration .. .. .	<i>ib.</i>	His poverty .. .. .	265
The new form of government ..	251	His fear of assassination .. .. .	266
Plot to assassinate him .. .. .	252	His grief for his daughter's death	267
It is discovered .. .. .	253	His sickness .. .. .	<i>ib.</i>
Arrest and death of Sexby .. .. .	254	His conviction of his recovery ..	268
Blake's victory at Santa Cruz ..	255	His danger .. .. .	<i>ib.</i>
His death .. .. .	<i>ib.</i>	His discourse .. .. .	<i>ib.</i>
Alliance with France .. .. .	256	His death .. .. .	<i>ib.</i>
New parliament of two houses	257	His character .. .. .	269

## CHAPTER VIII.

<i>Richard Cromwell Protector—Parliament called—Dissolved—Military Government—Long Parliament restored—Expelled again—Reinstated—Monk in London—Re-admission of secluded Members—Long Parliament dissolved—The Convention Parliament—Restoration of Charles II.</i>			
The two sons of Cromwell .. .. .	271	Dissension between parliament and the officers .. .. .	283
Richard succeeds his father .. .. .	272	The officers obliged to accept new commissions .. .. .	284
Discontent of the army .. .. .	273	Projects of the royalists .. .. .	<i>ib.</i>
Funeral of Oliver .. .. .	274	Rising in Cheshire .. .. .	285
Foreign transactions .. .. .	275	It is suppressed .. .. .	286
New parliament .. .. .	<i>ib.</i>	Renewal of the late dissension	287
Parties in parliament .. .. .	276	Expulsion of the parliament ..	288
Recognition of Richard .. .. .	277	Government by the council of officers .. .. .	<i>ib.</i>
and of the other house .. .. .	<i>ib.</i>	Monk's opposition .. .. .	289
Charges against the late government .. .. .	278	His secrecy .. .. .	<i>ib.</i>
The officers petition .. .. .	279	Lambert sent against him .. .. .	291
The parliament dissolved .. .. .	280	Parliament restored .. .. .	292
The officers recall the long parliament .. .. .	281	Its first acts .. .. .	293
Rejection of the members formerly excluded .. .. .	<i>ib.</i>	Monk marches to York ; Monk marches to London .. .. .	<i>ib.</i>
Quiescence of the different armies .. .. .	282	Mutiny in the capital .. .. .	294

Monk addresses the house ..	294	His message to the king ..	30
He is ordered to chastise the citizens .. ..	295	The elections .. ..	i
He joins them .. ..	296	Rising under Lambert ..	30
Admits the secluded members ..	297	Influence of the Cavaliers in the new parliament .. ..	30
Perplexity of the royalists ..	ib.	The king's letters delivered ..	i
Proceedings of the house ..	293	Declaration from Breda ..	i
Proceedings of the general ..	ib.	The two houses recall the king .. ..	30
Dissolution of the long parlia- ment .. ..	299	Charles lands at Dover ..	i
Monk's interview with Grenville	ib.	Charles enters London ..	30

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APPENDIX .. .. 305

# HISTORY

OF

# ENGLAND.

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## CHAPTER I.

### CHARLES I. (*Continued*).

BATTLE OF EDGE HILL—TREATY AT OXFORD—SOLEMN VOW AND COVENANT—  
BATTLE OF NEWBURY—SOLEMN LEAGUE AND COVENANT BETWEEN THE ENGLISH  
AND SCOTTISH PARLIAMENTS—CESSATION OF WAR IN IRELAND—ROYALIST PAR-  
LIAMENT AT OXFORD—PROPOSITIONS OF PEACE—BATTLE OF MARSTON MOOR—  
THE ARMY OF ESSEX CAPITULATES IN THE WEST—SELF-DENYING ORDINANCE—  
SYNOD OF DIVINES—DIRECTORY FOR PUBLIC WORSHIP—TRIAL OF ARCHBISHOP  
LAUD—BILL OF ATTAINDER—HIS EXECUTION.

It had been suggested to the king that, at the head of an army, he might negotiate with greater dignity and effect. From Nottingham he despatched to London the earl of Southampton, Sir John Colepepper, and Sir William Uvedale, the bearers of a proposal, that commissioners should be appointed on both sides, with full powers to treat of an accommodation. The two houses, assuming a tone of conscious superiority, replied that they could receive no message from a prince who had raised his standard against his parliament, and had pronounced their general a traitor. Charles (and his condescension may be taken as a proof of his wish to avoid hostilities) offered to withdraw his proclamation, provided they on their part would rescind their votes against his adherents. They refused: it was their right and their duty to denounce, and bring to justice, the enemies of the nation. He conjured them to think of the blood that would be shed, and to remember that it

would lie at their door: they retorted the charge: he was the aggressor, and his would be the guilt. With this answer vanished every prospect of peace; both parties appealed to the sword; and within a few weeks the flames of civil war were lighted up in every part of the kingdom.<sup>1</sup>

Three-fourths of the nobility and superior gentry, led by feelings of honour and gratitude, or by their attachment to the church, or by a well-grounded suspicion of the designs of the leading patriots, had ranged themselves under the royal banner. Charles felt assured of victory, when he contemplated the birth, and wealth, and influence of those by whom he was surrounded; but he might have discovered much to dissipate the illusion, had he considered their habits, or been acquainted with their real, but unavowed sentiments. They were for the most part men of pleasure,

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<sup>1</sup> Journals, v. 327, 328, 338, 341, 358. Clarendon, ii. 8, 16.

fitter to grace a court than to endure the rigour of military discipline, devoid of mental energy, and likely, by their indolence and debauchery, to offer advantages to a prompt and vigilant enemy. Ambition would induce them to aspire to office, and commands and honours; to form cabals against their competitors, and to distract the attention of the monarch by their importunity or their complaints. They contained among them many who secretly disapproved of the war, conceiving that it was undertaken for the sake of episcopacy,—an institution in the fate of which they felt no interest, and others who had already in affection enrolled themselves among the followers of the parliament, though shame deterred them for a time from abandoning the royal colours.<sup>1</sup>

There was another class of men on whose services the king might rely with confidence,—the Catholics,—who, alarmed by the fierce intolerance and the severe menaces of the parliament, saw that their own safety depended on the ascendancy of the sovereign. But Charles hesitated to avail himself of this resource. His adversaries had allured the zealots to their party, by representing the king

as the dupe of a popish faction, which laboured to subvert the Protestant and to establish on its ruins the popish worship. It was in vain that he called on them to name the members of this invisible faction, that he publicly asserted his attachment to the reformed faith, and that, to prove his orthodoxy, he ordered two priests to be put to death at Tyburn, before his departure from the capital, and two others at York, soon after his arrival in that city.<sup>2</sup> The houses still persisted in the charge; and in all the votes and remonstrances attribute the measures adopted by the king to the advice and influence of the papists and their adherents.<sup>3</sup> Aware of the impression which such reports made on the minds of the people, he at first refused to intrust with a commission or even to admit into the ranks, any person who had not taken the oath of allegiance and supremacy; but necessity soon taught him to accept of the services of all his subjects without distinction of religion, and he not only granted permission to the Catholics to carry arms in their own defence, but incorporated them among his own forces.<sup>4</sup>

While the higher classes repaired

<sup>1</sup> Thus Sir Edmund Verney, the standard-bearer, told Hyde that he followed the king because honour obliged him; but the object of the war was against his conscience, for he had no reverence for the bishops, whose quarrel it was.—Clarendon's Life, 69. Lord Spencer writes to his lady, "If there could be an expedient found to save the punctilio of honour, I would not continue here an hour."—Sydney Papers, ii. 667.

<sup>2</sup> Thomas Reynolds and Bartholomew Roe, on Jan. 21; John Lockwood and Edmund Caterick, on April 13.—Challoner, ii. 117, 200.

<sup>3</sup> In proof of the existence of such a faction, an appeal has been made to a letter from Lord Spencer to his wife.—Sydney Papers, ii. 667. Whether the cipher 243 is correctly rendered "papists," I know not. It is not unlikely that Lord Spencer may have been in the habit of applying the term to the party supposed to possess the royal confidence, of which party he was the pro-

fessed adversary. But when it became last necessary to point out the heads of the popish faction, it appeared that, with one exception, they were Protestants—the earl of Bristol, Cumberland, Newcastle, Carnarvon, and Rivers, secretary Nicholas Endymion Porter, Edward Hyde, the duke of Richmond, and the viscounts Newcastle and Falkland.—Rushworth, v. 16. Ms. 163. Colonel Endymion Porter was Catholic.—Also Baillie, i. 416, 430; ii. 75.

<sup>4</sup> Rushworth, iv. 772; v. 49, 50, 80. Clarendon, ii. 41. On September 23, 1641 Charles wrote from Shrewsbury, to the earl of Newcastle: "This rebellion is grown that height, that I must not looke to what opinion men are, who at this tyme are willing and able to serve me. Therefore I doe not only permit, but command you, to make use of all my loving subjects' service without examining ther contentes (more than there loyalty to me) as you shall find most to conduce to the upholding of my just regall power."—Ellis, iii. 291.



with their dependents to the support of the king, the call of the parliament was cheerfully obeyed by the yeomanry in the country, and by the merchants and tradesmen in the towns. All these had felt the oppression of monopolies and ship-money; to the patriots they were indebted for their freedom from such grievances; and as to them they looked up with gratitude for past benefits, so they trusted to their wisdom for the present defence of their liberties. Nor was this the only motive; to political must be added religious enthusiasm. The opponents of episcopacy, under the self-given denomination of the godly, sought to distinguish themselves by the real or affected severity of their morals; they looked down with contempt on all others, as men of dissolute or irreligious habits; and many among them, in the belief that the reformed religion was in danger, deemed it an conscientious duty to risk their lives and fortunes in the quarrel.<sup>1</sup> Thus were brought into collision some of the most powerful motives which can agitate the human breast,—loyalty, and liberty, and religion; the conflict elevated the minds of the combatants above their ordinary level, and in many instances produced a spirit of heroism, and self-devotedness, and endurance, which demands our admiration and sympathy. Both parties soon distinguished their adversaries by particular appellations. The royalists were denominated Cavaliers; a word which, though applied to them first in allusion to their quality, soon lost its original acceptation, and was taken to be synonymous with aristocrat, atheist, and voluptuary; and they on their part gave to their

enemies the name of Roundheads, because they cropped their hair short, dividing "it into so many little peaks as was something ridiculous to behold."<sup>2</sup>

Each army in its composition resembled the other. Commissions were given, not to persons the most fit to command, but to those who were most willing and able to raise men; and the men themselves, who were generally ill paid, and who considered their services as voluntary, often defeated the best-concerted plans, by their refusal to march from their homes, or their repugnance to obey some particular officer, or their disapproval of the projected expedition. To enforce discipline was dangerous; and both the king and the parliament found themselves compelled to entreat or connive, where they ought to have employed authority and punishment. The command of the royal army was intrusted to the earl of Lindsey, of the parliamentary forces to the earl of Essex, each of whom owed the distinction to the experience which he was supposed to have acquired in foreign service. But such experience afforded little benefit. The passions of the combatants despised the cool calculations of military prudence; a new system of warfare was necessarily generated; and men of talents and ambition quickly acquired that knowledge which was best adapted to the quality of the troops and to the nature of the contest.

Charles, having left Nottingham, proceeded to Shrewsbury, collecting reinforcements, and receiving voluntary contributions on his march. Half-way between Stafford and Wellington he halted the army, and placing himself in the centre, solemnly

<sup>1</sup> Whitelock, 76.

<sup>2</sup> Life of Colonel Hutchinson, p. 100. The godly of those days, when the colonel embraced their party, would not allow him to be religious, because his hair was not in

their cut, nor his words in their phrase."—Ibid. The names were first given a little before the king left Whitehall,—Clarendon, i. 339.

declared in the presence of Almighty God that he had no other design, that he felt no other wish, than to maintain the Protestant faith, to govern according to law, and to observe all the statutes enacted in parliament. Should he fail in any one of these particulars, he renounced all claim to assistance from man, or protection from God; but as long as he remained faithful to his promise, he hoped for cheerful aid from his subjects, and was confident of obtaining the blessing of Heaven. This solemn and affecting protestation being circulated through the kingdom, gave a new stimulus to the exertions of his friends; but it was soon opposed by a most extraordinary declaration on the part of the parliament; that it was the real intention of the king to satisfy the demands of the papists by altering the national religion, and the rapacity of the Cavaliers by giving up to them the plunder of the metropolis; and that, to prevent the accomplishment of so wicked a design, the two houses had resolved to enter into a solemn covenant with God, to defend his truth at the hazard of their lives, to associate with the well-affected in London and the rest of the kingdom, and to request the aid of their Scottish brethren, whose liberties and religion were equally at stake.<sup>1</sup>

In the mean time Waller had reduced Portsmouth, while Essex concentrated his force, amounting to fifteen thousand men, in the vicinity of Northampton. He received orders from the houses to rescue, by force if it were necessary, the persons of the king, the prince, and the duke of York, from the hands of those desperate men by whom they were surrounded; to offer a free pardon to all who, within ten days, should return

to their duty, and to forward to the king a petition that he would separate himself from his evil counsellors, and rely once more on the loyalty of his parliament. From Northampton Essex hastened to Worcester to oppose the advance of the royal army.

At Nottingham the king could muster no more than six thousand men; he left Shrewsbury at the head of thrice that number. By a succession of skilful manœuvres he contrived to elude the vigilance of the enemy; and had advanced two days' march on the road to the metropolis before Essex became aware of his object. In London the news was received with terror. Little reliance could be placed on the courage, less on the fidelity of the trained bands, and peremptory orders were despatched to Essex, to hasten with his whole force to the protection of the capital and the parliament. That general had seen his error; he was following the king with expedition, and his vanguard entered the village of Keynton on the same evening or which the royalists halted on Edgehill, only a few miles in advance. At midnight Charles held a council of war, in which it was resolved to turn upon the pursuers, and to offer their battle. Early in the morning the royal army was seen in position on the summit of a range of hills, which gave them a decided superiority in case of attack; but Essex, whose artillery, with one-fourth of his men was several miles in the rear, satisfied with having arrested the march of the enemy, quietly posted the different corps, as they arrived, on a rising ground in the Vale of the Red Horse, about half a mile in front of the village. About noon the Cavalier grew weary of inaction; their impotency at last prevailed; and about two the king discharged a cannon with his own hand as the signal of battle. The royalists descended in

<sup>1</sup> Clarendon, ii. 16. Rushworth, v. 20, 21. Journals, v. 376, 418.

good order to the foot of the hill, where their hopes were raised by the treachery of Sir Faithful Fortescue, a parliamentary officer, who, firing his pistol into the ground, ranged himself with two troops of horse under the royal banner. Soon afterwards Prince Rupert, who commanded the cavalry on the right, charged twenty-two troops of parliamentary horse led by Sir James Ramsay; broke them at the very onset; urged the pursuit two miles beyond Keynton, and finding the baggage of the enemy in the village, indulged his men for the space of an hour in the work of plunder. Had it not been for this fatal imprudence, the royalists would probably have gained a decisive victory.

During his absence the main bodies of infantry were engaged under their respective leaders, the earls of Lindsey and Essex, both of whom, dismounting, led their men into action on foot. The cool and determined courage of the Roundheads deceived and disconcerted the Cavaliers. The royal horse on the left, a weak body under Lord Wilmot, had sought protection behind a regiment of pikemen; and Sir William Balfour, the parliamentary commander, leaving a few squadrons to keep them at bay, wheeled round on the flank of the royal infantry, broke through two divisions, and made himself master of a battery of cannon. In another part of the field, the king's guards, with his standard, bore down every corps that opposed them, till Essex ordered two

regiments of infantry and a squadron of horse to charge them in front and flank, whilst Balfour, abandoning the guns which he had taken, burst on them from the rear. They now broke; Sir Edmund Verney was slain, and the standard which he bore was taken; the earl of Lindsey received a mortal wound; and his son, the lord Willoughby, was made prisoner in the attempt to rescue his father. Charles, who, attended by his troop of pensioners, watched the fortune of the field, beheld with dismay the slaughter of his guards; and ordering the reserve to advance, placed himself at their head; but at that moment Rupert and the cavalry reappeared; and, though they had withdrawn from Keynton to avoid the approach of Hampden with the rear of the parliamentary army, their presence restored the hopes of the royalists and damped the ardour of their opponents. A breathing-time succeeded; the firing ceased on both sides, and the adverse armies stood gazing at each other till the darkness induced them to withdraw,—the royalists to their first position on the hills, and the parliamentarians to the village of Keynton. From the conflicting statements of the parties, it is impossible to estimate their respective losses. Most writers make the number of the slain to amount to five thousand; but the clergyman of the place, who superintended the burial of the dead, reduces it to about one thousand two hundred men.<sup>2</sup>

Both armies claimed the honour,

<sup>1</sup> The standard was nevertheless recovered by the daring or the address of a Captain Smith, whom the king made a banneret in the field.

<sup>2</sup> This is the most consistent account of the battle which I can form out of the numerous narratives in Clarendon, May, Ludlow, Heath, &c. Lord Wharton, to silence the alarm in London, on his arrival from the army, assured the two houses that the loss did not exceed three hundred men.—*Journ.* v. 423. The prince of Wales,

about twelve years old, who was on horseback in a field under the care of Sir John Hinton, had a narrow escape. "One of the troopers observing you," says Hinton, "came in full career towards your highness. I received his charge, and, having spent a pistol or two on each other, I dismounted him in the closing, but being armed cap-a-pié I could do no execution on him with my sword: at which instant one Mr. Matthews, a gentleman pensioner, rides in, and with a poll-axe decides the business."—*MS.* in my possession.

neither reaped the benefit, of victory. Essex, leaving the king to pursue his march, withdrew to Warwick, and thence to Coventry; Charles, having compelled the garrison of Banbury to surrender, turned aside to the city of Oxford. Each commander wished for leisure to reorganize his army after the late battle. The two houses, though they assumed the laurels of victory, felt alarm at the proximity of the royalists, and at occasional visits from parties of cavalry. They ordered Essex to come to their protection; they wrote for assistance from Scotland; they formed a new army under the earl of Warwick; they voted an address to the king; they even submitted to his refusal of receiving as one of their deputies Sir John Evelyn, whom he had previously pronounced a traitor.<sup>1</sup> In the meanwhile the royal army, leaving Oxford, loitered—for what reason is unknown—in the vicinity of Reading, and permitted Essex to march without molestation by the more eastern road to the capital. Kingston, Acton, and Windsor, were already garrisoned for the parliament; and the only open passage to London lay through the town of Brentford. Charles had reached Colnbrook in this direction, when he was met by the commissioners, who prevailed on him to suspend his march. The conference lasted two days, on the second of which Essex threw a brigade, consisting of three of his best regiments, into that town. Charles felt indignant at this proceeding. It was in his opinion a breach of faith; and two days later, after an obstinate resistance on the part of the enemy, he gained posses-

sion of Brentford, having driven part of the garrison into the river, and taken fifteen pieces of cannon and five hundred men. The latter he ordered to be discharged, leaving it to their option either to enter among his followers or to promise on oath never more to bear arms against him.<sup>2</sup>

This action put an end to the projected treaty. The parliament reproached the king that, while he professed the strongest repugnance to shed the blood of Englishmen, he had surprised and murdered their adherents at Brentford, unsuspecting as they were, and relying on the security of a pretended negotiation. Charles indignantly retorted the charge on his accusers. They were the real deceivers, who sought to keep him inactive in his position, till they had surrounded him with the multitude of their adherents. In effect his situation daily became more critical. His opponents had summoned forces from every quarter to London, and Essex found himself at the head of twenty-four thousand men. The two armies faced each other a whole day on Turnham Green; but neither ventured to charge, and the king, understanding that the corps which defended the bridge at Kingston had been withdrawn, retreated first to Reading, and then to Oxford. Probably he found himself too weak to cope with the superior number of his adversaries; publicly he alleged his unwillingness to oppose by a battle any further obstacle to a renewal of the treaty.<sup>3</sup>

The whole kingdom at this period exhibited a most melancholy spec-

<sup>1</sup> Journals, 331—366. On Nov. 7 the house voted the king's refusal to receive Evelyn a refusal to treat; but on the 9th ingeniously evaded the difficulty, by leaving it to the discretion of Evelyn, whether he would act or not. Of course he declined.—Ibid. 437, 439.

<sup>2</sup> Each party published contradictory ac-

counts. I have adhered to the documents entered in the Journals, which in my opinion show that, if there was any breach of faith in these transactions, it was on the part of the parliament, and not of the king.

<sup>3</sup> May, 179. Whitelock, 65, 66. Clarendon, ii. 76.

acle. No man was suffered to remain neuter. Each county, town, and hamlet was divided into factions, seeking the ruin of each other. All stood upon their guard, while the most active of either party eagerly sought the opportunity of despoiling the lands, and surprising the persons of their adversaries. The two great armies, in defiance of the prohibitions of their leaders, plundered wherever they came, and their example was faithfully copied by the smaller bodies of armed men in other districts. The intercourse between distant parts of the country was interrupted; the operations of commerce were suspended; and every person possessed of property was compelled to contribute after a certain rate to the support of that cause which obtained the superiority in his neighbourhood. In Oxford and its vicinity, in the four northern counties, in Wales, Shropshire, and Worcestershire, the royalists triumphed without opposition; in the metropolis, and the adjoining counties, on the southern and eastern coast, the superiority of the parliament was equally decisive. But in many parts the adherents of both were intermixed in such different proportions, and their power and exertions were so variously affected by the occurrences of each succeeding day, that it became difficult to decide which of the two parties held the preponderance. But there were four counties, those of York, Chester, Devon, and Cornwall, in which the leaders had already learned to abhor the evils of civil dissension. They met on both sides and entered into engagements to suspend their political animosities, to aid each other in putting down the disturbers of the public peace, and to oppose the introduction of any armed force, without

the joint consent both of the king and parliament. Had the other counties followed the example, the war would have been ended almost as soon as it began. But this was a consummation which the patriots deprecated. They pronounced such engagements derogatory from the authority of parliament; they absolved their partisans from the obligations into which they had entered; and they commanded them once more to unsheath the sword in the cause of their God and their country.<sup>1</sup>

But it soon became evident that this pacific feeling was not confined to the more distant counties. It spread rapidly through the whole kingdom; it manifested itself without disguise even in the metropolis. Men were anxious to free themselves from the forced contribution of one-twentieth part of their estates for the support of the parliamentary army,<sup>2</sup> and the citizens could not forget the alarm which had been created by the late approach of the royal forces. Petitions for peace, though they were ungraciously received, continued to load the tables of both houses; and as the king himself had proposed a cessation of hostilities, prudence taught the most sanguine advocates for war to accede to the wishes of the people. A negotiation was opened at Oxford. The demands of the parliament amounted to fourteen articles; those of Charles were confined to six. But two only, the first in each class, came into discussion. No argument could induce the houses to consent that the king should name to the government of the forts and castles without their previous approbation of the persons to be appointed; and he demurred to their proposal that both armies should be disbanded, until he knew on what conditions he

<sup>1</sup> Journals, 535. Rushworth, v. 100. Clarendon, ii. 136, 139.

<sup>2</sup> Journals, 463, 491, 594. Commons' Journals, Dec. 13. It was imposed Nov. 29, 1642.

was to return to his capital. They had limited the duration of the conference to twenty days; he proposed a prolongation of the term; they refused; and he offered, as his ultimatum, that whenever he should be reinstated in the possession of his revenues, magazines, ships, and forts, according to law; when all the members of parliament, with the exception of the bishops, should be restored to their seats, as they held them on the 1st of January, 1641; and when the two houses should be secure from the influence of tumultuary assemblies, which could only be effected by an adjournment to some place twenty miles distant from London, he would consent to the immediate disbanding of both armies, and would meet his parliament in person. The Commons instantly passed a vote to recall the commissioners from Oxford; the Lords, though at first they dissented, were compelled to signify their concurrence; and an end was put to the treaty, and to the hopes which it had inspired.<sup>1</sup>

During this negotiation the houses left nothing to the discretion of their commissioners, the earl of Northumberland, Pierrepont, Armin, Holland, and Whitelock. They were permitted to propose and argue; they had no power to concede.<sup>2</sup> Yet, while they acted in public according to the tenour of their instructions, they privately gave the king to understand that he might probably pur-

chase the preservation of the church by surrendering the command of the militia,—a concession which his opponents deemed essential to their own security. At one period they indulged a strong hope of success. At parting, Charles had promised to give them satisfaction on the following day; but during the night he was dissuaded from his purpose; and his answer in the morning proved little short of an absolute denial. Northumberland also made a secret offer of his influence to mollify the obstinacy of the patriots; but Charles, who called that nobleman the most ungrateful of men, received the proposal with displeasure, and to the importunity of his advisers coldly replied, that the service must come first, and the reward might follow afterwards. Whether the parliament began to suspect the fidelity of the commissioners, and on that account recalled them, is unknown. Hyde maintains that the king protracted the negotiation to give time for the arrival of the queen, without whom he would come to no determination; but of this not a vestige appears in the private correspondence between Charles and his consort; and a sufficient reason for the failure of the treaty may be found in the high pretensions of each party, neither of whom had been sufficiently humbled to purchase peace with the sacrifice of honour or safety.<sup>3</sup>

It was owing to the indefatigable

<sup>1</sup> See the whole proceedings relative to the treaty in the king's works, 325—397; the Journals of the Lords, v. 659—718; and Rushworth, v. 164—261.

<sup>2</sup> This was a most dilatory and inconvenient arrangement. Every proposal or demand, or suggestion from the king was sent to the parliament, and its expediency debated. The houses generally disagreed. Conferences were therefore held, and amendments proposed; new discussions followed, and a week was perhaps consumed before a point of small importance could be settled.

<sup>3</sup> See Clarendon's Life, 76—80; Whitelock, 68; and the letters in the king's

works, 138—140. Before Henrietta left England, he had promised her to give away no office without her consent, and not to make peace but through her mediation. Charles, however, maintained that the first regarded not offices of state, but offices of the royal household; and the second seems to have been misunderstood. As far as I can judge, it only meant that whenever he made peace, he would put her forward as mediatrix, to the end that, since she had been calumniated as being the cause of the rupture between him and his people, she might also have in the eyes of the public the merit of effecting the reconciliation.—Clarendon's Life, *ibid.*

exertions of Henrietta, that the king had been enabled to meet his opponents in the field. During her residence in Holland she had repeatedly sent him supplies of arms and ammunition, and, what he equally wanted, of veteran officers to train and discipline his forces. In February, leaving the Hague, and trusting to her good fortune, she had eluded the vigilance of Batten, the parliamentary admiral, and landed in safety in the port of Burlington, on the coast of Yorkshire. Batten, enraged at his disappointment, anchored on the second night, with four ships and a pinnace, in the road, and discharged above one hundred shot at the houses on the quay, in one of which the queen was lodged. Alarmed at the danger, she quitted her bed, and "bare foot and bare leg," sought shelter till daylight behind the nearest wall. No action of the war was more bitterly condemned by the gallantry of the Cavaliers than this unmanly attack on a defenceless female; the wife of the sovereign. The earl of Newcastle hastened to Burlington, and escorted her with his army to York. To have pursued her journey to Oxford would have been to throw herself into the arms of her opponents. She remained four months in Yorkshire, winning the hearts of the inhabitants by her affability, and quickening their loyalty by her words and example.<sup>1</sup>

During the late treaty every effort had been made to recruit the parliamentary army; at its expiration, Hampden, who commanded a regiment, proposed to besiege the king within the city of Oxford. But the ardour of the patriots was constantly checked by the caution of the officers who formed the council of war.

Essex invested Reading; at the expiration of ten days it capitulated; and Hampden renewed his proposal. But the hardships of the siege had already broken the health of the soldiers; and mortality and desertion daily thinned their numbers. Essex found himself compelled to remain six weeks in his new quarters at Reading.

If the fall of that town impaired the reputation of the royalists, it added to their strength by the arrival of the four thousand men who had formed the garrison. But the want of ammunition condemned the king to the same inactivity to which sickness had reduced his adversaries. Henrietta endeavoured to supply this deficiency. In May a plentiful convoy arrived from York; and Charles, before he put his forces in motion, made another offer of accommodation. By the Lords it was received with respect; the Commons imprisoned the messenger; and Pym, in their name, impeached the queen of high treason against the parliament and kingdom. The charge was met by the royalists with sneers of derision. The Lords declined the ungracious task of sitting in judgment on the wife of their sovereign; and the Commons themselves, but it was not till after the lapse of eight months, yielded to their reluctance, and silently dropped the prosecution.<sup>2</sup>

In the lower house no man had more distinguished himself of late, by the boldness of his language, and his fearless advocacy of peace, than Edmund Waller, the poet. In conversation with his intimate friends he had frequently suggested the formation of a third party, of moderate men, who should "stand in the gap, and unite the king and the parliament." In this work they calculated on the

<sup>1</sup> Mercurius Belgic. Feb. 24. Microchronicon, Feb. 24, 1642-3. Clarendon, ii. 143. According to Rushworth, Batten fired at boats which were landing ammunition on

the quay.

<sup>2</sup> Journals, 104, 111, 118, 121, 362. Commons' Journals, May 23, June 21, July 3, 6; 1644, Jan. 10.

co-operation of all the Lords excepting three, of a considerable number of the lower house, and of the most able among the advisers of the king at Oxford; and that they might ascertain the real opinion of the city, they agreed to portion it into districts, to make lists of the inhabitants, and to divide them into three classes,—of moderate men, of royalists, and of parliamentarians. The design had been communicated to Lord Falkland, the king's secretary; but it remained in this imperfect state, when it was revealed to Pym by the perfidy or patriotism of a servant, who had overheard the discourse of his master. Waller, Tomkins his brother-in-law, and half a dozen others, were immediately secured; and an annunciation was made to the two houses of "the discovery of a horrid plot to seize the city, force the parliament, and join with the royal army."<sup>1</sup>

The leaders of the patriots eagerly improved this opportunity to quell that spirit of pacification which had recently insinuated itself among their partisans. While the public mind was agitated by rumours respecting the bloody designs of the conspirators, while every moderate man feared that the expression of his sentiments might be taken as an

evidence of his participation in the plot, they proposed a new oath and covenant to the house of Commons. No one dared to object; and the members unanimously swore "never to consent to the laying down of arms, so long as the papists, in open war against the parliament, should be protected from the justice thereof, but according to their power and vocation, to assist the forces raised by the parliament against the forces raised by the king." The Lords, the citizens, and the army followed their example; and an ordinance was published that every man in his parish church should make the same vow and covenant.<sup>2</sup> As for the prisoners, instead of being sent before a court of law, they were tried by a court-martial. Six were condemned to die: two suffered. Waller saved his life by the most abject submission. "He seemed much smitten in conscience: he desired the help of godly ministers," and by his entreaties induced the Commons to commute his punishment into a fine of ten thousand pounds and an order to travel on the continent. To the question why the principal should be spared, when his assistants suffered, it was answered by some, that a promise of life had been made to induce him to confess, by

<sup>1</sup> Journals, June 6.

<sup>2</sup> Journals, May 31, June 6, 14, 21, 27, 29. Rushworth, v. 322—333. Whitelock, 67, 70, 105. The preamble began thus: "Whereas there hath been and now is in this kingdom a popish and traitorous plot for the subversion of the true Protestant religion, and liberty of the subject, in pursuance whereof a popish army hath been raised and is now on foot in divers parts of the kingdom," &c. —Journals, June 6. Lords' Journals, vi. 7. I am loath to charge the framers and supporters of this preamble with publishing a deliberate falsehood, for the purpose of exciting odium against the king; but I think it impossible to view their conduct in any other light. The popish plot and popish army were fictions of their own, to madden the passions of their adherents. Charles, to refute the calumny, as he was about to receive the sacrament from the hands of

Archbishop Usher, suddenly rose and addressed him thus, in the hearing of the whole congregation: "My Lord, I have to the utmost of my soul prepared to become a worthy receiver; and may I so receive comfort by the blessed sacrament, as I do intend the establishment of the true reformed Protestant religion, as it stood in its beauty in the happy days of Queen Elizabeth, without any connivance at popery. I bless God that in the midst of these publick distractions I have still liberty to communicate; and may this sacrament be my damnation, if my heart do not joyn with my lips in this protestation."—Rush. v. 346. *Connivance* was an ambiguous and therefore an ill-chosen word. He was probably sincere in the sense which *he* attached to it, but certainly forsworn in the sense in which it would be taken by his opponents.



hers that too much blood had ready been shed in expiation of an imaginary plot.<sup>1</sup>

In the meanwhile Essex, after several messages from the parliament, and removed from Reading, and fixed his head-quarters at Tame. One night Prince Rupert, making a long circuit, surprised Chinnor in the rear of the army, and killed or captured the greater part of two regiments that were in the town. In his retreat to Oxford, he was compelled to turn on his pursuers at Chalgrove; they charged with more courage than prudence, and were repulsed with considerable loss. It was in this action that the celebrated Hampden received the wound of which he died. The reputation which he had earned by his resistance to the payment of the ship-money had deservedly placed him at the head of the popular leaders. His insinuating manner, the modesty of his pretensions, and the belief of his integrity, gave to his opinions an irresistible weight in the lower house; and the courage and activity which he displayed in the army led many to lament that he did not occupy the place held by the more steady or more cautious earl of Essex. The royalists exulted at his death as equal to a victory; the patriots lamented it as a loss which could not be repaired. Both were deceived. Revolutions are the seed-plots of talents and energy. One great leader had been withdrawn; there was no room for others to supply his place.<sup>2</sup> To the Root-and-branch men, the rank, no less than the inactivity of Essex, afforded a legitimate ground

of suspicion. In proportion as he sank in their esteem, they were careful to extol the merits and flatter the ambition of Sir William Waller. Waller had formerly enjoyed a lucrative office under the crown, but he had been fined in the Star-chamber, and his wife was a "godly woman;" her zeal and his own resentment made him a patriot; he raised a troop of horse for the service, and was quickly advanced to a command. The rapidity of his movements, his daring spirit, and his contempt of military rules, were advantageously contrasted with the slow and cautious experience of Essex; and his success at Portsmouth, Winchester, Chichester, Malmsbury, and Hereford, all of which he reduced in a short time, entitled him, in the estimation of his admirers, to the quaint appellation of William the Conqueror. While the forces under Essex were suffered to languish in a state of destitution,<sup>3</sup> an army of eight thousand men, well clothed and appointed, was prepared for Waller. But the event proved that his abilities had been overrated. In the course of a week he fought two battles, one near Bath, with Prince Maurice, the other with Lord Wilmot, near Devizes: the first was obstinate but indecisive, the second bloody and disastrous. Waller hastened from the field to the capital, attributing the loss of his army, not to his own errors, but to the jealousy of Essex. His patrons did not abandon their favourite. Emulating the example of the Romans, they met the unfortunate general in triumphal procession, and the speaker of the

After a minute investigation, I cannot persuade myself that Waller and his friends proceeded further than I have mentioned. That they might have done, had they not been interrupted, is matter of mere conjecture. The commission of array, which their enemies sought to couple with their ignominy, had plainly no relation to it.

<sup>1</sup> Rushworth, v. 265, 274. Whitelock, 69, 70. Clarendon, ii. 237, 261.

<sup>2</sup> His army was reduced to "four thousand or five thousand men, and these much malcontented that their general and they should be misprized, and Waller immediately prized."—Baillie, i. 391. He had three thousand marching men, and three hundred sick.—Journals, vi. 160.

Commons officially returned him thanks for his services to his country.<sup>1</sup>

This tone of defiance did not impose on the advocates of peace. Waller's force was annihilated; the grand army, lately removed to Kingston, had been so reduced by want and neglect, that Essex refused to give to it the name of an army; the queen had marched without opposition from Yorkshire to Oxford, bringing to her husband, who met her on Edge-hill, a powerful reinforcement of men, artillery, and stores; and Prince Rupert, in the course of three days, had won the city and castle of Bristol, through the cowardice or incapacity of Nathaniel Fiennes, the governor.<sup>2</sup> The cause of the parliament seemed to totter on the brink of ruin; and the Lords, profiting of this moment of alarm, sent to the Commons six resolutions to form the basis of a new treaty. They were favourably received; and after a debate, which lasted till ten at night, it was resolved by a majority of twenty-nine to take them into consideration.<sup>3</sup>

But the pacific party had to contend with men of the most determined energy, whom no dangers could appal, no difficulties subdue. The next day was Sunday, and it was spent by them in arranging a new plan of opposition. The preachers from their pulpits de-

scribed peace as the infallible ruin of the city; the common council voted a petition, urging, in the most forcible terms, the continuation of the war, and placards were affixed in the streets, calling on the inhabitants to rise as one man, and prevent the triumph of the malignants. The next morning Alderman Atkins carried the petition to Westminster, accompanied by thousands calling out for war, and uttering threats of vengeance against the traitors. Their cries resounded through both the house and the streets. The Lords resolved to abstain from all public business till tranquillity was restored, but the Commons thanked the petitioners for their attachment to the cause of the country. The consideration of the resolutions was then resumed; terror had driven them more pusillanimous from the house, and on the second division the pacific party obtained a majority of seven.<sup>4</sup>

Their opponents, however, might yet have triumphed, had they, as was originally suggested, repaired to the army, and claimed the protection of the earl of Essex. But the lord Say and Mr. Pym hastened to that nobleman and appeased his discontent with excuses and promises. They offered to punish those who had libelled his character; they professed an unbounded reliance on his honour; the

<sup>1</sup> Rushworth, v. 234, 235. Clarendon, ii. 278, 290. Journals, July 27. May, 201—205. His first successes were attributed to Colonel Hurry, a Scotsman, though Waller held the nominal command.—Baillie, i. 351. But Hurry, in discontent, passed over to the king, and was the planner of the expedition which led to the death of Hampden.—Clarendon, ii. 264. Baillie, i. 371.

<sup>2</sup> Fiennes, to clear himself from the imputation of cowardice, demanded a court-martial, and Prynne and Walker, who had accused him in their publications, became the prosecutors. He was found guilty, and condemned to lose his head, but obtained a pardon from Essex, the commander-in-chief.—Howell, State Trials, iv. 186—293.

<sup>3</sup> Clarendon Papers, ii. 149. The Lords had in the last month declared their readi-

ness to treat; but the proceedings had been suspended in consequence of a royal declaration that the houses were not free, and their votes to be considered as the votes of a parliament.—Journals, vi. 97, 103, 108.

<sup>4</sup> Clarendon, ii. 320. Journals, Aug. 5. Lords', vi. 171, 172. Baillie, i. 390. On Saturday, the numbers were 94 and 65; on the Monday 81 and 79; but the report of the tellers was disputed, and on the second division it gave 81 and 89. Two days later between two thousand and three thousand women (the men dared not appear) presented a petition for peace, and received a civil answer; but as they did not depart, and some of them used menacing language, they were charged and dispersed by the military, with the loss of several lives. Journals, June 9. Clarendon, iii. 36. Baillie, i. 390.

assured him that money, clothing, and recruits were already prepared to re-establish his army. Essex was won; and he informed his friends, that he would not conscientiously act against the parliament from which he held his commission. Seven of the lords, almost half of the upper house, immediately retired from Westminster.<sup>1</sup> The victorious party proceeded with new vigour in their military preparations. Measures were taken to recruit to its full complement the grand army under Essex; and an ordinance was passed to raise a separate force of ten thousand horse for the protection of the metropolis. Kimbolton, who on the death of his father had succeeded to the title of earl of Manchester, received a commission to levy an army in the associated counties of Norfolk, Suffolk, Essex, Cambridge, Hely, and Hertford.<sup>2</sup> Committees were appointed to raise men and money in numerous other districts, and were invested with almost unlimited powers; for the exercise of which in the service of the parliament, they were made responsible to no one but the parliament itself. Sir Henry Vane, with three colleagues from the lower house, hastened to Scotland to solicit the aid of a Scottish army; and, that London might be secure from insult, a line of military communication was ordered to be drawn round the city. Every morning thousands of the inhabitants, without distinction of rank, were summoned to the task in

rotation; with drums beating and colours flying they proceeded to the appointed place, and their wives and daughters attended to aid and encourage them during the term of their labour. In a few days this great work, extending twelve miles in circuit, was completed, and the defence of the line, with the command of ten thousand men, was intrusted to Sir William Waller. Essex, at the repeated request of the parliament, reluctantly signed the commission, but still refused to insert in it the name of his rival. The blank was filled up by order of the house of Commons.<sup>3</sup>

Here, however, it is time to call the attention of the reader to the opening career of that extraordinary man, who, in the course of the next ten years, raised himself from the ignoble pursuits of a grazier to the high dignity of lord protector of the three kingdoms. Oliver Cromwell was sprung from a younger branch of the Cromwells, a family of note and antiquity in Huntingdonshire, and widely spread through that county and the whole of the Fen district. In the more early part of his life he fell into a state of profound and prolonged melancholy; and it is plain from the few and disjointed documents which have come down to us, that his mental faculties were impaired, that he tormented himself with groundless apprehensions of impending death, on which account he was accustomed to require the attend-

<sup>1</sup> Clarendon, 323—333. Northumberland repaired to his house at Petworth; the earls of Bedford, Holland, Portland, and Clare, and the lords Lovelace and Conway, to the king at Oxford. They were ungraciously received, and most of them returned to the parliament.

<sup>2</sup> The first association was made in the northern counties by the earl of Newcastle in favour of the king, and was afterwards imitated by the counties of Devon and Cornwall. The patriots saw the advantage to be derived from such unions, and formed several among their partisans. The members bound themselves to preserve the

peace of the associated counties; if they were royalists, "against the malevolent and ambitious persons who, in the name of the two houses, had embroiled the kingdom in a civil war;" if they were parliamentarians, "against the papists and other ill-affected persons who surrounded the king." In each, regulations were adopted, fixing the number of men to be levied, armed, and trained, and the money which for that purpose was to be raised in each township.—Rushworth, v. 66, 94—97, 119, 381.

<sup>3</sup> May, 214. Journals, July 18, 19, 27; Aug. 3, 7, 9, 15, 26. Lords', vi. 149, 153, 175, 184.

ance of his physician at the hour of midnight, and that his imagination conjured up strange fancies about the cross in the market-place at Huntingdon,<sup>1</sup> hallucinations which seem to have originated in the intensity of his religious feelings, for we are assured that "he had spent the days of his manhood in a dissolute course of life in good fellowship and gaming;"<sup>2</sup> or, as he expresses it himself, he had been "a chief, the chief of sinners, and a hater of godliness." However, it pleased "God the light to enlighten the darkness" of his spirit, and to convince him of the error and the wickedness of his ways; and from the terrors which such conviction engendered, seems to have originated that aberration of intellect, of which he was the victim during great part of two years. On his recovery he had passed from one extreme to the other, from the misgivings of despair to the joyful assurance of salvation. He now felt that he was accepted by God, a vessel of election to work the work of God, and bound through gratitude "to put himself forth in the cause of the Lord."<sup>3</sup> This flattering belief, the fruit of his malady at Huntingdon, or of his recovery from it, accompanied him to the close of his career: it gave in his eyes the sanction of Heaven to the more questionable events in his life, and enabled him to persevere in habits of the most fervent devotion, even when he was plainly

following the unholy suggestions of cruelty, and duplicity, and ambition.

It was probably to withdraw him from scenes likely to cause the prolongation or recurrence of his malady, that he was advised to direct his attention to the pursuits of agriculture. He disposed by sale of his patrimonial property in Huntingdon, and took a large grazing farm in the neighbourhood of the little town of St. Ives. This was an obscure, but tranquil and soothing occupation, which he did not quit till five years later, when he migrated to Ely, on the death of his maternal uncle, who had left to him by will the lucrative situation of farmer of the tithes and of church-lands belonging to the cathedral of that city. Those stirring events followed, which led to the first civil war; Cromwell's enthusiasm rekindled, the time was come "to put himself forth in the cause of the Lord," and that cause he identified in his own mind with the cause of the country party in opposition to the sovereign and the church. The energy with which he entered into the controversies of the time attracted public notice, and the burgesses of Cambridge chose him for their representative in both the parliaments called by the king in 1640. He carried with him to the house the simplicity of dress, and the awkwardness of manner, which bespoke the country farmer; occasionally he rose to speak, and then, though his voice

<sup>1</sup> Warwick's Memoirs, 249. Warwick had his information from Dr. Simcott, Cromwell's physician, who pronounced him *splenic*. Sir Theodore Mayerne was also consulted, who, in his manuscript journal for 1628, describes his patient as *valde melancholicus*.—Ellis, Orig. Letters, 2nd series, iii. 248.

<sup>2</sup> Warwick, 249.

<sup>3</sup> In 1638 he thus writes of himself to a female saint, one of his cousins: "I find that God giveth springs in a dry barren wilderness, where no water is. I live, you know where, in Meshec, which they say signifies prolonging,—in Kedar, which signifies blackness. Yet the Lord forsaketh me not, though he do prolong. Yet he will, I trust, bring me to his tabernacle, his

resting place." If the reader wish to understand this Cromwellian effusion, let him consult the Psalm cxix. in the Vulgate, or cxx. in the English translation. He says to the same correspondent, "You know what my manner of life hath been. Oh! I lived in and loved darkness, and hated light. I was a chief, the chief of sinners. This is true. I hated godliness. Yet God had mercy on me. Oh, the riches of his mercy!"—Cromwell's Letters and Speeches by Carlyle, i. 141. Warwick bears testimony to the sincerity of his conversion: "for he declared he was ready to make restitution to any man who would accuse him, or whom he could accuse himself to, to have wronged."—Warwick, 249.

was harsh, his utterance confused, and his matter unpremeditated, yet he seldom failed to command respect and attention by the originality and boldness of his views, the fervour with which he maintained them, and the well-known energy and inflexibility of his character.<sup>1</sup> It was not, however, before the year 1642 that he took his place among the leaders of the party. Having been appointed one of the committees for the county of Cambridge and the isle of Ely, he hastened down to Cambridge, took possession of the magazine, distributed the arms among the burgesses, and prevented the colleges from sending their plate to the king at Oxford. From the town he transferred his services to the district committed to his charge. No individual of suspicious or dangerous principles, no secret plan or association of the royalists, could elude his vigilance and activity. At the head of a military force he was everywhere present, making inquiries, inflicting punishments, levying weekly the weekly assessments, impressing men, horses, and stores, and exercising with relentless severity all those repressive and vindictive powers with which the recent ordinances had armed the committees. His exertions were duly appreciated. When the parliament selected officers to command the seventy-five troops of horse, of sixty men each, in the new army under the earl of Essex, farmer Cromwell received the commission of captain; within six months afterwards, he was raised to the higher rank of colonel, with permission to levy for himself a regiment of one thousand horse out

of the trained bands in the Eastern association. To the sentiment of honour, which animated the Cavaliers in the field, he resolved to oppose the energy which is inspired by religious enthusiasm. Into the ranks of his *Ironsides*—their usual designation—he admitted no one who was not a freeholder, or the son of a freeholder, and at the same time a man fearing God, a known professor of godliness, and one who would make it his duty and his pride to execute justice on the enemies of God.<sup>2</sup> Nor was he disappointed. The soldiers of the Lord of Hosts proved themselves a match for the soldiers of the earthly monarch. At their head the colonel, by his activity and daring, added new laurels to those which he had previously won; and parliament, as a proof of confidence, appointed him military governor of a very important post, the isle of Ely. Lord Grey of Werke held at that time the command of the army in the Eastern association; but Grey was superseded by the earl of Manchester, and Colonel Cromwell speedily received the commission of lieutenant-general under that commander.<sup>3</sup>

But to return to the general narrative, which has been interrupted to introduce Cromwell to the reader. London was preserved from danger, not by the new lines of circumvallation, or the prowess of Waller, but through the insubordination which prevailed among the royalists. The earl, now marquess, of Newcastle, who had associated the northern counties in favour of the king, had defeated the lord Fairfax, the parliamentary general, at Atherton Moor,

<sup>1</sup> Warwick, 247.

<sup>2</sup> Cromwell tells us of one of them, Walton, the son of Colonel Walton, that in life he was a precious young man fit for God, and at his death, which was caused by a wound received in battle, became a glorious saint in heaven. To die in such a cause was to the saint a "comfort great above

his pain. Yet one thing hung upon his spirit. I asked him what that was. He told me, that God had not suffered him to be any more the executioner of His enemies."—Ellis, first series, iii. 299.

<sup>3</sup> See Cromwelliana, 1-7; May, 206, reprint of 1812; Lords' Journ. iv. 149; Commons', iii. 186.

in Yorkshire, and retaken Gainsborough, in Lincolnshire, from the army under Cromwell. Here, however, his followers refused to accompany him any further. It was in vain that he called upon them to join the grand army in the south, and put an end at once to the war by the reduction of the capital. They had been embodied for the defence of the northern counties, and could not be induced to extend the limits of that service for which they had been originally enrolled. Hence the king, deprived of one half of his expected force, was compelled to adopt a new plan of operations. Turning his back on London, he hastened towards the Severn, and invested Gloucester, the only place of note in the midland counties which admitted the authority of the parliament. That city was defended by Colonel Massey, a brave and determined officer, with an obstinacy equal to its importance; and Essex, at the head of twelve thousand men, undertook to raise the siege. The design was believed impracticable; but all the attempts of the royalists to impede his progress were defeated; and on the twenty-sixth day the discharge of four pieces of cannon from Presbury Hills announced his arrival to the inhabitants. The besiegers burnt their huts and retired; and Essex, having spent a few days to recruit his men and provision the place, resumed his march in the direction of London. On his approach to Newbury, he found the royal army in possession of the road before him. I shall not attempt to describe a conflict which has been rendered unintelligible by the confused and discordant narratives of different writers. The king's cavalry appears to have been more than a match for that of the enemy; but it

could make no impression on the forest of pikes presented by the infantry, the greater part of which consisted of the trained bands from the capital. The battle raged till late in the evening, and both armies passed the night in the field, but in the morning the king allowed Essex to march through Newbury; and having ordered Prince Rupert to annoy the rear, retired with his infantry to Oxford. The parliamentarians claimed, and seem to have been justified in claiming, the victory; but their commander, having made his triumphal entry into the capital, solicited permission to resign his command and travel on the continent. To those who sought to dissuade him he objected the distrust with which he had been treated, and the insult which had been offered to him by the authority intrusted to Waller. Several expedients were suggested; but the lord general was aware of his advantage; his jealousy could not be removed by adulation or submission, and Waller, after a long struggle, was compelled to resign the command of the army intrusted with the defence of the capital.<sup>1</sup>

As soon as the parliament had recovered from the alarm occasioned by the loss of Bristol, it had found leisure to devote a part of its attention to the civil government of the kingdom. 1. Serious inconvenience had been experienced from the absence of the great seal, the application of which was held by the lawyer necessary to give validity to several descriptions of writs. Of this benefit the two houses and their adherent were deprived, while the king on his part was able to issue patents and commissions in the accustomed form. To remedy the evil, the Commons had voted a new seal; the Lords de

<sup>1</sup> Rushworth, v. 286, 290, 293. May, 220—228. Clarendon, iii. 347. Journals, Sept.

26, 28; Oct. 7, 9. Lords', vi. 218, 242, 247, 347, 356.

murred; but at last their consent was extorted: commissioners were appointed to execute the office of lord keeper, and no fewer than five hundred writs were sealed in one day. 2. The public administration of justice had been suspended for twelve months. The king constantly adjourned the terms from Westminster to Oxford, and the two houses as constantly forbade the judges to go their circuits during the vacations. Now, however, under the authority of the new seal, the courts were opened. The commissioners sat in Chancery, and three judges, all that remained with the parliament, Bacon, Reeve, and Trevor, in those of the King's Bench, the Common Pleas, and the Exchequer. 3. The prosecution of the judges on account of their opinions in the case of the ship-money was resumed. Of those who had been impeached, two remained, Berkeley and Trevor. The first was fined in twenty, the second in six, thousand pounds. Berkeley obtained the remission of a moiety of the fine, and both were released from the imprisonment to which they were adjudged.<sup>1</sup>

Ever since the beginning of the troubles, a thorough understanding had existed between the chief of the Scottish Covenanters, and the principal of the English reformers. Their views were similar; their object the same. The Scots had, indeed, fought and won; but they held the fruit of their victory by a doubtful tenure, as long as the fate of their "English brethren" depended on the uncertain chances of war. Both policy and religion prompted them to interfere. The triumph of the parliament would

secure their own liberties; it might serve to propagate the pure worship of their kirk. This had been foreseen by the Scottish royalists, and Montrose, who by the act against the plotters was debarred from all access to the king, took advantage of the queen's debarkation at Burlington to visit her at York. He pointed out to her the probability of the Scottish Covenanters sending their army to the aid of the parliament, and offered to prevent the danger by levying in Scotland an army of ten thousand royalists. But he was opposed by his enemy the marquess of Hamilton, who deprecated the arming of Scot against Scot, and engaged on his own responsibility to preserve the peace between the Scottish people and their sovereign. His advice prevailed; the royalists in Scotland were ordered to follow him as their leader; and, to keep him true to the royal interest, the higher title of duke was conferred upon him.<sup>2</sup>

If Hamilton was sincere, he had formed a false notion of his own importance. The Scottish leaders, acting as if they were independent of the sovereign, summoned a convention of estates. The estates met in defiance of the king's prohibition; but, to their surprise and mortification, no commissioner had arrived from the English parliament. National jealousy, the known intolerance of the Scottish kirk, the exorbitant claims set up by the Scottish leaders in the late invasion, contributed to deter many from accepting their new offers of assistance;<sup>3</sup> and more than two months were suffered to elapse before the commissioners, Vane, Armin, Hatcher, and Darley, with Marshall, a Pres-

<sup>1</sup> Lords' Journals, vi. 214, 252, 264, 301, 318. Commons' Journals, May 15, July 5, Sept. 23. Rushworth, v. 144, 145, 339, 342, 361.

<sup>2</sup> Clarendon, iv. 624. Guthrie, 127.

<sup>3</sup> "The jealousy the English have of our

nation, beyond all reason, is not well taken. If Mr. Meldrum bring no satisfaction to us quickly as to conformity of church government, it will be a great impediment in their affairs here."—Baillie, July 26, i. 372. See also Dalrymple, ii. 144.

byterian, and Nye, an Independent divine, were despatched with full powers to Scotland.<sup>1</sup> Both the convention of the estates and the assembly of the kirk had long waited to receive them; their arrival was celebrated as a day of national triumph; and the letters which they delivered from the English parliament were read with shouts of exultation and tears of joy.<sup>2</sup>

In the very outset of the negotiation two important difficulties occurred. The Scots professed a willingness to take up arms, but sought at the same time to assume the character of mediators and umpires, to dictate the terms of reconciliation, and to place themselves in a condition to extort the consent of the opposite parties. From these lofty pretensions they were induced to descend by the obstinacy of Vane and the persuasions of Johnston of Wariston, one of their subtlest statesmen; they submitted to act as the allies of the parliament; but required as an indispensable preliminary, the sanction of the kirk. It was useless to reply that this was a civil, and not a religious treaty. The Scots rejoined, that the two houses had always announced the reformation of religion as the chief of their objects; that they had repeatedly expressed their wish of "a nearer union of both churches;" and that, in their last letters to the Assembly, they had requested the members to aid them with their prayers and influence to consult with their commissioners, and to send some Scottish ministers to join the English divines assembled at Westminster.<sup>3</sup> Under these circumstances, Vane and his colleagues

could not refuse to admit a deputation from the Assembly, with Henderson the moderator at its head. He submitted to their consideration the form of a "solemn league and covenant," which should bind the two nations to prosecute the public incendiaries, to preserve the king's life and authority in defence of the true religion and the liberties of both kingdoms, to extirpate popery, prelacy, heresy, schism, and profaneness, and to establish a conformity of doctrine, discipline, and church government throughout the island. This last clause alarmed the commissioners. They knew that, though the majority of the parliamentarians inclined to the Presbyterian tenets, there existed among them a numerous and most active party (and of these Vane himself was among the most distinguished) who deemed all ecclesiastical authority an invasion of the rights of conscience; and they saw, that to introduce an obligation so repugnant to the principles of the latter, would be to provoke an open rupture, and to marshal the two sects in hostile array against each other. But the zeal of the Scottish theologians was inexorable; they refused to admit any opening to the toleration of the Independents; and it was with difficulty that they were at last persuaded to intrust the wording of the article to two or three individuals of known and approved orthodoxy. By these it was presented in a new and less objectionable form, clothed in such happy ambiguity of language, as to suit the principles and views of all parties. It provided that the kirk should be preserved in its existing purity, and the church of

<sup>1</sup> The Scots did not approve of this mission of the Independent ministers. "Mr. Marshall will be most welcome; but if Mr. Nye, the head of the Independents, be his fellow, we cannot take it well."—Baillie, i. 372. They both preached before the Assembly. "We heard Mr. Marshall with great contentment. Mr. Nye did not please.

He touched neither in prayer or preaching the common business. All his sermon was on the common head of spiritual life, wherein he ran out above all our understandings."—Id. 388.

<sup>2</sup> Baillie, i. 379, 380. Rushworth, v. 467, 470. <sup>3</sup> Journals, vi. 140.



England "be reformed according to the word of God" (which the Independents would interpret in their own sense), and "after the example of the best reformed churches," among which the Scots could not doubt that theirs was entitled to the first place. In this shape, Henderson, with an appropriate preface, laid the league and covenant before the Assembly; several speakers, admitted into the secret, commended it in terms of the highest praise, and it was immediately approved, without one dissentient voice.<sup>1</sup>

As soon as the covenant, in its amended shape, had received the sanction of the estates, the most eloquent pens were employed to quicken the flame of enthusiasm. The people were informed, in the cant language of the time, 1. that the controversy in England was between the Lord Jesus and antichrist with his followers; the call was clear; the curse of Meroz would light on all who would not come to help the Lord against the mighty: 2. that both kirks and kingdoms were in imminent danger; they sailed in one bottom, dwelt in one house, and were members of one body; if either were ruined, the other could not subsist; Judah could not long continue in liberty, if Israel were led away captive: and 3. that they had now a fair opportunity of advancing uniformity in discipline and worship; the English had already laid the foundation of a good building by casting out that great idol, prelacy; and it remained for the Scots to rear the edifice and in God's good time to put on the cope-stone. The clergy called on their hearers "to turn to God by fasting and prayer;" a proclamation was issued summoning all the lieges between the ages of six-

teen and sixty to appear in arms; and the chief command of the forces was, at the request of the parliament, accepted by Leslie, the veteran general of the Covenanters in the last war. He had, indeed, made a solemn promise to the king, when he was created earl of Leven, never more to bear arms against him; but he now recollected that it was with the reservation, if not expressed, at least understood, of all cases in which liberty or religion might be at stake.<sup>2</sup>

In England the covenant, with some amendments, was approved by the two houses, and ordered to be taken and subscribed by all persons in office, and generally by the whole nation. The Commons set the example; the Lords, with an affectation of dignity which exposed them to some sarcastic remarks, waited till it had previously been taken by the Scots. At the same time a league of "brotherly assistance" was negotiated, stipulating that the estates should aid the parliament with an army of twenty-one thousand men; that they should place a Scottish garrison in Berwick, and dismantle the town at the conclusion of the war; and that their forces should be paid by England at the rate of thirty-one thousand pounds per month, should receive for their outfit an advance of one hundred thousand pounds, besides a reasonable recompense at the establishment of peace, and should have assigned to them as security the estates of the papists, prelates, and malignants in Nottinghamshire and the five northern counties. On the arrival of sixty thousand pounds the levies began; in a few weeks they were completed; and before the end of the year Leslie mustered his forces at Harlaw, the appointed place of rendezvous.<sup>3</sup>

<sup>1</sup> Baillie, i. 381. Clarendon, iii. 368—384.

<sup>2</sup> Rushworth, v. 472, 482, 492. Journals, 139, 312. Baillie, i. 390, 391. "The chief aim of it was for the propagation of our

church discipline in England and Ireland." —Id. 393.

<sup>3</sup> Journals, Sept. 14, 21, 25; Oct. 3; Dec. 8. Lords' Journals, vi. 220—224, 243,

This formidable league, this union, cemented by interest and fanaticism, struck alarm into the breasts of the royalists. They had found it difficult to maintain their ground against the parliament alone; they felt unequal to the contest with a new and powerful enemy. But Charles stood undismayed; of a sanguine disposition, and confident in the justice of his cause, he saw no reason to despond; and, as he had long anticipated, so had he prepared to meet, this additional evil. With this view he had laboured to secure the obedience of the English army in Ireland against the adherents and emissaries of the parliament. Suspecting the fidelity of Leicester, the lord lieutenant, he contrived to detain him in England; gave to the commander-in-chief, the earl of Ormond, who was raised to the higher rank of marquess, full authority to dispose of commissions in the army, and appointed Sir Henry Tichborne lord justice in the place of Parsons. The commissioners sent by the two houses were compelled to leave the island; and four of the counsellors, the most hostile to his designs, were imprisoned under a charge of high treason.<sup>1</sup>

So many reinforcements had successively been poured into Ireland, both from Scotland and England, that the army which opposed the insurgents was at length raised to fifty thousand men;<sup>2</sup> but of these the Scots seemed to attend to their private interests more than the advancement of the common cause; and the English were gradually reduced in number by want, and desertion, and the casualties of war. They won, indeed, several battles; they burnt and demolished

many villages and towns; but the evil of devastation recoiled upon themselves, and they began to feel the horrors of famine in the midst of the desert which they had made. Their applications for relief were neglected by the parliament, which had converted to its own use a great part of the money raised for the service in Ireland, and felt little inclination to support an army attached to the royal cause. The officers remonstrated of free though respectful language, and the failure of their hopes embittered their discontent, and attached them more closely to the sovereign.<sup>3</sup>

In the meanwhile, the Catholics, by the establishment of a federative government, had consolidated their power, and given an uniform direction to their efforts. It was the care of their leaders to copy the example given by the Scots during the successful war of the Covenant. Like them they professed a sincere attachment to the person, a profound respect for the legitimate authority of the monarch; but like them they claimed the right of resisting oppression, and of employing force in defence of their religion and liberties. At their request, and in imitation of the general assembly of the Scottish kirk, a synod of Catholic prelates and divines was convened at Kilkenny; a statement of the grievances which led the insurgents to take up arms was placed before them; and they decided that the grounds were sufficient, and the war was lawful, provided it were not conducted through motives of personal interest or hatred, nor disgraced by acts of unnecessary cruelty. An oath and covenant was ordered to be taken, binding the subscribers to pro-

281, 289, 364. The amendments were the insertion of "the church of Ireland" after that of England, an explanation of the word prelacy, and the addition of a marginal note, stating, that by the expression "according to the word of God," was meant "so far as we do or shall in our consciences

conceive the same according to the word of God."—Journals, Sept. 1, 2.

<sup>1</sup> Carte's Ormond, i. 421, 441; iii. 78, 125, 135. <sup>2</sup> Journals, v. 226.

<sup>3</sup> Clarendon, iii. 415—418, 424. Carte's Ormond, iii. 155, 162, 164.

fect, at the risk of their lives and fortunes, the freedom of the Catholic worship, the person, heirs, and rights of the sovereign, and the lawful immunities and liberties of the kingdom of Ireland, against all usurpers and invaders whomsoever; and excommunication was pronounced against all Catholics who should abandon the covenant or assist their enemies, against all who should forcibly detain in their possession the goods of English or Irish Catholics, or of Irish Protestants not adversaries to the cause, and against all who should take advantage of the war, to murder, wound, rob, or despoil others. By common consent a supreme council of twenty-four members was chosen, with Lord Mountgarret as president; and a day was appointed for a national assembly, which, without the name, should assume the form and exercise the rights of a parliament.<sup>1</sup>

This assembly gave stability to the plan of government devised by the leaders. The authority of the statute law was acknowledged, and for its administration a council was established in each county. From the judgment of this tribunal there lay an appeal to the council of the province, which in its turn acknowledged the superior jurisdiction of "the supreme council of the confederated Catholics in Ireland." For the conduct of the war four generals were appointed, one to lead the forces of each province; Owen O'Neil in Ulster, Preston in Leinster, Barry Garret in Munster, and John Burke in Connaught, all of them officers of experience and merit, who had relinquished their commands in the armies of foreign princes, to offer their services to their countrymen. Aware that these regulations amounted to an assumption of the

sovereign authority, they were careful to convey to the king new assurances of their devotion to his person, and to state to him reasons in justification of their conduct. Their former messengers, though Protestants of rank and acknowledged loyalty, had been arrested, imprisoned, and, in one instance at least, tortured by order of their enemies. They now adopted a more secure channel of communication, and transmitted their petitions through the hands of the commander-in-chief. In these the supreme council detailed a long list of grievances which they prayed might be redressed. They repelled with warmth the imputation of disloyalty or rebellion. If they had taken up arms, they had been compelled by a succession of injuries beyond human endurance, of injuries in their religion, in their honour and estates, and in the liberties of their country. *Their* enemies were the enemies of the king. The men who had sworn to extirpate them from their native soil were the same who sought to deprive *him* of his crown. They therefore conjured him to summon a new parliament in Ireland, to allow them the free exercise of that religion which they had inherited from their fathers, and to confirm to Irishmen their national rights, as he had already done to his subjects of England and Scotland.<sup>2</sup>

The very first of these petitions, praying for a cessation of arms, had suggested a new line of policy to the king.<sup>3</sup> He privately informed the marquess of Ormond of his wish to bring over a portion of his Irish army that it might be employed in his service in England; required him for that purpose to conclude an armistice with the insurgents, and sent to him instructions for the regulation

<sup>1</sup> Rushworth, v. 516. *Vindiciæ Cath. Hib.* 4-7. This work has often been attributed to Sir Rich. Belling, but Walsh (*Pref. to Hist. of Remonstrance*, 45) says that the

real author was Dr. Callaghan, presented by the supreme council to the see of Waterford.

<sup>2</sup> Carte, iii. 110, 111, 136.

<sup>3</sup> Carte, iii. 99.

of his conduct. This despatch was secret; it was followed by a public warrant; and that was succeeded by a peremptory command. But much occurred to retard the object, and irritate the impatience of the monarch. Ormond, for his own security, and the service of his sovereign, deemed it politic to assume a tone of superiority, and to reject most of the demands of the confederates, who, he saw, were already divided into parties, and influenced by opposite counsels. The ancient Irish and the clergy, whose efforts were directed by Scaramp, a papal envoy, warmly opposed the project. Their enemies, they observed, had been reduced to extreme distress; their victorious army under Preston made daily inroads to the very gates of the capital. Why should they descend from the vantage-ground which they had gained? why, without a motive, resign the prize when it was brought within their reach? It was not easy to answer their arguments; but the lords of the pale, attached through habit to the English government, anxiously longed for an armistice as the preparatory step to a peace. Their exertions prevailed. A cessation of arms was concluded for twelve months; and the confederates, to the surprise of their enemies, consented to contribute towards the support of the royal army the sum of fifteen thousand pounds in money, and the value of fifteen thousand pounds in provisions.<sup>1</sup>

At the same time Charles had recourse to other expedients, from two of which he promised himself con-

<sup>1</sup> Rushworth, v. 548. Carte, ii. App. 1; iii. 117, 131, 159, 160, 166, 168, 172, 174. No one, I think, who has perused all the documents, can doubt that the armistice was necessary for the preservation of the army in Ireland. But its real object did not escape the notice of the two houses, who voted it "destructive to the Protestant religion, dishonourable to the English nation, and prejudicial to the interests of the three kingdoms;" and, to inflame the passions of

siderable benefit. 1. It had been the policy of the cardinal Richelieu to foment the troubles in England as he had previously done in Scotland; and his intention was faithfully fulfilled by the French ambassador Senneterre. But in the course of the last year both Richelieu and Louis XIII. died; the regency, during the minority of the young king, devolved on Anne of Austria, the queen-mother; and that princess had always professed a warm attachment for her sister-in-law, Henrietta Maria. Senneterre was superseded by the count of Harcourt, a prince of the house of Lorraine, with the title of ambassador extraordinary. The parliament received him with respect in London, and permitted him to proceed to Oxford. Charles, whose circumstances would not allow him to spend his time in diplomatic finesse, immediately demanded a loan of money, an auxiliary army, and a declaration against his rebellious subjects. But these were things which the ambassador had no power to grant. He escaped with difficulty from the importunity of the king, and returned to the capital to negotiate with the parliament. There, offering himself in quality of mediator, he requested to know the real grounds of the existing war; but his hope of success was damped by this cold and laconic answer, that, when he had any proposal to submit in the name of the French king, the houses would be ready to vindicate their conduct. Soon afterwards the despatches from his court were intercepted and opened; among them was discovered a letter

their partisans, published a declaration, in which, with their usual adherence to truth, they assert that the cessation was made at a time when "the famine among the Irish had made them, unnatural and cannibal-like, eat and feed one upon another;" that it had been devised and carried on by popish instruments, and was designed for the better introduction of popery, and the extirpation of the Protestant religion.—*Journals*, vi. 238, 289.

from Lord Goring to the queen; and its contents disclosed that Harcourt had been selected on her nomination; that he was ordered to receive his instructions from her and the king; and that Goring was soliciting succour from the French court. This information, with an account of the manner in which it had been obtained, was communicated to the ambassador, who immediately demanded passports and left the kingdom.<sup>1</sup>

2. Experience had proved to Charles that the very name of parliament possessed a powerful influence over the minds of the lower classes in favour of his adversaries. To dispel the charm, he resolved to oppose the royal members to those who remained at Westminster, and summoned by proclamation both houses to meet him at Oxford on the twenty-second of January in the succeeding year. Forty-three peers and one hundred and eighteen commoners obeyed;<sup>2</sup> the usual forms of parliament were observed, and the king opened the session with a gracious speech, in which he deplored the calamities of the kingdom, desired them to bear witness to his pacific disposition, and promised them all the freedom and privileges belonging to such assemblies. Their first measure was a letter subscribed by all the members of both houses, and directed to the earl of Essex, requesting him to convey to those "by whom he was trusted," their earnest desire that commissioners might be appointed on both

sides to treat of an accommodation. Essex, having received instructions, replied that he could not deliver a letter which, neither in its address nor in its contents, acknowledged the authority of the parliament. Charles himself was next brought forward. He directed his letter to "the Lords and Commons of parliament assembled at Westminster," and requested, "by the advice of the Lords and Commons of parliament assembled at Oxford," the appointment of commissioners to settle the distractions of the kingdom, and particularly the manner "how all the members of both houses might meet in full and free convention of parliament, to consult and treat upon such things as might conduce to the maintenance of the true Protestant religion, with due consideration to the just ease of tender consciences, to the settling of the rights of the crown and of parliament, the laws of the land, and the liberties and property of the subject." This message the two houses considered an insult, because it implied that they were not a full and free convention of parliament. In their answer they called on the king to join them at Westminster; and in a public declaration denounced the proceeding as "a popish and Jesuitical practice to allure them by the specious pretence of peace to disavow their own authority, and resign themselves, their religion, laws, and liberties, to the power of idolatry, superstition, and slavery."<sup>3</sup>

<sup>1</sup> Clarendon, iii. 398-403. Journals, vi. 245, 302, 305, 309, 375, 379, 416. Commons, Sept. 14; Oct. 11; Nov. 15, 22; Jan. 10, 12; Feb. 12.

<sup>2</sup> If we may believe Whitelock (80), when the two houses at Westminster were called over (Jan. 30), there were two hundred and eighty members present, and one hundred employed on different services. But I suspect some error in the numbers, as the list of those who took the covenant amounts only to two hundred and twenty names, even including such as took it after that day. (Compare Rushworth, v. 480, with the

Journals.) The lords were twenty-two present, seventy-four absent, of whom eleven were excused.—Journals, vi. 387. The two houses at Oxford published also their lists of the members, making the commons amount to one hundred and seventy-five, the lords to eighty-three. But of the latter several had been created since the commencement of the war.

<sup>3</sup> Journals, vi. 451, 459. The reader will notice in the king's letter an allusion to religious toleration ("with due consideration to the ease of tender consciences"), the first which had yet been made by authority,

In opposition, the houses at Oxford declared that the Scots had broken the act of pacification; that all English subjects who aided them should be deemed traitors and enemies of the state; and that the Lords and Commons remaining at Westminster, who had given their consent to the coming in of the Scots, or the raising of forces under the earl of Essex, or the making and using of a new great seal, had committed high treason, and ought to be proceeded against as traitors to the king and kingdom.<sup>1</sup> Thus again vanished the prospect of peace; and both parties with additional exasperation of mind, and keener desires of revenge, resolved once more to stake their hope of safety on the uncertain fortune of war.

But the leaders at Westminster found it necessary to silence the murmurs of many among their own adherents, whose anxiety for the restoration of peace led them to attribute interested motives to the advocates of war. On the first appearance of a rupture, a committee of safety had been appointed, consisting of five lords and ten commoners, whose office it was to perform the duties of the executive authority, subject to the approbation and authority of the houses; now that the Scots had agreed to join in the war, this committee, after a long resistance on the part of the Lords, was dissolved, and another established in its place, under the name of the Committee of the two Kingdoms, composed of a few members from each house, and of certain

commissioners from the estates of Scotland.<sup>2</sup> On this new body the Peers looked with an eye of jealousy, and when the Commons, in consequence of unfavourable reports, referred to it the task of "preparing some grounds for settling a just and safe peace in all the king's dominions," they objected not to the thing, but to the persons, and appointed for the same purpose a different committee. The struggle lasted six weeks; but the influence of the upper house had diminished with the number of its members, and the Lords were compelled to submit, under the cover of an unimportant amendment to maintain their own honour. The propositions now brought forward as the basis of a reconciliation were in substance the following; that the covenant with the obligation of taking it, the reformation of religion according to its provisions, and the utter abolition of episcopacy, should be confirmed by act of parliament; that the cessation of war in Ireland should be declared void by the same authority; that a new oath should be framed for the discovery of Catholics; that the penalties of recusancy should be strictly enforced; that the children of Catholics should be educated Protestants; that certain English Protestants by name, all papists who had borne arms against the parliament, and all Irish rebels, whether Catholics or Protestants, who had brought aid to the royal army, should be excepted from the general pardon; that the debts contracted by the parlia-

and which a few years before would have scandalized the members of the church of England as much as it did now the Presbyterians and Scots. But policy had taught that which reason could not. It was now thrown out as a bait to the Independents, whose apprehensions of persecution were aggravated by the intolerance of their Scottish allies, and who were on that account suspected of having already made some secret overtures to the court. "Bristol, under his hand, gives them a full assurance of so full

a liberty of their conscience as they could wish, inveighing withal against the Scots' cruel invasion, and the tyranny of our presbytery, equal to the Spanish inquisition."—Baillie, i. 428.

<sup>1</sup> Clarendon, iii. 440—454. Journals, 399, 404, 451, 459, 484, 485; Dec. 30; Jan. 16, 30; March 6, 11. Rushworth, v. 559—575, 582—602.

<sup>2</sup> Journals of Commons, Jan. 30; Feb. 7, 10, 12, 16; of Lords, Feb. 12, 16.

ment should be paid out of the estates of delinquents; and that the commanders of the forces by land and sea, the great officers of state, the deputy of Ireland, and the judges, should be named by the parliament, or the commissioners of parliament, to hold their places during their good behaviour. From the tone of these propositions it was evident that the differences between the parties had become wider than before, and that peace depended on the subjugation of the one by the superior force or the better fortune of the other.<sup>1</sup>

Here the reader may pause, and, before he proceeds to the events of the next campaign, may take a view of the different financial expedients adopted by the contending parties. Want of money was an evil which pressed equally on both; but it was more easily borne by the patriots, who possessed an abundant resource in the riches of the capital, and were less restrained in their demands by considerations of delicacy or justice. 1. They were able on sudden emergencies to raise considerable supplies by loan from the merchants of the city, who seldom dared to refuse, or, if they did, were compelled to yield by menaces of distraint and imprisonment. For all such advances interest was promised at the usual rate of eight per cent., and "the public faith was pledged for the repayment of the capital." 2. When the parliament ordered their first levy of soldiers, many of their partisans subscribed considerable sums in money, or plate, or arms, or provisions. But it was soon asked, why the burthen should fall exclusively on the

well-affected; and the houses improved the hint to ordain that all non-subscribers, both in the city and in the country, should be compelled to contribute the twentieth part of their estates towards the support of the common cause. 3. Still the wants of the army daily increased, and, as a temporary resource, an order was made that each county should provide for the subsistence of the men whom it had furnished. 4. And this was followed by a more permanent expedient, a weekly assessment of ten thousand pounds on the city of London, and of twenty-four thousand pounds on the rest of the kingdom, to be levied by county-rates after the manner of subsidies. 5. In addition, the estates both real and personal of all delinquents, that is, of all individuals who had borne arms for the king, or supplied him with money, or in any manner, or under any pretence, had opposed the parliament, were sequestrated from the owners, and placed under the management of certain commissioners empowered to receive the rents, to seize the moneys and goods, to sue for debts, and to pay the proceeds into the treasury. 6. In the next place came the excise, a branch of taxation of exotic origin, and hitherto unknown in the kingdom. To it many objections were made; but the ample and constant supply which it promised insured its adoption; and after a succession of debates and conferences, which occupied the houses during three months, the new duties, which were in most instances to be paid by the first purchaser, were imposed both on the articles already subject to the cus-

<sup>1</sup> Journals, March 15, 20, 23, 29, 30; April 3, 5, 13, 16. On the question whether they should treat in union with the Scots, the Commons divided sixty-four against sixty-four; but the noes obtained the casting vote of the speaker.—Baillie, i. 446. See also the Journals of the Lords, vi. 473, 483, 491, 501, 514, 519, 527, 531. Such,

indeed, was the dissension among them, that Baillie says they would have accepted the first proposal from the houses at Oxford, had not the news that the Scots had passed the Tweed arrived a few hours before. This gave the ascendancy to the friends of war.—Baillie, i. 429, 430.

toms, and on a numerous class of commodities of indigenous growth or manufacture.<sup>1</sup> Lastly, in aid of these several sources of revenue, the houses did not refuse another of a more singular description. It was customary for many of the patriots to observe a weekly fast for the success of their cause; and, that their purses might not profit by the exercise of their piety, they were careful to pay into the treasury the price of the meal from which they had abstained. If others would not fast, it was at least possible to make them pay; and commissioners were appointed by ordinance to go through the city, to rate every housekeeper at the price of one meal for his family, and to collect the money on every Tuesday during the next six months. By these expedients the two houses contrived to carry on the war, though their pecuniary embarrassments were continually multiplied by the growing accumulation of their debts, and the unavoidable increase of their expenditure.<sup>2</sup>

With respect to the king, his first resource was in the sale of his plate and jewels, his next in the generous devotion of his adherents, many of whom served him during the whole war at their own cost, and, rather than become a burthen to their sovereign, mortgaged their last acre, and left themselves and their families without the means of future subsistence. As soon as he had set up his standard, he solicited loans from his friends, pledging his word to requite their promptitude, and allotting cer-

tain portions of the crown lands for their repayment—a very precarious security as long as the issue of the contest should remain uncertain. But the appeal was not made in vain. Many advanced considerable sums without reserving to themselves any claim to remuneration, and others lent so freely and abundantly, that this resource was productive beyond his most sanguine expectations. Yet before the commencement of the third campaign, he was compelled to consult his parliament at Oxford. By its advice he issued privy seals, which raised one hundred thousand pounds; and, in imitation of his adversaries established the excise, which brought him in a constant, though not very copious supply. In addition, his garrisons supported themselves by weekly contributions from the neighbouring townships, and the counties which had associated in his favour willingly furnished pay and subsistence to their own forces. Yet, after all, it was manifest that he possessed not the same facilities of raising money with his adversaries, and that he must ultimately succumb through poverty alone, unless he could bring the struggle to a speedy termination.<sup>3</sup>

For this purpose both parties had made every exertion, and both Irishmen and Scotsmen had been called into England to fight the battles of the king and the parliament. The severity of the winter afforded no respite from the operations of war. Five Irish regiments, the first fruits of the cessation in Ireland, arrived at Mostyn in Flintshire; their reputa-

<sup>1</sup> It should be observed that the excise in its very infancy extended to strong beer, ale, cider, perry, wine, oil, figs, sugar, raisins, pepper, salt, silk, tobacco, soap, strong waters, and even flesh meat, whether it were exposed for sale in the market, or killed by private families for their own consumption.—*Journals*, vi. 372.

<sup>2</sup> *Journals*, v. 460, 466, 482; vi. 103, 196,

209, 224, 248, 250, 272. *Commons' Journals*, Nov. 26, Dec. 8, 1642; Feb. 23, Sept. 1643; March 26, 1644. *Rushworth*, v. 71, 150, 209, 313, 748. It should be recollected that, according to the devotion of the time, "a fast required a total abstinence from all food, till the fast was ended."—*Directory for the Publique Worship*, p. 32.

<sup>3</sup> *Rushworth*, v. 550, 601. *Clarendon*, ii. 87, 453.



ion, more than their number, un-  
 served the prowess of their enemies;  
 no force ventured to oppose them in  
 the field; and, as they advanced,  
 every post was abandoned or surren-  
 dered. At length the garrison of  
 Nantwich arrested their progress;  
 and whilst they were occupied with  
 the siege, Sir Thomas Fairfax ap-  
 proached with a superior force from  
 Yorkshire. For two hours the Anglo-  
 Irish, under Lord Byron, maintained  
 an obstinate resistance against the  
 assailants from without and the gar-  
 rison from within the town; but in a  
 moment of despair one thousand six  
 hundred men in the works threw  
 down their arms, and, with a few ex-  
 ceptions, entered the ranks of their  
 adversaries. Among the names of the  
 officers taken, occurs that of the  
 celebrated Colonel Monk, who was  
 afterwards released from the Tower  
 to act a more brilliant part, first in  
 the service of the Commonwealth,  
 and then in the re-establishment of  
 the throne.<sup>1</sup>

A few days before this victory, the  
 Scots had passed the Tweed. The  
 notion that they were engaged in a  
 holy crusade for the reformation of  
 religion made them despise every  
 difficulty; and, though the weather  
 was tempestuous, though the snow  
 lay deep on the ground, their enthu-  
 siasm carried them forward in a mass  
 which the royalists dared not oppose.  
 Their leader sought to surprise New-  
 castle; he was disappointed by the  
 promptitude of the marquess of New-  
 castle, who, on the preceding day, had  
 thrown himself into the town; and  
 amine compelled the enemy, after a  
 siege of three weeks, to abandon the  
 attempt. Marching up the left bank  
 of the Tyne, they crossed the river at  
 Wywell, and hastening by Ebchester  
 to Sunderland, took possession of

that port to open a communication  
 by sea with their own country. The  
 marquess, having assembled his army,  
 offered them battle, and, when they  
 refused to fight, confined them for  
 five weeks within their own quarters.  
 In proportion as their advance into  
 England had elevated the hopes of  
 their friends in the capital, their sub-  
 sequent inactivity provoked surprise  
 and complaints. But Lord Fairfax,  
 having been joined by his victorious  
 son from Cheshire, dispersed the roy-  
 alists at Leeds, under Colonel Bellasis,  
 the son of Lord Falconberg; and the  
 danger of being enclosed between  
 two armies induced the marquess of  
 Newcastle to retire from Durham to  
 York. He was quickly followed by  
 the Scots; they were joined by Fair-  
 fax, and the combined army sat down  
 before the city. Newcastle at first  
 despised their attempts; but the  
 arrival of fourteen thousand parlia-  
 mentarians, under the earl of Man-  
 chester, convinced him of his danger,  
 and he earnestly solicited succour  
 from the king.<sup>2</sup>

But instead of proceeding with  
 the military transactions in the north,  
 it will here be necessary to advert  
 to those which had taken place in  
 other parts of the kingdom. In the  
 counties on the southern coast several  
 actions had been fought, of which the  
 success was various, and the result  
 unimportant. Every eye fixed itself  
 on the two grand armies in the vi-  
 cinity of Oxford and London. The  
 parliament had professed a resolution  
 to stake the fortune of the cause on  
 one great and decisive battle; and, with  
 this view, every effort had been made  
 to raise the forces of Essex and Waller  
 to the amount of twenty thousand  
 men. These generals marched in two  
 separate corps, with the hope of en-  
 closing the king, or of besieging him

<sup>1</sup> Rush. v. 299, 303. Fairfax, 434, ed. of  
 Caseres.

<sup>2</sup> Rushworth, v. 222. Baillie, ii. 1, 6, 10,  
 28, 32. Journals, 522.

in Oxford.<sup>1</sup> Aware of his inferiority, Charles, by a skilful manœuvre, passed with seven thousand men between the hostile divisions, and arrived in safety at Worcester. The jealousy of the commanders did not allow them to act in concert. Essex directed his march into Dorsetshire; Waller took on himself the task of pursuing the fugitive monarch. Charles again deceived him. He pretended to advance along the right bank of the Severn from Worcester to Shrewsbury; and when Waller, to prevent him, hastened from Brooms Grove to take possession of that town, the king turned at Bewdley, retraced his steps to Oxford, and, recruiting his army, beat up the enemy's quarters in Buckinghamshire. In two days Waller had returned to the Cherwell, which separated the two armies; but an unsuccessful action at Copredy Bridge checked his impetuosity, and Charles, improving the advantage to repass the river, marched to Evesham in pursuit of Essex. Waller did not follow; his forces, by fatigue, desertion, and his late loss, had been reduced from eight thousand to four thousand men, and the Committee of the two Kingdoms recalled their favourite general from his tedious and unavailing pursuit.<sup>2</sup>

During these marches and counter-marches, in which the king had no other object than to escape from his pursuers, in the hope that some fortunate occurrence might turn the

scale in his favour, he received the despatch already mentioned from the marquess of Newcastle. The ill-fated prince instantly saw the danger which threatened him. The fall of York would deprive him of the northern counties, and the subsequent junction of the besieging army with his opponents in the south would constitute a force against which it would be useless to struggle. His only resource was in the courage and activity of Prince Rupert. He ordered that commander to collect all the force in his power, to hasten into Yorkshire, to fight the enemy, and to keep in mind that two things were necessary for the preservation of the crown,—both the relief of the city and the defeat of the combined army.<sup>3</sup>

Rupert, early in the spring, had marched from his quarters at Shrewsbury, surprised the parliamentary army before Newark, and after sharp action, compelled it to capitulate. He was now employed in Cheshire and Lancashire, where he had taken Stockport, Bolton, and Liverpool, and had raised the siege of Latham House, after it had been gallantly defended during eighteen weeks by the resolution of the courtess of Derby. On the receipt of the royal command, he took with him a portion of his own men, and some regiments lately arrived from Ireland; reinforcements poured in on his march, and on his approach the

<sup>1</sup> When Essex left London he requested the assembly of divines to keep a fast for his success. The reader may learn from Baillie how it was celebrated. "We spent from nine to five graciously. After D. Twisse had begun with a brief prayer, Mr. Marshall prayed large two hours, most divinely confessing the sins of the members of the assembly in a wonderful, pathetic, and prudent way. After Mr. Arrowsmith preached an hour, then a psalm; thereafter Mr. Vines prayed near two hours, and Mr. Palmer preached an hour, and Mr. Seaman prayed near two hours, then a psalm; after Mr. Henderson brought them to a sweet

conference of the heat confessed in the assembly, and other seen faults to be remedied, and the conveniency to preach again all sects, especially Anabaptists and Anomians. Dr. Twisse closed with a short prayer and blessing. God was so evident in all this exercise, that we expect certain a blessing."—Baillie, ii. 18, 19.

<sup>2</sup> Rushworth, v. 670—676. Clarendon, i. 487—493, 497—502. Baillie, ii. 38.

<sup>3</sup> See his letter in Evelyn's Memoirs, App. 88. It completely exculpates Rupert from the charge of obstinacy and rashness in having fought the subsequent battle of Marston Moor.

combined army deemed it prudent to abandon the works before the city. He was received with acclamations of joy; but left York the next day to fight the bloody and decisive battle of Marston Moor.<sup>1</sup> Both armies, in accordance with the military tactics of the age, were drawn up in line, the infantry in three divisions, with strong bodies of cavalry on each flank. In force they were nearly equal, amounting to twenty-three or twenty-five thousand men; but there was his peculiarity in the arrangement of the parliamentarians, that in each division the English and the Scots were intermixed, to preclude all occasion of jealousy or dispute. It was now five in the afternoon, and for two hours a solemn pause ensued, each eyeing the other in the silence of suspense, with nothing to separate them but a narrow ditch or rivulet. At seven the signal was given, and Rupert at the head of the royal cavalry on the right charged with his usual impetuosity, and with the usual result. He bore down all before him, but continued the chase for some miles, and thus, by his absence from the field, suffered the victory to slip out of his hands.<sup>2</sup>

At the same time the royal infantry, under Goring, Lucas, and Porter, had charged their opponents with equal intrepidity and equal success. The line of the confederates was pierced in several points; and their generals, Manchester, Leven, and Fairfax, convinced that the day was lost, fled in different directions. By their flight the chief command devolved upon Cromwell, who improved the opportunity to win for himself the laurels of victory. With "his iron-horses" and the Scottish horse he had driven the royal cavalry, under the

earl of Newcastle, from their position on the left. Ordering a few squadrons to observe and harass the fugitives, he wheeled round on the flank of the royal infantry, and found them in separate bodies, and in disorder, indulging in the confidence and license of victory. Regiment after regiment was attacked and dispersed; but the "white coats," a body of veterans raised by Lord Newcastle, formed in a circle; and, whilst their pikemen kept the cavalry at bay, their musketeers poured repeated volleys into the ranks of the enemy. Had these brave men been supported by any other corps, the battle might have been restored; but, as soon as their ammunition was spent, an opening was made, and the white coats perished, every man falling on the spot on which he had fought.

Thus ended the battle of Marston Moor. It was not long, indeed, before the royal cavalry, amounting to three thousand men, made their appearance returning from the pursuit. But the aspect of the field struck dismay into the heart of Rupert. His thoughtless impetuosity was now exchanged for an excess of caution; and after a few skirmishes he withdrew. Cromwell spent the night on the spot; but it was to him a night of suspense and anxiety. His troopers were exhausted with the fatigue of the day; the infantry was dispersed, and without orders; and he expected every moment a nocturnal attack from Rupert, who had it in his power to collect a sufficient force from the several corps of royalists which had suffered little in the battle. But the morning brought him the pleasing intelligence that the prince had hastened by a circuitous route to York. The immediate fruit of the victory

<sup>1</sup> Rushworth, v. 307, 623, 631.

<sup>2</sup> Sir Thomas Fairfax says that at first he set to flight part of the royal cavalry, and

pursued them on the road to York. On his return he found that the rest of his wing had been routed by the prince.—Fairfax, 438.

were fifteen hundred prisoners and the whole train of artillery. The several loss of the two parties is unknown; those who buried the slain numbered the dead bodies at four thousand one hundred and fifty.<sup>1</sup>

This disastrous battle extinguished the power of the royalists in the northern counties. The prince and the marquess had long cherished a deeply-rooted antipathy to each other. It had displayed itself in a consultation respecting the expediency of fighting; it was not probable that it would be appeased by their defeat. They separated the next morning; Rupert, hastening to quit a place where he had lost so gallant an army, returned to his former command in the western counties; Newcastle, whether he despaired of the royal cause, or was actuated by a sense of injurious treatment, taking with him the lords Falconberg and Widdrington, sought an asylum on the continent. York, abandoned to its fate, opened its gates to the enemy, on condition that the citizens should not be molested, and that the garrison should retire to Skipton. The combined army immediately separated by order of the Committee of both Kingdoms. Manchester returned into Nottinghamshire, Fairfax remained in York, and the Scots under Leven retracing their steps, closed the campaign with the reduction of Newcastle. *They* had no objection to pass the winter

in the neighbourhood of their own country; the parliament felt no wish to see them nearer to the English capital.<sup>2</sup>

In the mean time Essex, impatient of the control exercised by that committee, ventured to act in opposition to its orders; and the two houses, though they reprimanded him for his disobedience, allowed him to pursue the plan which he had formed of dissolving with his army the association of royalists in Somersetshire, Devonshire, and Cornwall. He relieved Lyme, which had long been besieged by Prince Maurice, one of the king's nephews, and advanced in the direction of Exeter, where the queen a few days before had been delivered of a daughter. That princess, weary of the dangers to which she was exposed in England, repaired to Falmouth, put to sea with a squadron of ten Dutch or Flemish vessels, and, escaping the keen pursuit of the English fleet from Torbay, reached in safety the harbour of Brest.<sup>3</sup>

Essex, regardless of the royalists who assembled in the rear of his army, pursued his march into Cornwall. To most men his conduct was inexplicable. Many suspected that he sought to revenge himself on the parliament by betraying his forces into the hands of the enemy. At Lostwithiel he received two letters, one, in which he was solicited by the king to unite with him in compelling his enemies to consent to a peace

<sup>1</sup> For this battle see Rushworth, v. 632; Thurloe, i. 39; Clarendon, iv. 503; Baillie, 11, 36, 40; Whitelock, 89; *Memorie of the Somervilles*, Edin. 1815. Cromwell sent messengers from the field to recall the three generals who had fled. Leven was found in bed at Leeds about noon; and having read the despatch, struck his breast, exclaiming, "I would to God I had died upon the place."—*Ibid.*; also Turner, *Memoirs*, 38.

<sup>2</sup> Clarendon, ii. 504.

<sup>3</sup> I doubt whether Essex had any claim to that generosity of character which is attributed to him by historians. The queen

had been delivered of a princess, Henrietta Maria, at Exeter, and sent to him for passport to go to Bath or Bristol for the recovery of her health. He refused, but surlily offered to attend her himself, she would go to London, where she had been already impeached of high treason. Rushworth, v. 684. I observe that even before the war, when the king had written to the queen to intimate his wish to Essex as lord chamberlain, to prepare the palace for his reception, she desired Nicholas do it, adding, "their lordships are to grant princes to receive any direction from me." Evelyn's *Mem.* ii. App. 78.

hich while it ascertained the legal rights of the throne, might secure the religion and liberties of the people; neither from eighty-four of the principal officers in the royal army, who pledged themselves to draw the sword against the sovereign himself, if he could ever swerve from the principles which he had avowed in his letter. Both were disappointed. Essex sent the letters to the two houses, and coldly replied that his business was to fight, that of the parliament to negotiate.

But he now found himself in a most critical situation, cut off from intercourse with London, and enclosed between the sea and the combined forces of the king, Prince Maurice, and Sir Richard Grenville. His cavalry, unable to obtain subsistence, burst in the night, though without loss, through the lines of the enemy. But each day the royalists won some of his posts; their artillery commanded the small haven of Foy, through which alone he could obtain provisions; and his men, dismayed by a succession of disasters, refused to stand to their colours. In this emergency Essex, with two other officers, escaped from the beach in a boat to Plymouth; and Major-general Skippon offered to capitulate for the rest of the army. On the surrender of their arms, ammunition, and artillery, the men were allowed to march to Poole and Wareham, and thence were conveyed in transports to Portsmouth, where commissioners in the parliament met them with a supply of clothes and money. The general repaired to his own house, calling for an investigation into his own conduct and into that of the committee, who had neglected to disperse the royalists in the rear of his army, and had betrayed the cause of the people, to gratify their jealousy by the disgrace of an event. To soothe his wounded

mind, the houses ordered a joint deputation to wait on him, to thank him for his fidelity to the cause, and to express their estimation of the many and eminent services which he had rendered to his country.<sup>1</sup>

This success elevated the hopes of the king, who, assuming a tone of conscious superiority, invited all his subjects to accompany him to London, and aid him in compelling the parliament to accept of peace. But the energies of his opponents were not exhausted. They quickly recruited their diminished forces; the several corps under Essex, Waller, and Manchester, were united; and, while the royalists marched through Whitechurch to Newbury, a more numerous army moved in a parallel direction through Basingstoke to Reading. There the leaders (the lord general was absent under the pretence of indisposition), hearing of reinforcements pouring into Oxford, resolved to avail themselves of their present superiority, and to attack, at the same moment, the royalist positions at Show on the eastern, and at Speen on the western side of the town. The action in both places was obstinate, the result, as late as ten at night, doubtful; but the king, fearing to be surrounded the next day, assembled his men under the protection of Donnington Castle, and marched towards Wallingford, a movement which was executed without opposition by the light of the moon, and in full view of the enemy. In a few days he returned with a more numerous force, and, receiving the artillery and ammunition, which for security he had left in Donnington Castle, conveyed it without molestation to Wallingford. As he passed and repassed, the parliamentarians kept within their lines, and even refused the battle

<sup>1</sup> Rushworth, v. 683, 684, 690—693, 699—711. Clarend. iv. 511—518—527.

which he offered. This backwardness, whether it arose from internal dissension, or from inferiority of numbers, provoked loud complaints, not only in the capital, where the conflict at Newbury had been celebrated as a victory, but in the two houses, who had ordered the army to follow up its success. The generals, having dispersed their troops in winter quarters, hastened to vindicate their own conduct. Charges of cowardice, or disaffection, or incapacity, were made and retorted by one against the other; and that cause which had nearly triumphed over the king seemed now on the point of being lost through the personal jealousies and contending passions of its leaders.<sup>1</sup>

The greater part of these quarrels had originated in the rivalry of ambition; but those in the army of the earl of Manchester were produced by religious jealousy, and on that account were followed by more important results. When the king attempted to arrest the five members, Manchester, at that time Lord Kimbolton, was the only peer whom he impeached. This circumstance endeared Kimbolton to the party; his own safety bound him more closely to its interests. On the formation of the army of the seven associated counties, he accepted, though with reluctance, the chief command; for his temper and education had formed him to shine in the senate rather than the camp; and, aware of his own inexperience, he devolved on his council the chief direction of military operations, reserving to himself the delicate and important charge of harmonizing and keeping together the discordant elements of which his force was composed. The second in command, as the reader is aware, was Cromwell, with the rank of lieu-

tenant-general. In the parade sanctity both Manchester and Cromwell seemed equal proficient; belief and practice they followed to opposite parties. The first sought the exclusive establishment of the Presbyterian system; the other contended for the common right of mankind to worship God according to the dictates of conscience. But this difference of opinion provoked a dissension between them. The more gentle and accommodating temper of Manchester was awed by the superior genius of Cromwell, who gradually acquired the chief control of the army, and offered his protection to the Independents under his command. In other quarters these regions suffered restraint and persecution from the zeal of the Presbyterians; the indulgence which they enjoyed under Cromwell scandalized and alarmed the orthodoxy of the Scottish commissioners, who obtained as a counterpoise to the influence of that officer, the post of major-general for Crawford, their countryman, a rigid Presbyterian. Cromwell and Crawford instantly became rivals and enemies. The merit of the victory at Marston Moor had been claimed by the Independents, who magnified their services of their favourite command and ridiculed the flight and cowardice of the Scots. Crawford retorted the charge, and deposed that Cromwell having received a slight wound in the neck at the commencement of the action, immediately retired and did not afterwards appear in the field. The lieutenant-general in revenge exhibited articles against Crawford before the committee of war, and the colonels threatened to resign their commissions unless he were removed; while on the other hand Manchester and the chaplains of the army gave testimony in his favour, and the Scottish commissioners, assuming the defence of their countryman, re-

<sup>1</sup> Rushworth, v. 715—732. Clarendon, 546—552.

sented him as a martyr in the cause of religion.<sup>1</sup>

But before this quarrel was terminated a second of greater importance arose. The indecisive action at Newbury, and the refusal of battle at Donnington, had excited the discontent of the public; the lower house ordered an inquiry into the conduct of the generals and the state of the armies; and the report made by the Committee of both Kingdoms led to a vote that a plan for the organization of the national force, in a new and more efficient form, should be immediately prepared. Waller and Cromwell, who were both members of the house, felt dissatisfied with the report. At the next meeting each related his share in the transactions which had excited such loud complaints; and the latter embraced the opportunity to prefer a charge of disaffection against the earl of Manchester, who, he pretended, was unwilling that the royal power should suffer additional humiliation, and on that account would never permit his army to engage unless it were evidently to its disadvantage. Manchester in the house of Lords repelled the imputation with warmth, vindicated his own conduct, and retorted on his accuser, that he had yet to learn in what place Lieutenant-General Cromwell with his cavalry had posted himself on the day of battle.<sup>2</sup>

It is worthy of remark, that, even at this early period, Essex, Manchester, and the Scottish commissioners suspected Cromwell with his friends of a design to obtain the command of the army, to abolish the house of Lords, divide the house of Commons, dissolve the covenant between the two nations, and erect a new government according to his

own principles. To defeat this project it was at first proposed that the chancellor of Scotland should denounce him as an incendiary, and demand his punishment according to the late treaty; but, on the reply of the lawyers whom they consulted, that their proofs were insufficient to sustain the charge, it was resolved that Manchester should accuse him before the Lords of having expressed a wish to reduce the peers to the state of private gentlemen; of having declared his readiness to fight against the Scots, whose chief object was to establish religious despotism; and of having threatened to compel, with the aid of the Independents, both king and parliament to accept such conditions as he should dictate. This charge, with a written statement by Manchester in his own vindication, was communicated to the Commons; and they, after some objections in point of form and privilege, referred it to a committee, where its consideration was postponed from time to time, till at last it was permitted to sleep in silence.<sup>3</sup>

Cromwell did not hesitate to wreak his revenge on Essex and Manchester, though the blow would probably recoil upon himself. He proposed in the Commons what was afterwards called the "self-denying ordinance," that the members of both houses should be excluded from all offices, whether civil or military. He would not, he said, reflect on what was past, but suggest a remedy for the future. The nation was weary of the war; and he spoke the language both of friends and foes, when he said that the blame of its continuance rested with the two houses, who could not be expected to bring it to a speedy termination as long as so many of

<sup>1</sup> Baillie, ii. 40, 41, 42, 49, 57, 60, 66, 69. Hollis, 15.

<sup>2</sup> Rushworth, v. 732. Journals, Nov. 22, 23, 25. Lords' Journals, vii. 67, 78, 80, 141.

Whitelock, 116.

<sup>3</sup> Baillie, ii. 76, 77. Journals, Dec. 2, 4; Jan. 18. Lords' Journals, 79, 80. Whitelock, 116, 117. Hollis, 18.

their members derived from military commands wealth and authority, and consideration. His real object was open to every eye; still the motion met with the concurrence of his own party, and of all whose patience had been exhausted by the quarrels among the commanders; and, when an exemption was suggested in favour of the lord-general, it was lost on a division by seven voices, in a house of one hundred and ninety-three members. However, the strength of the opposition encouraged the peers to speak with more than their usual freedom. They contended that the ordinance was unnecessary, since the committee was employed in framing a new model for the army; that it was unjust, since it would operate to the exclusion of the whole peerage from office, while the Commons remained equally eligible to sit in parliament, or to fill civil or military employments. It was in vain that the lower house remonstrated. The Lords replied that they had thrown out the bill, but would consent to another of similar import, provided it did not extend to commands in the army.<sup>1</sup>

But by this time the Committee of both Kingdoms had completed their plan of military reform, which, in its immediate operation, tended to produce the same effect as the rejected ordinance. It obtained the sanction of the Scottish commissioners, who consented, though with reluctance, to sacrifice their friends in the upper house, for the benefit of a measure which promised to put an end to the feuds and delays of the former system, and to remove from the army Cromwell, their most dangerous enemy. If it deprived them of the talents of Essex and Manchester, which they seem never to have prized, it gave them in exchange a commander-in-

chief, whose merit they had learned to appreciate during his service in conjunction with their forces at the siege of York. By the "new model" it was proposed that the army should consist of one thousand dragoons, six thousand six hundred cavalry in six and fourteen thousand four hundred infantry in twelve regiments, under Sir Thomas Fairfax as the first, and Major-General Skippon as the second, in command. The Lords hesitated; but after several conferences and debates they returned it with a few amendments to the Commons, and it was published by sound of drum in London and Westminster.<sup>2</sup>

This victory was followed by another. Many of the peers still clung to the notion that it was intended to abolish their privileges, and therefore resolved not to sink without a struggle. They insisted that the new army should take the covenant, and subscribe the directory for public worship; they refused their approbation to more than one half of the officers named by Sir Thomas Fairfax; and they objected to the additional power offered by the Commons to that general. On these subjects the division in the house were nearly equal, and whenever the opposite party obtained the majority, it was by the aid of a single proxy, or of the clamours of the mob. At length a declaration was made by the Commons, that "they held themselves obliged to preserve the peerage with the rights and privileges belonging to the house of Peers equally as their own, and would really perform the same." Relieved from their fears, the Lords yielded to a power which they knew not how to control; the different bills were passed, and among them a new self-denying ordinance, by which every member of either house was dis-

<sup>1</sup> Journals, Dec. 9, 17; Jan. 7, 10, 13. Lords' Journals, 129, 131, 134, 135. Rushworth, vi. 3-7.

<sup>2</sup> Journals, Jan. 9, 13, 25, 27; Feb. 15: of Lords, 159, 175, 169, 193, 195, 20 Clarendon, ii. 569.



charged from all civil and military offices conferred by authority of parliament, after the expiration of forty days.<sup>1</sup>

Hitherto I have endeavoured to preserve unbroken the chain of military and political events: it is now time to call the attention of the reader to the ecclesiastical occurrences of the two last years.

I. As religion was acknowledged to be the first of duties, to put down popery and idolatry, and to purge the church from superstition and corruption, had always been held out by the parliament as its grand and most important object. It was this which, in the estimation of many of the combatants, gave the chief interest to the quarrel; this which made it, according to the language of the time, "a wrestle between Christ and antichrist." Every good Protestant had been educated in the deepest horror of popery: there was a magic in the very word which awakened the prejudices and inflamed the passions of men; and the reader must have observed with what art and perseverance the patriot leaders employed it to confirm the attachment, and quicken the efforts of their followers. Scarcely a day occurred in which some order or ordinance, local or general, was not issued by the two houses; and very few of these, even on the most indifferent subjects, were permitted to pass without the assertion that the war had been originally provoked, and was still continued by the papists, for the sole purpose of the establishment of popery on the ruins of Pro-

testantism. The constant repetition acted on the minds of the people as a sufficient proof of the charge; and the denials, the protestations, the appeals to heaven made by the king, were disregarded and condemned as unworthy artifices, adopted to deceive the credulous and unwary. Under such circumstances, the Catholics found themselves exposed to insult and persecution wherever the influence of the parliament extended: for protection they were compelled to flee to the quarters of the royalists, and to fight under their banners; and this again confirmed the prejudice against them, and exposed them to additional obloquy and punishment.

But the chiefs of the patriots, while for political purposes they pointed the hatred of their followers against the Catholics, appear not to have delighted unnecessarily in blood. They ordered, indeed, searches to be made for Catholic clergymen; they offered and paid rewards for their apprehension, and they occasionally gratified the zealots with the spectacle of an execution. The priests who suffered death in the course of the war amounted on an average to three for each year, a small number, if we consider the agitated state of the public mind during that period.<sup>2</sup> But it was the property of the lay Catholics which they chiefly sought, pretending that, as the war had been caused by their intrigues, its expenses ought to be defrayed by their forfeitures. It was ordained that two-thirds of the whole estate, both real and personal, of every papist, should be

<sup>1</sup> Journals, Feb. 25, March 21; of Lords, 287, 303.

<sup>2</sup> Journals, vi. 133, 254. See their Memoirs in Challoner, ii. 209—319. In 1643, after a solemn fast, the five chaplains of the queen were apprehended and sent to France, their native country, and the furniture of her chapel at Somerset House was publicly burnt. The citizens were so edified with the sight, that they requested and ob-

tained permission to destroy the gilt cross in Cheapside. The lord mayor and aldermen graced the ceremony with their presence, and "antichrist" was thrown into the flames, while the bells of St. Peter's rang a merry peal, the city waits played melodious tunes on the leads of the church, the train bands discharged volleys of musketry, and the spectators celebrated the triumph with acclamations of joy.—Parl. Chron, 294, 327.

seized and sold for the benefit of the nation; and that by the name of papist should be understood all persons who, within a certain period, had harboured any priest, or had been convicted of recusancy, or had attended at the celebration of mass, or had suffered their children to be educated in the Catholic worship, or had refused to take the oath of abjuration; an oath lately devised, by which all the distinguishing tenets of the Catholic religion were specifically renounced.<sup>1</sup>

II. A still more important object was the destruction of the episcopal establishment, a consummation most devoutly wished by all who objected to the ceremonies in the liturgy, or had been scandalized by the pomp of the prelates, or had smarted under the inflictions of their zeal for the preservation of orthodoxy. It must be confessed that these prelates, in the season of prosperity, had not borne their faculties with meekness; that the frequency of prosecutions in the ecclesiastical courts had produced irritation and hatred; and that punishments had been often awarded by those courts rigorous beyond the measure of the offence. But the day of retribution arrived. Episcopacy was abolished; an impeachment suspended over the heads of most of the bishops, kept them in a state of constant apprehension; and the inferior clergy, wherever the parliamentary arms prevailed, suffered all those severities which they had formerly inflicted on their dissenting brethren. Their enemies accused them of immorality or malignancy; and the two houses invariably sequestrated their livings, and assigned the profits to other ministers, whose sentiments accorded better with the

new standard of orthodoxy and patriotism admitted at Westminster.

The same was the fate of the ecclesiastics in the two universities, which had early become objects of jealousy and vengeance to the patriots. They had for more than a century inculcated the doctrine of passive obedience and since the commencement of the war had more than once advanced considerable sums to the king. Oxford, indeed, enjoyed a temporary exemption from their control; but Cambridge was already in their power and a succession of feuds between the students and the townsmen afforded a decent pretext for their interference. Soldiers were quartered in the colleges; the painted windows and ornaments of the churches were demolished; and the persons of the inmates were subjected to insults and injuries. In January, 1644, an ordinance passed for the reform of the university; and it was perhaps fortunate that the ungracious task devolved in the first instance on the military commander, the earl of Manchester, who to a taste for literature added a gentleness of disposition averse from acts of severity. Under his superintendence the university was "purified;" and ten heads of houses with sixty-five fellows, were expelled. Manchester confined himself to those who, by their hostility to the parliament, had rendered themselves conspicuous, or through fear had already abandoned their stations; but after his departure, the meritorious undertaking was resumed by a committee, and the number of expulsions was carried to two hundred.<sup>2</sup> Thus the clerical establishment gradually crumbled away; part after part was detached from the edifice; and the reformers hastened to raise what the

<sup>1</sup> Journals, Aug. 17, 1643. Collection of Ordinances, 22.

<sup>2</sup> Journals of Lords, vi. 389; of Commons,

Jan. 20, 1644. Neal, l. iii. c. 3. Walker i. 112. Querela Cantab. in Merc. Rust. 1—210.

deemed a more scriptural fabric on the ruins. In the month of June, 1643, one hundred and twenty individuals selected by the Lords and Commons, under the denomination of pious, godly, and judicious divines, were summoned to meet at Westminster; and, that their union might bear a more correct resemblance to the assembly of the Scottish kirk, thirty laymen—ten lords and twenty commoners—were voted additional members. The two houses prescribed the form of the meetings, and the subject of the debates: they enjoined an oath to be taken on admission, and the obligation of secrecy till each question should be determined; and they ordained that every decision should be laid before themselves, and considered of no force until it had been confirmed by their approbation.<sup>1</sup>

Of the divines summoned, a portion was composed of Episcopalians; and these, through motives of conscience or loyalty, refused to attend: the majority consisted of Puritan ministers, anxious to establish the Calvinistic discipline and doctrine of the foreign reformed churches; and to these was opposed a small but formidable band of Independent clergymen, who, under the persecution of Archbishop Laud, had formed congregations in Holland, but had taken the present opportunity to return from exile, and preach the gospel in their native country. The point at issue between these two parties was one of the first importance, involving in its result the great question of liberty of conscience. The Presbyterians sought to introduce a gradation of spiritual authorities in presbyteries, classes, synods, and assemblies; giving to these several judicatories the power of the keys, that is, of censuring, suspending, depriving, and excommunicating de-

linquents. They maintained that such a power was essential to the church; that to deny it was to rend into fragments the seamless coat of Christ, to encourage disunion and schism, and to open the door to every species of theological war. On the other hand, their adversaries contended that all congregations of worshippers were co-ordinate and independent; that synods might advise, but could not command; that multiplicity of sects must necessarily result from the variableness of the human judgment, and the obligation of worshipping God according to the dictates of conscience; and that religious toleration was the birthright of every human being, whatever were his speculative creed or the form of worship which he preferred.<sup>2</sup>

The weight of number and influence was in favour of the Presbyterians. They possessed an overwhelming majority in the assembly, the senate, the city, and the army; the solemn league and covenant had enlisted the whole Scottish nation in their cause; and the zeal of the commissioners from the kirk, who had also seats in the assembly, gave a new stimulus to the efforts of their English brethren. The Independents, on the contrary, were few, but their deficiency in point of number was supplied by the energy and talents of their leaders. They never exceeded a dozen in the assembly; but these were veteran disputants, eager, fearless, and persevering, whose attachment to their favourite doctrines had been riveted by persecution and exile, and who had not escaped from the intolerance of one church to submit tamely to the control of another. In the house of Commons they could command the aid of several among the master spirits of the age,—of Cromwell, Selden,

<sup>1</sup> Journals, vi. 114, 254. Commons, 1643, May 13, June 16, July 6, Sept. 14. Rush.

v. 337, 339.

<sup>2</sup> Baillie, i. 420, 431; ii. 15, 24, 37, 43, 61.

St. John, Vane, and Whitelock; in the capital some of the most wealthy citizens professed themselves their disciples, and in the army their power rapidly increased by the daily accession of the most godly and fanatic of the soldiers. The very nature of the contest between the king and the parliament was calculated to predispose the mind in favour of their principles. It taught men to distrust the claims of authority, to exercise their own judgment on matters of the highest interest, and to spurn the fetters of intellectual as well as of political thralldom. In a short time the Independents were joined by the Antinomians, Anabaptists, Millennarians, Erastians, and the members of many ephemeral sects, whose very names are now forgotten. All had one common interest; freedom of conscience formed the chain which bound them together.<sup>1</sup>

In the assembly each party watched with jealousy, and opposed with warmth, the proceedings of the other. On a few questions they proved unanimous. The appointment of days of humiliation and prayer, the suppression of public and scandalous sins, the prohibition of copes and surplices, the removal of organs from the churches, and the mutilation or demolition of monuments deemed superstitious or idolatrous, were matters equally congenial to their feelings, and equally gratifying to their zeal or fanaticism.<sup>2</sup> But when they came to the more important subject of church government, the opposition between them grew fierce and obstinate; and day after day, week after week, was consumed in unavailing debates. The kirk of Scotland remonstrated, the house of Commons admonished in vain. For more than a year the per-

severance of the Independents held in check the ardour and influence of their more numerous adversaries. Overpowered at last by open force, they had recourse to stratagem; and, to distract the attention of the Presbyterians, tendered to the assembly a plea for indulgence to tender consciences; while their associate, Cromwell, obtained from the lower house an order that the same subject should be referred to a committee formed of lords and commoners, and Scottish commissioners and deputies from the assembly. Thus a new apple of discord was thrown among the combatants. The lords Say and Wharton, Sir Henry Vane, and Mr. St. John contended warmly in favour of toleration; they were as warmly opposed by the "divine eloquence of the chancellor" of Scotland, the commissioners from the kirk, and several eminent members of the English parliament. The passions and artifices of the contending parties interposed additional delays, and the year 1644 closed before this interesting controversy could be brought to a conclusion.<sup>3</sup> Eighteen months had elapsed since the assembly was first convened, and yet it had accomplished nothing of importance except the composition of a directory for the public worship, which regulated the order of the service, the administration of the sacraments, the ceremony of marriage, the visitation of the sick and the burial of the dead. On these subjects the Scots endeavoured to introduce the practice of their own kirk; but the pride of the English demanded alterations; and both parties consented to a sort of compromise, which carefully avoided every approach to the form of a liturgy and while it suggested heads for the

<sup>1</sup> Baillie, i. 398, 408; ii. 3, 19, 43. Whitelock, 169, 170.

<sup>2</sup> Journals, 1643, July 5; 1644, Jan. 16, 29, May 9. Journals of Lords, vi. 200, 507,

546. Baillie, i. 421, 422, 471. Rush. v. 35, 749.

<sup>3</sup> Baillie, ii. 57, 61, 62, 66-68. Journals, Sept. 13, Jan. 24; of Lords, 70.

sermon and prayer, left much of the matter, and the whole of the manner, to the talents or the inspiration of the minister. In England the Book of Common Prayer was abolished, and the Directory substituted in its place by an ordinance of the two Houses; in Scotland the latter was commanded to be observed in all churches by the joint authority of the assembly and the parliament.<sup>1</sup>

To the downfall of the liturgy succeeded a new spectacle,—the decapitation of an archbishop. The name of Laud, during the first fifteen months after his impeachment, had scarcely been mentioned; and his friends began to cherish a hope that, amidst the din of arms, the old man might be forgotten, or suffered to descend peaceably into the grave. But his death was unintentionally occasioned by the indiscretion of the very man whose wish and whose duty it was to preserve the life of the prelate. The Lords had ordered Laud to collate the vacant benefices in his gift on persons nominated by themselves, the king forbade him to obey. The death of the rector of Chartham, in Kent, brought his constancy to the test. The Lords named one person to the king, Charles another; and the archbishop, to extricate himself from the dilemma, sought to defer his decision till the right should have lapsed to the crown; but the Lords made a peremptory order, and when he attempted to excuse his disobedience, sent a message to the Commons to expedite his trial. Perhaps they meant only to intimidate; but his enemies seized the opportunity; a committee was appointed; and the task of collecting and preparing evidence was committed to Prynne, whose tiger-like revenge still thirsted for the blood

of his former persecutor.<sup>2</sup> He carried off from the cell of the prisoner his papers, his diary, and even his written defence; he sought in every quarter for those who had formerly been prosecuted or punished at the instance of the archbishop, and he called on all men to discharge their duty to God and their country, by deposing to the crimes of him who was the common enemy of both.

At the termination of six months the committee had been able to add ten new articles of impeachment to the fourteen already presented; four months later, both parties were ready to proceed to trial, and on the 12th of March, 1644, more than three years after his commitment, the archbishop confronted his prosecutors at the bar of the house of Lords.

I shall not attempt to conduct the reader through the mazes of this long and wearisome process, which occupied twenty-one days in the course of six months. The many articles presented by the Commons might be reduced to three,—that Laud had endeavoured to subvert the rights of parliament, the laws and the religion of the nation. In support of these, every instance that could be raked together by the industry and ingenuity of Prynne, was brought forward. The familiar discourse, and the secret writings of the prelate had been scrutinized; and his conduct both private and public, as a bishop and a counsellor, in the Star-chamber and the High Commission court, had been subjected to the most severe investigation. Under every disadvantage, he defended himself with spirit, and often with success. He showed that many of the witnesses were his personal enemies, or undeserving of credit; that his words and writings

<sup>1</sup> Baillie, i. 408, 413, 440; ii. 27, 31, 33, 6, 73, 74, 75. Rush. v. 785. Journals, Sept. 24, Nov. 26, Jan. 1, 4, March 5. Journals of Lords, 119, 121. See "Confessions

of Faith, &c. in the Church of Scotland," 159—194.

<sup>2</sup> Laud's History written by himself in the Tower, 200—206.

would bear a less offensive and more probable interpretation; and that most of the facts objected to him were either the acts of his officers, who alone ought to be responsible, or the common decision of those boards of which he was only a single member.<sup>1</sup> Thus far he had conducted his defence without legal aid. To speak to matters of law, he was allowed the aid of counsel, who contended that not one of the offences alleged against him amounted to high treason; that their number could not change their quality; that an endeavour to subvert the law, or religion, or the rights of parliament, was not treason by any statute; and that the description of an offence so vague and indeterminate ought never to be admitted; otherwise the slightest transgression might, under that denomination, be converted into the highest crime known to the law.<sup>2</sup>

But the Commons, whether they distrusted the patriotism of the Lords, or doubted the legal guilt of the prisoner, had already resolved to proceed by attainder. After the second reading of the ordinance, they sent for the venerable prisoner to their bar, and ordered Brown, one of the managers, to recapitulate in his hearing the evidence against him, together with his answers. Some days later he was recalled, and suffered to speak in his own defence. After his departure, Brown made a long reply; and the house, without further consideration, passed the bill of attainder, and adjudged him to suffer the penalties of treason.<sup>3</sup> The reader will not fail to observe this flagrant perversion of the forms of justice. It was not as in the case of the earl of Strafford. The Commons had not been present at the trial of Laud; they had not heard

the evidence, they had not even read the depositions of the witnesses; they pronounced judgment on the credit of the unsworn and partial statement made by their own advocate. Such a proceeding, so subversive of right and equity, would have been highly reprehensible in any court or class of men; it deserved the severest reprobation in that house, the members of which professed themselves the champions of freedom, and were actually in arms against the sovereign, to preserve, as they maintained, the laws, the rights, and the liberties of the nation.

To quicken the tardy proceedings of the Peers, the enemies of the archbishop had recourse to their usual expedients. Their emissaries lamented the delay in the punishment of delinquents, and the want of unanimity between the two houses. It was artfully suggested as a remedy, that both the Lords and Commons ought to sit and vote together in one assembly and a petition, embodying these different subjects, was prepared and circulated for signatures through the city. Such manœuvres aroused the spirit of the Peers. They threatened to punish all disturbers of the peace; they replied with dignity to an insulting message from the Commons and, regardless of the clamours of the populace, they spent several days in comparing the proofs of the manager with the defence of the archbishop. At last, in a house of fourteen members, the majority pronounced him guilty of certain acts, but called upon the judges to determine the quality of the offence; who warily replied, that nothing of which he had been convicted was treason by the statute law what it might be by the law of parliament, the house alone was the proper judge. In these circumstances

<sup>1</sup> Compare his own daily account of his trial in *History*, 220—421, with that part published by Prynne, under the title of *Canterburies Doome*, 1648; and Rushworth,

v. 772. <sup>2</sup> See it in *Laud's History*, 423.

<sup>3</sup> *Journals*, Oct. 31, Nov. 2, 11, 16. *Laud History*, 432—440. Rushworth, v. 780.

the Lords informed the Commons, that till their consciences were satisfied, they should "scruple" to pass the bill of attainder.<sup>1</sup>

It was the eve of Christmas, and to prove that the nation had thrown off the yoke of superstition, the festival was converted, by ordinance of the two houses, into a day of "fasting and public humiliation."<sup>2</sup> There was much policy in the frequent repetition of these devotional observances. The ministers having previously received instructions from the leading patriots, adapted their prayers and sermons to the circumstances of the time, and never failed to add a new stimulus to the fanaticism of their hearers. On the present occasion the crimes of the archbishop offered a tempting theme to their eloquence; and the next morning the Commons, taking into consideration the last message, intrusted to a committee the task of enlightening the ignorance of the Lords. In a conference the latter were told that treasons are of two kinds; treasons against the king, created by statute, and cognizable by the inferior courts; and treasons against the realm, held so at common law, and subject only to the judgment of parliament. There could not be a doubt that the offence of Laud was treason of the second class; nor would the two houses perform their duty, if they did not visit it

with the punishment which it deserved. When the question was resumed, several of the lords withdrew; most of the others were willing to be persuaded by the reasoning of the Commons; and the ordinance of attainder was passed by the majority, consisting only, if the report be correct, of six members.<sup>3</sup>

The archbishop submitted with resignation to his fate, and appeared on the scaffold with a serenity of countenance and dignity of behaviour, which did honour to the cause for which he suffered. The cruel punishment of treason had been, after some objections, commuted for decapitation, and the dead body was delivered for interment to his friends.<sup>4</sup> On Charles the melancholy intelligence made a deep impression; yet he contrived to draw from it a new source of consolation. He had sinned equally with his opponents in consenting to the death of Strafford, and had experienced equally with them the just vengeance of heaven. But he was innocent of the blood of Laud; the whole guilt was exclusively theirs; nor could he doubt that the punishment would speedily follow in the depression of their party, and the exaltation of the throne.<sup>5</sup>

The very enemies of the unfortunate archbishop admitted that he was learned and pious, attentive to his duties, and unexceptionable in his

<sup>1</sup> Journals, vii. 76, 100, 111.

<sup>2</sup> Ibid. 106. In the preceding year, the Scottish commissioners had "preached stoutly against the superstition of Christmas;" but only succeeded in prevailing on the two houses "to profane that holyday by sitting on it, to their great joy, and some of the assembly's shame."—Baillie, i. 411.

<sup>3</sup> Journals, 125, 126. Commons', Dec. 26. Laud's Troubles, 452. Rushworth, v. 781—785. Cyprianus Aug. 528. From the journals it appears that twenty lords were in the house during the day: but we are told in the "Brief Relation" printed in the second collection of Somers's Tracts, ii. 287, that the majority consisted of the earls of Kent, Pembroke, Salisbury, and Boling-

broke, and the lords North, Gray of Werke, and Bruce. Bruce afterwards denied that he had voted. According to Sabran, the French ambassador, the majority amounted to five out of nine.—Raumer, ii. 332.

<sup>4</sup> Several executions had preceded that of the archbishop. Macmahon, concerned in the design to surprise the castle of Dublin, suffered Nov. 22; Sir Alexander Carew, who had engaged to surrender Plymouth to the king, on Dec. 23; and Sir John Hotham and his son, who, conceiving themselves ill treated by the parliament, had entered into a treaty for the surrender of Hull, on the 1st and 2nd of January; Lord Macguire followed on Feb. 20.

<sup>5</sup> See his letter to the queen, Jan. 14th, in his Works, 145.

morals; on the other hand, his friends could not deny that he was hasty and vindictive, positive in his opinions, and inexorable in his enmities. To excuse his participation in the arbitrary measures of the council, and his concurrence in the severe decrees of the Star-chamber, he alleged, that he was only one among many; and that it was cruel to visit on the head of a single victim the common faults of the whole board. But it was replied, with great appearance of truth, that though only one, he was the chief; that his authority and influence swayed the opinions both of his sovereign and his colleagues; and that he must not expect to escape the just reward of his crimes because he had possessed the ingenuity to make others his associates in guilt. Yet I am of opinion that it was religious, and not political rancour, which led him to the block; and that, if the zealots could have forgiven his conduct as archbishop, he might have lingered out the remainder of his life

in the Tower. There was, however, but little difference in that respect between them and their victim. Both were equally obstinate, equally inflexible, equally intolerant. As long as Laud ruled in the zenith of his power, deprivation awaited the non-conforming minister, and imprisonment, fine, and the pillory were the certain lot of the writer who dared to lash the real or imaginary vices of the prelacy. His opponents were now lords of the ascendant, and they exercised their sway with similar severity on the orthodox clergy of the establishment, and on all who dared to arraign before the public the new reformation of religion. Surely the consciousness of the like intolerance might have taught them to look with a more indulgent eye on the past errors of their fallen adversary, and to spare the life of a feeble old man bending under the weight of seventy-two years, and disabled by his misfortunes from offering opposition to their will, or affording aid to their enemies.<sup>1</sup>

<sup>1</sup> I have not noticed the charge of endeavouring to introduce popery, because it appears to me fully disproved by the whole tenor of his conduct and writings, as long as he was in authority. There is, however, some reason to believe that, in the solitude of his cell, and with the prospect of the block before his eyes, he began to think more favourably of the Catholic church. At least, I find Rosetti inquiring of Cardinal Barberini whether, if Laud should escape from the Tower, the pope would afford him an asylum and a pension in Rome. He would be content with one thousand crowns — “il quale, quando avesse potuto liberarsi dalle carceri, sarebbe ito volontieri a vivere e morire in Roma, contendendosi di mille scudi annui.” Barberini answered, that Laud was in such bad repute in Rome, being

looked upon as the cause of all the troubles in England, that it would previously be necessary that he should give good proof of his repentance; in which case he should receive assistance, though such assistance would give a colour to the imputation that there had always been an understanding between him and Rome. “Era si cattivo il concetto, che di lui avevasi in Roma, cioè che fosse stato autore di tutte le torbolenze d’Inghilterra, che era necessario dassero primo segni ben grandi del suo pentimento. Ed in tal caso sarebbe stato ajutato; sebensaria paruto che nelle sue passate risoluzioni se la fosse sempre intesa con Roma.” — From the MS. abstract of the Barberini papers made by the canon Nicoletti soon after the death of the cardinal.



## CHAPTER II.

TREATY AT UXBRIDGE—VICTORIES OF MONTROSE IN SCOTLAND—DEFEAT OF THE KING AT NASEBY—SURRENDER OF BRISTOL—CHARLES SHUT UP WITHIN OXFORD—MISSION OF GLAMORGAN TO IRELAND—HE IS DISAVOWED BY CHARLES, BUT CONCLUDES A PEACE WITH THE IRISH—THE KING INTRIGUES WITH THE PARLIAMENT, THE SCOTS, AND THE INDEPENDENTS—HE ESCAPES TO THE SCOTTISH ARMY—REFUSES THE CONCESSIONS REQUIRED—IS DELIVERED UP BY THE SCOTS.

WHENEVER men spontaneously risk their lives and fortunes in the support of a particular cause, they are wont to set a high value on their services, and generally assume the right of expressing their opinions, and of interfering with their advice. Hence it happened that the dissensions and animosities in the court and army of the unfortunate monarch were scarcely less violent or less dangerous than those which divided the parliamentary leaders. All thought themselves entitled to offices and honours from the gratitude of the sovereign; no appointment could be made which did not deceive the expectations, and excite the murmurs, of numerous competitors; and complaints were everywhere heard, cabals were formed, and the wisest plans were frequently controlled and defeated, by men who thought themselves neglected or aggrieved. When Charles, as one obvious remedy, removed the lord Wilmot from the command of the cavalry, and the lord Percy from that of the ordnance, he found that he had only aggravated the evil; and the dissatisfaction of the army was further increased by the substitution of his nephew Prince Rupert, whose severe and imperious temper had earned him the general hatred, in the place of Ruthen, who, on account of his infirmities, had been advised to retire.<sup>1</sup>

Another source of most acrimonious controversy, was furnished by the important question of peace or war, which formed a daily subject of debate in every company, and divided the royalists into contending parties. Some there were (few, indeed, in number, and chiefly those whom the two houses by their votes had excluded from all hopes of pardon) who contended that the king ought never to lay down his arms till victory should enable him to give the law to his enemies; but the rest, wearied out with the fatigues and dangers of war, and alarmed by the present sequestration of their estates, and the ruin which menaced their families, most anxiously longed for the restoration of peace. These, however, split into two parties; one which left the conditions to the wisdom of the monarch; the other which not only advised, but occasionally talked of compelling a reconciliation on almost any terms, pretending that, if once the king were reseated on his throne, he must quickly recover every prerogative which he might have lost. As for Charles himself, he had already suffered too much by the war, and saw too gloomy a prospect before him, to be indifferent to the subject; but, though he was now prepared to make sacrifices, from which but two years before he would have recoiled with horror, he had still resolved never to subscribe to conditions irreconcilable with his honour and conscience; and

<sup>1</sup> Clarendon, ii. 482, 513, 554.

in this temper of mind he was confirmed by the frequent letters of Henrietta from Paris, who reminded him of the infamy which he would entail on himself, were he, as he was daily advised, to betray to the vengeance of the parliament the Protestant bishops and Catholic royalists, who, trusting to his word, had ventured their all for his interest.<sup>1</sup> He had now assembled *his* parliament for the second time; but the attendance of the members was scarce, and the inconvenience greater than the benefit. Motions were made ungrateful to the feelings, and opposed to the real views of the king, who, to free himself from the more obtrusive and importunate of these advisers, sent them into honourable exile, by appointing them to give their attendance on his queen during her residence in France.<sup>2</sup>

In the last summer the first use which he had made of each successive advantage, was to renew the offer of opening a negotiation for peace. It convinced the army of the pacific disposition of their sovereign, and it

threw on the parliament, even among their own adherents, the blame of continuing the war. At length, after the third message, the houses gave a tardy and reluctant consent; but it was not before they had received from Scotland the propositions formerly voted as the only basis of a lasting reconciliation, had approved of the amendments suggested by their allies, and had filled up the blanks with the specification of the acts of parliament to be passed, and with the names of the royalists to be excepted from the amnesty. It was plain to every intelligent man in either army that to lay such a foundation of peace was in reality to proclaim perpetual hostilities.<sup>3</sup> But the king, by the advice of his council, consented to make it the subject of a treaty, for two ends; to discover whether it was the resolution of the houses to adhere without any modification to these high pretensions; and to make the experiment, whether it were not possible to gain one of the two factions, the Presbyterians or the Independents, or at least to widen the breach

<sup>1</sup> This is the inference which I have drawn from a careful perusal of the correspondence between Charles and the queen in his Works, p. 142—150. Some writers have come to a different conclusion: that he was insincere, and under the pretence of seeking peace, was in reality determined to continue the war. That he prepared for the resumption of hostilities is indeed true; but the reason which he gives to the queen is satisfactory, "the improbability that this present treaty should produce a peace, considering the great strange difference (if not contrariety) of grounds that are betwixt the rebels' propositions and mine, and that I cannot alter mine, nor will they ever theirs, until they be out of the hope to prevail by force" (p. 146). Nor do I see any proof that Charles was governed, as is pretended, by the queen. He certainly took his resolutions without consulting her, and, if she sometimes expressed her opinion respecting them, it was no more than any other woman in a similar situation would have done. "I have nothing to say, but that you have a care of your honour; and that, if you have a peace, it may be such as may hold; and if it fall out otherwise, that you do not abandon those who have served

you, for fear they do forsake you in your need. Also I do not see how you can be in safety without a regiment of guard; for myself, I think I cannot be, seeing the malice which they have against me and my religion, of which I hope you will have a care of both. But in my opinion, religion should be the last thing upon which you should treat; for if you do agree upon strictness against the Catholics, it would discourage them to serve you; and if afterwards there should be no peace, you could never expect succours either from Ireland, or any other Catholic prince, for they would believe you would abandon them after you have served yourself" (p. 142, 143).

<sup>2</sup> See the letters in Charles's Works, 142—148. "I may fairly expect to be chidden by thee for having suffered thee to be vexed by them [Wilmot being already there, Percy on his way, and Sussex within a few days of taking his journey], but that I know thou carest not for a little trouble to free me from great inconvenience."—*Ibid.* 150.

<sup>3</sup> Journals, vii. 53. The very authors of the propositions did not expect that the king would ever submit to them.—Baillie, ii. 8, 43, 73.

between them by furnishing new causes of dissension.<sup>1</sup>

At Uxbridge, within the parliamentary quarters, the commissioners from the two parties met each other. Those from the parliament had been commanded to admit of no deviation from the substance of the propositions already voted; to confine themselves to the task of showing that their demands were conformable to reason, and therefore not to be refused; and to insist that the questions of religion, the militia, and Ireland, should each be successively debated during the term of three days, and continued in rotation till twenty days had expired, when, if no agreement were made, the treaty should terminate. They demanded that episcopacy should be abolished, and the Directory be substituted in place of the Book of Common Prayer; that the command of the army and navy should be vested in the two houses, and intrusted by them to certain commissioners of their own appointment; and that the cessation in Ireland should be broken, and hostilities should be immediately renewed. The king's commissioners replied, that his conscience would not allow him to consent to the proposed change of religious worship, but that he was willing to consent to a law restricting the jurisdiction of the bishops within the narrowest bounds, granting very reasonable indulgence to tender consciences, and raising on the church property the sum of one hundred thousand pounds, towards the liquidation of the public debt; that on the subject of the army and navy he was prepared to make considerable concessions, provided the

power of the sword were, after a certain period, to revert unimpaired to him and his successors; and that he could not, consistently with his honour, break the Irish treaty, which he had, after mature deliberation, subscribed and ratified. Much of the time was spent in debates respecting the comparative merits of the episcopal and presbyterian forms of church government, and in charges and recriminations as to the real authors of the distress and necessity which had led to the cessation in Ireland. On the twentieth day nothing had been concluded. A proposal to prolong the negotiation was rejected by the two houses, and the commissioners returned to London and Oxford. The royalists had, however, discovered that Vane, St. John, and Prideaux had come to Uxbridge not so much to treat, as to act the part of spies on the conduct of their colleagues; and that there existed an irreconcilable difference of opinion between the two parties, the Presbyterians seeking the restoration of royalty, provided it could be accomplished with perfect safety to themselves, and with the legal establishment of their religious worship, while the Independents sought nothing less than the total downfall of the throne, and the extinction of the privileges of the nobility.<sup>2</sup>

Both parties again appealed to the sword, but with very different prospects before them; on the side of the royalists all was lowering and gloomy, on that of the parliament bright and cheering. The king had derived but little of that benefit which he expected from the cessation in Ireland.

<sup>1</sup> Charles was now persuaded even to address the two houses by the style of "the Lords and Commons assembled in the parliament of England at Westminster," instead of "the Lords and Commons of parliament assembled at Westminster," which he had formerly used.—*Journals*, vii. 91. He says he would not have done it, if he could have

found two in the council to support him.—*Works*, 144. *Evelyn's Mem.* ii. App. 90. This has been alleged, but I see not with what reason, as a proof of his insincerity in the treaty.

<sup>2</sup> See *Journals*, vii. 163, 166, 169, 174, 181, 195, 211, 231, 239, 242—254; *Clarendon*, ii. 573—600.

He dared not withdraw the bulk of his army before he had concluded a peace with the insurgents; and they, aware of his difficulties, combined their demands, which he knew not how to grant, with an offer of aid which he was unwilling to refuse. They demanded freedom of religion, the repeal of Poyning's law, a parliamentary settlement of their estates, and a general amnesty, with this exception, that an inquiry should be instituted into all acts of violence and bloodshed not consistent with the acknowledged usages of war, and that the perpetrators should be punished according to their deserts, without distinction of party or religion. It was the first article which presented the chief difficulty. The Irish urged the precedent of Scotland; they asked no more than had been conceded to the Covenanters; they had certainly as just a claim to the free exercise of that worship which had been the national worship for ages, as the Scots could have to the exclusive establishment of a form of religion which had not existed during an entire century. But Charles, in addition to his own scruples, feared to irritate the prejudices of his Protestant subjects. He knew that many of his own adherents would deem such a concession an act of apostasy; and he conjured the Irish deputies not to solicit that which must prove prejudicial to him, and therefore to themselves: let them previously enable

him to master their common enemies; let them place him in a condition "to make them happy," and he assured them on the word of a king, that he would not "disappoint their just expectations."<sup>1</sup> They were not, however, to be satisfied with vague promises, which might afterwards be interpreted as it suited the royal convenience; and Charles, to throw the odium of the measure from himself on his Irish counsellors, transferred the negotiation to Dublin, to be continued by the new lord lieutenant, the marquess of Ormond. That nobleman was at first left to his own discretion. He was then authorized to promise the non-execution of the penal laws for the present, and their repeal on the restoration of tranquillity; and, lastly, to stipulate for their immediate repeal, if he could not otherwise subdue the obstinacy, or remove the jealousy of the insurgents. The treaty at Uxbridge had disclosed to the eyes of the monarch the abyss which yawned before him: he saw "that the aim of his adversaries was a total subversion of religion and regal power;" and he commanded Ormond to conclude the peace whatever it might cost, provided it should secure the persons and properties of the Irish Protestants, and the full exercise of the royal authority in the island.<sup>2</sup>

In Scotland an unexpected but transient diversion had been made in favour of the royal cause. Th

<sup>1</sup> Clarendon, *Irish Rebellion*, 25.

<sup>2</sup> Carte's *Ormond*, ii. App. xii. xiv. xv. xviii.; iii. cccxxxi. He thus states his reasons to the lord lieutenant:—"It being now manifest that the English rebels have, as far as in them lies, given the command of Ireland to the Scots" (they had made Leslie, earl of Leven, commander-in-chief of all the English as well as Scottish forces in Ireland), "that their aim is the total subversion of religion and regal power, and that nothing less will content them, or purchase peace here; I think myself bound in conscience not to let slip the means of settling that kingdom (if it may be) fully

under my obedience, nor lose that assistance which I may hope from my Irish subjects for such scruples as in a less pressing condition might reasonably be stuck at by me ..... If the suspension of Poyning's act for such bills as shall be agreed upon between you there, and the present taking away of the penal laws against papists by law, will do it, I shall not think it a bad bargain, so that freely and vigorously they engage themselves in my assistance against my rebels of England and Scotland, for which no conditions can be too hard, nor being against conscience or honour." *Charles's Works*, 149, 150.

earls, afterwards marquesses, of Antrim and Montrose had met in the court at Oxford. In abilities Montrose was inferior to few, in ambition to none. The reader is aware that he had originally fought in the ranks of the Covenanters, but afterwards transferred his services to Charles, and narrowly escaped the vengeance of his enemies. Now, that he was again at liberty, he aspired to the glory of restoring the ascendancy of the royal cause in Scotland. At first all his plans were defeated by the jealousy or wisdom of Hamilton; but Hamilton gradually sunk, whilst his rival rose in the esteem of the sovereign.<sup>1</sup> Antrim, his associate, was weak and capricious, but proud of his imaginary consequence, and eager to engage in undertakings to which neither his means nor his talents were equal. He had failed in his original attempt to surprise the castle of Dublin; and had twice fallen into the hands of the Scots in Ulster, and twice made his escape; still his loyalty or presumption was unsubdued, and he had come to Oxford to make a third tender of his services. Both Antrim and Montrose professed themselves the personal enemies of the earl of Argyle, appointed by the Scottish estates lieutenant of the kingdom; and they speedily arranged a plan, which possessed the double

merit of combining the interest of the king with the gratification of private revenge. Having obtained the royal commission,<sup>2</sup> Antrim proceeded to Ulster, raised eleven or fifteen hundred men among his dependents, and despatched them to the opposite coast of Scotland under the command of his kinsman Alaster Macdonald, surnamed Colkitto.<sup>3</sup> They landed at Knoydart: the destruction of their ships in Loch Eishord, by a hostile fleet, deprived them of the means of returning to Ireland; and Argyle with a superior force cautiously watched their motions. From the Scottish royalists they received no aid; yet Macdonald marched as far as Badenoch, inflicting severe injuries on the Covenanters, but exposed to destruction from the increasing multitude of his foes. In the mean time, Montrose, with the rank of lieutenant-general, had unfurled the royal standard at Dumfries; but with so little success, that he hastily retraced his steps to Carlisle, where by several daring actions he rendered such services to the royal cause, that he received the title of marquess from the gratitude of the king. But the fatal battle of Marston Moor induced him to turn his thoughts once more towards Scotland; and having ordered his followers to proceed to Oxford, on the third day

<sup>1</sup> When Hamilton arrived at Oxford, Dec. 16, 1643, several charges were brought against him by the Scottish royalists, which with his answers may be seen in Burnet, *Memoirs*, 250—269. Charles pronounced no opinion; but his suspicions were greatly excited by the deception practised by Hamilton on the lords of the royal party at the convention, and his concealment from them of the king's real intentions. On this account Hamilton was arrested, and conveyed to Pendennis Castle, in Cornwall, where he remained a prisoner till the place was taken by the parliamentary forces. Hamilton's brother Lanark was also forbidden to appear at court; and, having received advice that he would be sent to the castle of Ludlow, made his escape from Oxford to his countrymen in London, and

thence returned to Edinburgh. His offence was, that he, as secretary, had affixed the royal signet to the proclamation of Aug. 24, calling on all Scotsmen to arm in support of the new league and covenant.—See p. 18.

<sup>2</sup> He was authorized to treat with the confederate Catholics for ten thousand men; if their demands were too high, to raise as many men as he could and send them to the king; to procure the loan of two thousand men to be landed in Scotland; and to offer Monroe, the Scottish commander, the rank of earl and a pension of two thousand pounds per annum, if with his army he would join the royalists. Jan. 20, 1644.—Clarendon Papers, ii. 165.

<sup>3</sup> MacColl Keitache, son of Coll, the left-handed.

he silently withdrew with only two companions, and soon afterwards reached in the disguise of a groom the foot of the Grampian Hills. There he received intelligence of the proceedings of Macdonald, and appointed to join him in Athole. At the castle of Blair, which had surrendered to the strangers, the two chieftains met: Montrose assumed the command, published the royal commission, and called on the neighbouring clans to join the standard of their sovereign. The Scots, who had scorned to serve under a foreigner, cheerfully obeyed, and to the astonishment of the Covenanters an army appeared to rise out of the earth in a quarter the most remote from danger: but it was an army better adapted to the purpose of predatory invasion than of permanent warfare. Occasionally it swelled to the amount of several thousands; as often it dwindled to the original band of Irishmen under Macdonald. These, having no other resource than their courage, faithfully clung to their gallant commander in all the vicissitudes of his fortune; the Highlanders, that they might secure their plunder, frequently left him to flee before the superior multitude of his foes.

The first who dared to meet the royalists in the field, was the lord Elcho, whose defeat at Tippermuir gave to the victors the town of Perth, with a plentiful supply of military stores and provisions. From Perth they marched towards Aberdeen; the lord Burley with his army fled at the first charge; and the pursuers entered the gates with the fugitives. The sack of the town lasted three days: by the fourth many of the Highlanders had disappeared with the spoil; and Argyle approached with a superior force. Montrose, to avoid the enemy, led his followers into Banff, proceeded along the right

bank of the Spey, crossed the mountains of Badenoch, passed through Athole into Angus, and after a circuitous march of some hundred miles reached and took the castle of Fyvie. There he was overtaken by the Covenanters, whom he had so long baffled by the rapidity and perplexity of his movements. But every attempt to force his position on the summit of a hill was repelled; and on the retirement of the enemy, he announced to his followers his intention of seeking a safer asylum in the Highlands. Winter had already set in with severity; and his Lowland associates shrunk from the dreary prospect before them; but Montrose himself, accompanied by his most faithful adherents, gained without opposition the braes of Athole.

To Argyle the disappearance of the royalists was a subject of joy. Disbanding the army, he repaired, after a short visit to Edinburgh, to his castle of Inverary, where he reposed in security, aware, indeed, of the hostile projects of Montrose, but trusting to the wide barrier of snows and mountains which separated him from his enemy. But the royal leader penetrated through this Alpine wilderness, compelled Argyle to save himself in an open boat on Loch Fyne, and during six weeks wreaked his revenge on the domains and the clansmen of the fugitive. On the approach of Argyle with eleven hundred regular troops, he retired; but suddenly turning to the left, he crossed the mountains, and issued from Glennevis, surprised his pursuers at Inverlochry in Lochaber. From his galley in the Frith, Argyle beheld the assault of the enemy, the shock of the combatants, and the slaughter of at least one half of his whole force. This victory placed the north of Scotland at the mercy of the conquerors. From Inverlochry he marched to Elgin, and from Elgin

Aberdeen, ravaging, as they passed, the lands, and burning the houses of the Covenanters. But at Brechin, Baillie opposed their progress with a numerous and regular force. Montrose turned in the direction of Dundeld; Baillie marched to Perth. The former surprised the opulent town of Dundee; the latter arrived in time to expel the plunderers. But he pursued in vain. They regained the Grampian hills, where in security they once more bade defiance to the whole power of the enemy. Such was the short and eventful campaign of Montrose. His victories, exaggerated by report, and embellished by the fancy of the hearers, cast a faint and deceitful lustre over the declining cause of royalty. But they rendered no other service. His passage was that of a meteor, scorching everything in its course. Wherever he appeared, he inflicted the severest injuries; but he made no permanent conquest; he taught the Covenanters to tremble at his name, but he did nothing to arrest that ruin which menaced the throne and its adherents.<sup>1</sup>

England, however, was the real arena on which the conflict was to be decided, and in England the king soon found himself unable to cope with his enemies. He still possessed about one-third of the kingdom. From Oxford, he extended his sway almost without interruption to the extremity of Cornwall: North and South Wales, with the exception of the castles of Pembroke and Montgomery, acknowledged his authority; and the royal standard was still unfurled in several towns in the midland counties.<sup>2</sup> But his army, under the

nominal command of the prince of Wales, and the real command of Prince Rupert, was frittered away in a multitude of petty garrisons, and languished in a state of the most alarming insubordination. The generals, divided into factions, presumed to disobey the royal orders, and refused to serve under an adversary or a rival; the officers indulged in every kind of debauchery: the privates lived at free quarters; and the royal forces made themselves more terrible to their friends by their licentiousness than to their enemies by their valour.<sup>3</sup> Their excesses provoked new associations in the counties of Wilts, Dorset, Devon, Somerset, and Worcester, known by the denomination of Clubmen, whose primary object was the protection of private property, and the infliction of summary vengeance on the depredators belonging to either army. These associations were encouraged and organized by the neighbouring gentlemen; arms of every description were collected for their use; and they were known to assemble in numbers of four, six, and even ten thousand men. Confidence in their own strength, and the suggestions of their leaders, taught them to extend their views; they invited the adjoining counties to follow their example, and talked of putting an end by force to the unnatural war which depopulated the country. But though they professed to observe the strictest neutrality between the contending parties, their meetings excited a well-founded jealousy on the part of the parliamentary leaders; who, the moment it could be done without danger, pronounced such associations

<sup>1</sup> See Rushworth, v. 928—932; vi. 228; Guthrie, 162—183; Baillie, ii. 64, 65, 92—5; Clarendon, ii. 606, 618; Wishart, 67, 10; Journals, vii. 566; Spalding, ii. 237.

<sup>2</sup> Rushworth, vi. 18—22.

<sup>3</sup> Clarendon, ii. 604, 633, 636, 642, 661,

663. "Good men are so scandalized at the horrid impiety of our armies, that they will not believe that God can bless any cause in such hands."—Lord Culpeper to Lord Digby. Clarendon Papers, ii. 189. Carte's Ormond, iii. 396, 399.

illegal, and ordered them to be suppressed by military force.<sup>1</sup>

On the other side, the army of the parliament had been reformed according to the ordinance. The members of both houses had resigned their commissions, with the exception of a single individual, the very man with whom the measure had originated,—Lieutenant-General Cromwell. This by some writers has been alleged as a proof of the consummate art of that adventurer, who sought to remove out of his way the men that stood between him and the object of his ambition; but the truth is, that his continuation in the command was effected by a succession of events which he could not possibly have foreseen. He had been sent with Waller to oppose the progress of the royalists in the west; on his return he was ordered to prevent the junction of the royal cavalry with the forces under the king, and he then received a commission to protect the associated counties from insult. While he was employed in this service, the term appointed by the ordinance approached; but Fairfax expressed his unwillingness to part with so experienced an officer at such a crisis, and the two houses consented that he should remain forty days longer with the army.

<sup>1</sup> Clarendon, ii. 665. Whitelock, March 4, 11, 15. Rushw. vi. 52, 53, 61, 62. But the best account of the Clubmen is to be found in a letter from Fairfax to the Committee of both Kingdoms, preserved in the Journals of the Lords, vii. 184. They wore white ribbons for a distinction, prevented, as much as they were able, all hostilities between the soldiers of the opposite parties, and drew up two petitions in the same words, one to be presented to the king, the other to the parliament, praying them to conclude a peace, and in the mean time to withdraw their respective garrisons out of the country, and pledging themselves to keep possession of the several forts and castles, and not to surrender them without a joint commission from both king and parliament. Fairfax observes, that "their heads had either been in actual service in the king's

Before they expired, the great battle of Naseby had been fought; in consequence of the victory, the ordinance was suspended three months in his favour; and afterwards the same indulgence was reiterated as often as became necessary.<sup>2</sup>

It was evident that the army had lost nothing by the exclusion of members of parliament and the change in its organization. The commanders were selected from those who had already distinguished themselves by the splendour of their services and their devotion to the cause; the new regiments were formed of privates who had served under Essex, Manchester, and Waller, and care was taken that the majority of both should consist of that class of religionists denominated Independents. These men were animated with an enthusiasm of which at the present day we cannot form an adequate conception. They divided their time between military duties and prayer; they sang psalms as they advanced to the charge, they called on the name of the Lord while they were slaying their enemies. The result showed that fanaticism furnished a more powerful stimulus than loyalty; the soldiers of God proved more than a match for the soldiers of the monarch.<sup>3</sup>

Charles was the first to take the

army, or were known favourers of the party. In these two counties, Wilts and Dorset, they are abundantly more affected to the enemy than to the parliament. I know not what they may attempt."—*Ibid.* At length the two houses declared all persons associating in arms without authority traitors to the commonwealth.—*Journals* vii. 549.

<sup>2</sup> *Journals*, Feb. 27, May 10, June 1, Aug. 8. *Lords' Journ.* vii. 420, 535.

<sup>3</sup> Essex, Manchester, and Denbigh reluctantly tendered their resignations the day before the ordinance passed. The first died in the course of the next year (Sept. 14); and the houses, to express the respect for his memory, attended the funeral, and defrayed the expense out of the public purse.—*Lords' Journals*, viii. 60, 533.



field. He marched from Oxford at the head of ten thousand men, of whom more than one-half were cavalry; the siege of Chester was raised at the sole report of his approach; and Leicester, an important post in possession of the parliament, was taken by storm on the first assault. Fairfax had appeared with his army before Oxford, where he expected to be admitted by a party within the walls; but the intrigue failed, and he received orders to proceed in search of the king.<sup>1</sup> On the evening of the seventh day his van overtook the rear of the royalists between Daventry and Harborough. Fairfax and his officers hailed with joy the prospect of a battle. They longed to refute the bitter taunts and sinister predictions of their opponents in the two houses; to prove that want of experience might be supplied by the union of zeal and talent; and to establish, by a victory over the king, the superiority of the Independent over the Presbyterian party. Charles, on the contrary, had sufficient reason to decline an engagement.<sup>2</sup> His numbers had been diminished by the necessity of leaving a strong garrison in Leicester, and several reinforcements were still on their march to join the royal standard. But in the presence of the Roundheads the Cavaliers never listened to the suggestions of prudence. Early in the morning the royal army formed in line about a mile south of Harborough. Till eight they awaited with patience the expected charge of the enemy; but Fairfax refused to move from his strong position near

Naseby, and the king yielding to the importunity of his officers, gave the word to advance. Prince Rupert commanded on the right. The enemy fled before him: six pieces of cannon were taken, and Ireton, the general of the parliamentary horse, was wounded, and for some time a prisoner in the hands of the victors.<sup>3</sup> But the lessons of experience had been thrown away upon Rupert. He urged the pursuit with his characteristic impetuosity, and, as at Marston Moor, by wandering from the field suffered the victory to be won by the masterly conduct of Oliver Cromwell.

That commander found himself opposed to a weak body of cavalry under Sir Marmaduke Langdale. By both the fight was maintained with obstinate valour; but superiority of numbers enabled the former to press on the flanks of the royalists, who began to waver, and at last turned their backs and fled. Cromwell prudently checked the pursuit, and leaving three squadrons to watch the fugitives, directed the remainder of his force against the rear of the royal infantry. That body of men, only three thousand five hundred in number, had hitherto fought with the most heroic valour, and had driven the enemy's line, with the exception of one regiment, back on the reserve; but this unexpected charge broke their spirit; they threw down their arms and asked for quarter. Charles, who had witnessed their efforts and their danger, made every exertion to support them; he collected several bodies of horse; he put himself at

<sup>1</sup> Lords' Journals, vii. 429, 431.

<sup>2</sup> So little did Charles anticipate the approach of the enemy, that on the 12th he amused himself with hunting, and on the 13th at supper-time wrote to secretary Nicholas that he should march the next morning, and proceed through Landabay and Melton to Belvoir, but no further. Before midnight he had resolved to fight.—See his letter in Evelyn's Memoirs, ii. App. 97.

<sup>3</sup> Ireton was of an ancient family in Nottinghamshire, and bred to the law. He raised a troop of horse for the parliament at the beginning of the war, and accepted a captain's commission in the new-modelled army. At the request of the officers, Cromwell had been lately appointed general of the horse, and, at Cromwell's request, Ireton was made commissary-general under him.—Journals, vii. 421. Rushworth, vi. 42.

their head; he called on them to follow him; he assured them that one more effort would secure the victory. But the appeal was made in vain. Instead of attending to his prayers and commands, they fled, and forced him to accompany them. The pursuit was continued with great slaughter almost to the walls of Leicester; and one hundred females, some of them ladies of distinguished rank, were put to the sword under the pretence that they were Irish Catholics. In this fatal battle, fought near the village of Naseby, the king lost more than three thousand men, nine thousand stand of arms, his park of artillery, the baggage of the army, and with it his own cabinet, containing private papers of the first importance. Out of these the parliament made a collection, which was published, with remarks, to prove to the nation the falsehoods of Charles, and the justice of the war.<sup>1</sup>

After this disastrous battle, the campaign presented little more than the last and feeble struggles of an expiring party. Among the royalists hardly a man could be found who did not pronounce the cause to be desperate; and, if any made a show of resistance, it was more through the hope of procuring conditions for

themselves, than of benefiting the interests of their sovereign. Charles himself bore his misfortunes with an air of magnanimity, which was characterized as obstinacy by the desponding minds of his followers. As a statesman he acknowledged the hopelessness of his cause; as a Christian he professed to believe that God would never allow rebellion to prosper; but, let whatever happen, he at least would act as honour and conscience called on him to act; his name should not descend to posterity as the name of a king who had abandoned the cause of God, injured the rights of his successors, and sacrificed the interests of his faithful and devoted adherents.<sup>2</sup> From Leicester he retreated to Hereford; from Hereford to Ragland Castle, the seat of the loyal marquess of Worcester; and thence to Cardiff, that he might more readily communicate with Prince Rupert at Bristol. Each day brought him a repetition of the most melancholy intelligence. Leicester has surrendered almost at the first summons; the forces under Goring, the only body of royalists deserving the name of an army, were defeated by Fairfax at Lamport; Bridgewater hitherto deemed an impregnable fortress, capitulated after a short siege

<sup>1</sup> For this battle see Clarendon, ii. 655; Rushworth, vi. 42; and the Journals, vii. 433—436. May asserts that not more than three hundred men were killed on the part of the king, and only one hundred on that of the parliament. The prisoners amounted to five thousand.—May, 77. The publication of the king's papers has been severely censured by his friends, and as warmly defended by the advocates of the parliament. If their contents were of a nature to justify the conduct of the latter, I see not on what ground it could be expected that they should be suppressed. The only complaint which can reasonably be made, and which seems founded in fact, is that the selection of the papers for the press was made unfairly. The contents of the cabinet were several days in possession of the officers, and then submitted to the examination of a committee of the lower house; by whose advice certain papers were selected and sent

to the Lords, with a suggestion that they should be communicated to the citizens in a common hall. But the Lords required to see the remainder; twenty-two additional papers were accordingly produced; but it was at the same time acknowledged that others were still kept back, because they had not yet been deciphered. By an order of the Commons the papers were afterwards printed with a preface contrasting certain passages in them with the king's former protestations.—Journals, June 23, 26, 30, July 3, 7; Lords', vii. 467, 469. Charles himself acknowledges that the publication as far as it went, was genuine (Evelyn's Memoirs, App. 101); but he also maintains that other papers, which would have served to explain doubtful passages, had been purposely suppressed.—Clarendon Papers, 187. See Baillie, ii. 136.

<sup>2</sup> Rushworth, vi. 132. Clarendon, 630.

a chain of posts extending from that town to Lyme, on the southern coast, cut off Devonshire and Cornwall, his principal resources, from all communication with the rest of the kingdom; and, what was still worse, the dissensions which raged among his officers and partisans in those counties could not be appeased either by the necessity of providing for the common safety, or by the presence and authority of the prince of Wales.<sup>1</sup> To add to his embarrassments, his three fortresses in the north, Carlisle, Pontefract, and Scarborough, which for eighteen months had defied all the efforts of the enemy, had now fallen, the first into the hands of the Scots, the other two into those of the parliament. Under this accumulation of misfortunes many of his friends, and among them Rupert himself, hitherto the declared advocate of war, importuned him to yield to necessity, and to accept the conditions offered by the parliament. He replied that they viewed the question with the eyes of mere soldiers and statesmen; but he was a king, and had duties to perform from which no change of circumstances, no human power, could absolve him,—to preserve the church, protect his friends, and transmit to his successors the lawful rights of the crown. God was bound to support his own cause: he might for a time permit rebels and traitors to prosper, but he would ultimately humble them before the throne of their sovereign.<sup>2</sup> Under this persuasion, he pictured to himself the wonderful things to be achieved by

the gallantry of Montrose in Scotland, and looked forward with daily impatience to the arrival of an imaginary army of twenty thousand men from Ireland. But from such dreams he was soon awakened by the rapid increase of disaffection in the population around him, and by the rumoured advance of the Scots to besiege the city of Hereford. From Cardiff he hastily crossed the kingdom to Newark. Learning that the Scottish cavalry were in pursuit, he left Newark, burst into the associated counties, ravaged the lands of his enemies, took the town of Huntingdon, and at last reached in safety his court at Oxford. It was not, that in this expedition he had in view any particular object. His utmost ambition was, by wandering from place to place, to preserve himself from falling into the hands of his enemies before the winter. In that season the severity of the weather would afford him sufficient protection, and he doubted not, that against the spring the victories of Montrose, the pacification of Ireland, and the compassion of his foreign allies, would enable him to resume hostilities with a powerful army, and with more flattering prospects of success.<sup>3</sup>

At Oxford Charles heard of the victory gained at Kilsyth, in the neighbourhood of Stirling, by Montrose, who, if he had been compelled to retreat from Dundee, was still able to maintain the superiority in the Highlands. The first who ventured to measure swords with the Scottish hero was the veteran general Hurry:

<sup>1</sup> Clarendon, ii. 663, et seq. Rushw. vi. 50, 55, 57. Carte's Ormond, iii. 423.

<sup>2</sup> Clarendon, ii. 679. Lords' Journals, vii. 667. Only three days before his arrival at Oxford, he wrote (August 25) a letter to secretary Nicholas, with an order to publish its contents, that it was his fixed determination, by the grace of God, never in any possible circumstances to yield up the government of the church to Papists, Pres-

byterians, or Independents, nor to injure his successors by lessening the ecclesiastical or military power bequeathed to him by his predecessors, nor to forsake the defence of his friends, who had risked their lives and fortunes in his quarrel.—Evelyn's Memoirs, ii. App. 104.

<sup>3</sup> Clarendon, ii. 677. Rushw. vi. 131. Carte's Ormond, iii. 415, 416, 418, 420, 423, 427. Baillie, ii. 152.

but the assailant fled from the conflict at Auldearn, and saved himself, with the small remnant of his force, within the walls of Inverness. To Hurry succeeded with similar fortune Baillie, the commander-in-chief. The battle was fought at Alford, in the shire of Aberdeen; and few, besides the principal officers and the cavalry, escaped from the slaughter. A new army of ten thousand men was collected: four days were spent in fasting and prayer; and the host of God marched to trample under foot the host of the king. But the experience of their leader was controlled by the presumption of the committee of estates, and he, in submission to their orders, marshalled his men in a position near Kilsyth; his cavalry was broken by the royalists at the first charge; the infantry fled without a blow, and about five thousand of the fugitives are said to have perished in the pursuit, which was continued for fourteen or twenty miles.<sup>1</sup> This victory placed the Lowlands at the mercy of the conqueror. Glasgow and the neighbouring shires solicited his clemency; the citizens of Edinburgh sent to him the prisoners who had been condemned for their adherence to the royal cause; and many of the nobility, hastening to his standard, accepted commissions to raise forces in the name of the sovereign. At this news the Scottish cavalry, which, in accordance with the treaty of "brotherly assistance," had already advanced to Nottingham, marched back to the Tweed to protect their own country; and the king on the third day left Oxford with five

thousand men, to drive the infantry from the siege of Hereford. They did not wait his arrival, and he entered the city amidst the joyful acclamations of the inhabitants.<sup>2</sup>

But Charles was not long suffered to enjoy his triumph. Full of confidence, he had marched from Hereford to the relief of Bristol; but at Ragland Castle learned that it was already in possession of the enemy. This unexpected stroke quite unnerved him. That a prince of his family, an officer whose reputation for courage and fidelity was unblemished, should surrender in the third week of the siege an important city, which he had promised to maintain for four months, appeared to him incredible. His mind was agitated with suspicion and jealousy. He knew not whether to attribute the conduct of his nephew to cowardice, or despondency, or disaffection; but he foresaw and lamented its baneful influence on the small remnant of his followers. In the anguish of his mind he revoked the commission of the prince, and commanded him to quit the kingdom; he instructed the council to watch his conduct, and on the first sign of disobedience to take him into custody; and he ordered the arrest of his friend Colonel Legge, and appointed Sir Thomas Glenham to succeed Legge as governor of Oxford. "Tell my son," he says in a letter to Nicholas, "that I shall lesse grieve to hear that he is knocked in the head, than that he should doe so meane an act as is the rendering of Bristoll castell and fort upon the termes it was."<sup>3</sup>

<sup>1</sup> It was probably on account of the heat of the season that Montrose ordered his men to throw aside their plaids—*vestes mollestiores*—and fight in their shirts; an order which has given occasion to several fanciful conjectures and exaggerations.—See Carte, iv. 538.

<sup>2</sup> Rushworth, vi. 230. May. Guthrie, 194. Baillie, ii. 156, 157, 273. This defeat

perplexed the theology of that learned man. "I confess I am amazed, and cannot see to my mind's satisfaction, the reasons of the Lord's dealing with that land..... What means the Lord, so far against the expectation of the most clear-sighted, to humble us so low, and by his own immediate hand, I confess I know not."—Ibid.

<sup>3</sup> Clarendon, ii. 693. Rushworth, vi. 66—

Whilst the king thus mourned over the loss of Bristol, he received still more disastrous intelligence from Scotland. The victory of Kilsyth had dissolved the royal army. The Gordons with their followers had returned to their homes; Colkitto had led back the Highlanders to their mountains; and Montrose, with the remnant, not more than six hundred men, repaired to the borders to await the arrival of an English force which had been promised, but not provided, by Charles. In the mean while David Leslie had been detached with four thousand cavalry from the Scottish army in England. He crossed the Tweed, proceeded northward, as if he meant to interpose himself between the enemy and the Highlands; and then returned suddenly to surprise them in their encampment at Philiphaugh. Montrose spent the night at Selkirk in preparing despatches for the king; Leslie, who was concealed at no great distance, crossing the Ettrick at dawn, under cover of a dense fog, charged unexpectedly into the camp of the royalists, who lay in heedless security on the Haugh. Their leader, with his guard of horse, flew to their succour; but, after a chivalrous but fruitless effort, was compelled to retire and abandon them to their fate. The greater part had formed themselves into a compact body, and kept the enemy at bay till their offer of surrender upon terms had been accepted. But then the ministers loudly demanded their lives; they pronounced the capitulation sinful, and therefore void; and had the satisfaction to behold the whole body of captives

massacred in cold blood, not the men only, but also every woman and child found upon the Haugh. Nor was this sacrifice sufficient. Forty females, who had made their escape, and had been secured by the country people, were a few days later delivered up to the victors, who, in obedience to the decision of the kirk, put them to death by throwing them from the bridge near Linlithgow into the river Avon. Afterwards the Scottish parliament approved of their barbarities, on the pretence that the victims were papists from Ireland; and passed an ordinance that the "Irische prisoners taken at and after Philiphaugh, in all the prisons in the kingdom, should be *execut* without any assaye or processe, conform to the treaty betwixt both kingdoms."<sup>1</sup> Of the noblemen and gentlemen who fled with Montrose, many were also taken; and of these few escaped the hands of the executioner: Montrose himself threaded back his way to the Highlands, where he once more raised the royal standard, and, with a small force and diminished reputation, continued to bid defiance to his enemies. At length, in obedience to repeated messages from the king, he dismissed his followers, and reluctantly withdrew to the continent.<sup>2</sup>

With the defeat of Montrose at Philiphaugh vanished those brilliant hopes with which the king had consoled himself for his former losses; but the activity of his enemies allowed him no leisure to indulge his grief; they had already formed a lodgment within the suburbs of Chester, and threatened to deprive him of that, the only port by which

<sup>2</sup> Journals, vi. 584. Ellis, iii. 311. Evelyn's Memoirs, ii. App. 108. The suspicion of Legge's fidelity was infused into the royal mind by Digby. Charles wished him to be secured, but refused to believe him guilty without better proof.—Ibid. 111.

<sup>1</sup> Balfour, iii. 341. Thurloe, i. 72. The next year the garrison of Dunavertie, three

hundred men, surrendered to David Leslie "at the kingdom's mercie." "They put to the sword," says Turner, "everie mother's sonne except one young man, Machoul, whose life I begged."—Turner's Memoirs, 46, also 48.

<sup>2</sup> Rush, vi. 237. Guthrie, 201. Journals, vi. 584. Wishart, 203. Baillie, ii. 164.

he could maintain a communication with Ireland. He hastened to its relief, and was followed at the distance of a day's journey by Pointz, a parliamentary officer. It was the king's intention that two attacks, one from the city, the other from the country, should be simultaneously made on the camp of the besiegers; and with this view he left the greater part of the royal cavalry at Routenheath, under Sir Marmaduke Langdale, while he entered Chester himself with the remainder in the dusk of the evening. It chanced that Pointz meditated a similar attempt with the aid of the besiegers, on the force under Langdale; and the singular position of the armies marked the following day with the most singular vicissitudes of fortune. Early in the morning the royalists repelled the troops under Pointz; but a detachment from the camp restored the battle, and forced them to retire under the walls of the city. Here, with the help of the king's guards, they recovered the ascendancy, but suffered themselves in the pursuit to be entangled among lanes and hedges lined with infantry, by whom they were thrown into irremediable disorder. Six hundred troopers fell in the action, more than a thousand obtained quarter, and the rest were scattered in every direction. The next night Charles repaired to Denbigh, collected the fugitives around him, and, skilfully avoiding Pointz, hastened to Bridgenorth, where he was met by his nephew Maurice from the garrison of Worcester.<sup>1</sup>

The only confidential counsellor who attended the king in this expedition was Lord Digby. That nobleman, unfortunately for the interest of his sovereign, had incurred the hatred of his party: of some, on account of his enmity to Prince Rupert;

of the general officers, because he was supposed to sway the royal mind, even in military matters; and of all who desired peace, because to his advice was attributed the obstinacy of Charles in continuing the war. It was the common opinion that the king ought to fix his winter quarters at Worcester; but Digby, unwilling to be shut up during four months in a city of which the brother of Rupert was governor, persuaded him to proceed to his usual asylum at Newark. There, observing that the discontent among the officers increased, he parted from his sovereign, but on an important and honourable mission. The northern horse, still amounting to fifteen hundred men, were persuaded by Langdale to attempt a junction with the Scottish hero, Montrose and to accept of Digby as commander-in-chief. The first achievement of the new general was the complete dispersion of the parliamentary infantry in the neighbourhood of Doncaster but in a few days his own followers were dispersed by Colonel Copley at Sherburne. They rallied at Skipton forced their way through Westmoreland and Cumberland, and penetrated as far as Dumfries, but could nowhere meet with intelligence of their Scottish friends. Returning to the border: they disbanded near Carlisle, the privates retiring to their homes, the officers transporting themselves to the Isle of Man. Langdale remained at Douglas; Digby proceeded to the marquis of Ormond in Ireland.<sup>2</sup>

Charles, during his stay at Newark was made to feel that with his good fortune he had lost his authority. His two nephews, the Lord Gerard and about twenty other officers, entered his chamber, and, in rude and insulting language, charged him with

<sup>1</sup> Clarendon, ii. 712. Thurloe, i. 73. Rush, vi. 117. Journals, vi. 608.

<sup>2</sup> Clarendon, Hist. ii. 714. Clarendon Papers, ii. 199. Rushworth, vi. 131.

ingratitude for their services, and undue partiality for the traitor Digby. The king lost the command of his temper, and, with more warmth than he was known to have betrayed on any other occasion, bade them quit his presence for ever. They retired, and the next morning received passports to go where they pleased. But it was now time for the king himself to depart. The enemy's forces multiplied around Newark, and the Scots were advancing to join the blockade. In the dead of the night he stole, with five hundred men, to Belvoir Castle; thence, with the aid of experienced guides, he threaded the numerous posts of the enemy; and on the second day reached, for the last time, the walls of Oxford. Yet if he were there in safety, it was owing to the policy of the parliament, who deemed it more prudent to reduce the counties of Devon and Cornwall, the chief asylum of his adherents. For this purpose Fairfax, with the grand army, sat down before Exeter: Cromwell had long ago swept away the royal garrisons between that city and the metropolis.<sup>1</sup>

The reader will have frequently remarked the king's impatience for the arrival of military aid from Ireland. It is now time to notice the intrigue on which he founded his hopes, and the causes which led to his disappointment. All his efforts to conclude a peace with the insurgents had failed through the obstinacy of the ancient Irish, who required as an indispensable condition the legal establishment of their religion.<sup>2</sup> The Catholics, they alleged, were the people of Ireland; they had now regained many of the churches, which, not a century before, had been taken from their fathers; and they could not in honour or conscience resign

them to the professors of another religion. Charles had indulged a hope that the lord lieutenant would devise some means of satisfying their demand without compromising the character of his sovereign;<sup>3</sup> but the scruples or caution of Ormond compelled him to look out for a minister of less timid and more accommodating disposition, and he soon found one in the Lord Herbert, a Catholic, and son to the marquess of Worcester. Herbert felt the most devoted attachment to his sovereign. He had lived with him for twenty years in habits of intimacy: in conjunction with his father, he had spent above two hundred thousand pounds in support of the royal cause; and both had repeatedly and publicly avowed their determination to stand or fall with the throne. To him, therefore, the king explained his difficulties, his views, and his wishes. Low as he was sunk, he had yet a sufficient resource left in the two armies in Ireland. With them he might make head against his enemies, and re-establish his authority. But unfortunately this powerful and necessary aid was withheld from him by the obstinacy of the Irish Catholics, whose demands were such, that, to grant them publicly would be to forfeit the affection and support of all the Protestants in his dominions. He knew but of one way to elude the difficulty,—the employment of a secret and confidential minister, whose credit with the Catholics would give weight to his assurances, and whose loyalty would not refuse to incur danger or disgrace for the benefit of his sovereign. Herbert cheerfully tendered his services. It was agreed that he should negotiate with the confederates for the immediate aid of an army of ten thousand men;

<sup>1</sup> Clarendon, ii. 719—723. Rushworth, vi. 80—95. Journals, 671, 672.

<sup>2</sup> Rinuccini's MS. Narrative.

<sup>3</sup> See the Correspondence in Carte's Ormond, ii. App. xv. xviii. xx. xxii.; iii. 372, 387, 401; Charles's Works, 155.

that, as the reward of their willingness to serve the king, he should make to them certain concessions on the point of religion; that these should be kept secret, as long as the disclosure might be likely to prejudice the royal interests; and that Charles, in the case of discovery, should be at liberty to disavow the proceedings of Herbert, till he might find himself in a situation to despise the complaints and the malice of his enemies.<sup>1</sup>

For this purpose Herbert (now created earl of Glamorgan) was furnished, 1. with a commission to levy men, to coin money, and to employ the revenues of the crown for their support; 2. with a warrant to grant on certain conditions to the Catholics of Ireland such concessions as it was not prudent for the king or the lieutenant openly to make; 3. with a promise on the part of Charles to ratify whatever engagements his envoy might conclude, even if they were contrary to law; 4. and with different letters for the pope, the nuncio, and the several princes from whom subsidies might be expected. But care was taken that none of these documents should come to the knowledge of the council. The commission was not sealed in the usual manner; the names of the persons to whom the letters were to be addressed were not inserted; and all the papers were in several respects informal; for this purpose, that the king might have

a plausible pretext to deny their authenticity in the event of a premature disclosure.<sup>2</sup>

Glamorgan proceeded on his chivalrous mission, and after many adventures and escapes, landed in safety in Ireland. That he communicated the substance of his instructions to Ormond, cannot be doubted; and, if there were aught in his subsequent proceedings of which the lord lieutenant remained ignorant, that ignorance was affected and voluntary on the part of Ormond.<sup>3</sup> At Dublin both joined in the negotiation with the Catholic deputies: from Dublin Glamorgan proceeded to Kilkenny, where the supreme council, satisfied with his authority, and encouraged by the advice of Ormond, concluded with him a treaty, by which it was stipulated that the Catholics should enjoy the public exercise of their religion, and retain all churches, and the revenues of churches, which were not actually in possession of the Protestant clergy; and that in return they should, against a certain day, supply the king with a body of ten thousand armed men, and should devote two-thirds of the ecclesiastical revenues to his service during the war.<sup>4</sup>

To the surprise of all who were not in the secret, the public treaty now proceeded with unexpected facility. The only point in debate between the lord lieutenant and the deputies,

<sup>1</sup> Clarendon Papers, ii. 201.

<sup>2</sup> See the authorities in Appendix, PPP.

<sup>3</sup> See the same.

<sup>4</sup> Dr. Leyburn, who was sent by the queen to Ireland in 1647, tells us, on the authority of the nuncio and the bishop of Clogher, "that my lord of Worcester [Glamorgan] was ready to justify that he had exactly followed his instructions, and particularly that concerning the lord lieutenant, whom he had made acquainted with all that he had transacted with the Irish, of which he could produce proof."—Birch, Inquiry, 322. Nor will any one doubt it, who attends to the letter of Ormond to Lord Muskerry on the 11th of August, just after the arrival of

Glamorgan at Kilkenny, in which, speaking of Glamorgan, he assured him, and through him the council of the confederates, that he knew "no subject in England upon whose favour and authority with his majesty they can better rely than upon his lordship's, nor.....with whom he (Ormond) would sooner agree for the benefit of this kingdom."—Birch, 62. And another to Glamorgan himself on Feb. 11th, in which he says, "Your lordship may securely go on in the way you have proposed to yourself, to serve the king, without fear of interruption from me, or so much as inquiring into the means you work by."—Ibid. 163. See also another letter, of April 6th, in Leland, iii. 283.



respected their demand to be relieved by act of parliament from all penalties for the performance of the divine service and the administration of the sacraments, after any other form than that of the established church. Ormond was aware of their ulterior object: he became alarmed, and insisted on a proviso, that such article should not be construed to extend to any service performed, or sacraments administered, in cathedral or parochial churches. After repeated discussions, two expedients were suggested; one, that in place of the disputed article should be substituted another, providing that any concession with respect to religion which the king might afterwards grant should be considered as making part of the present treaty; the other, that no mention should be made of religion at all, but that the lieutenant should sign a private engagement, not to molest the Catholics in the possession of those churches which they now held, but leave the question to the decision of a free parliament. To this both parties assented; and the deputies returned to Kilkenny to submit the result of the conferences to the judgment of the general assembly.<sup>1</sup>

But before this, the secret treaty with Glamorgan, which had been concealed from all but the leading members of the council, had by accident come to the knowledge of the parliament. About the middle of October, the titular archbishop of Tuam was slain in a skirmish between two parties of Scots and Irish near Sligo; and in the carriage of the prelate were found duplicates of the whole negotiation. The discovery was kept secret; but at Christmas

Ormond received a copy of these important papers from a friend, with an intimation that the originals had been for some weeks in possession of the committee of both nations in London. It was evident that to save the royal reputation some decisive measure must be immediately taken. A council was called. Digby, who looked upon himself as the king's confidential minister, but had been kept in ignorance of the whole transaction, commented on it with extreme severity. Glamorgan had been guilty of unpardonable presumption. Without the permission of the king, or the privy of the lord lieutenant, he had concluded a treaty with the rebels, and pledged the king's name to the observance of conditions pregnant with the most disastrous consequences. It was an usurpation of the royal authority; an offence little short of high treason. The accused, faithful to his trust, made but a feeble defence, and was committed to close custody. In the despatches from the council to Charles, Digby showed that he looked on the concealment which had been practised towards him as a personal affront, and expressed his sentiments with a warmth and freedom not the most grateful to the royal feelings.<sup>2</sup>

The unfortunate monarch was still at Oxford devising new plans, and indulging new hopes. The dissensions among his adversaries had assumed a character of violence and importance which they had never before borne. The Scots, irritated by the systematic opposition of the Independents, and affected delays of the parliament, and founding the justice of their claim on the solemn league

<sup>1</sup> Compare Carte, i. 548, with *Vindiciæ Cath. Hib.* 11, 13.

<sup>2</sup> Rushworth, vi. 239, 240. Carte's Ormond, iii. 436—440. "You do not believe," writes Hyde to secretary Nicholas, "that my lord Digby knew of my lord Glamorgan's commission and negotiation in Ireland. I

am confident he did not; for he shewed me the copies of letters which he had written to the king upon it, which ought not in good manners to have been written; and I believe will not be forgiven to him by those for whose service they were written."—Clarendon Papers, ii, 346.

and covenant confirmed by the oaths of the two nations, insisted on the legal establishment of Presbyterianism, and the exclusive prohibition of every other form of worship. They still ruled in the synod of divines; they were seconded by the great body of ministers in the capital, and by a numerous party among the citizens; and they confidently called for the aid of the majority in the two houses, as of their brethren of the same religious persuasion. But their opponents, men of powerful intellect and invincible spirit, were supported by the swords and the merits of a conquering army. Cromwell, from the field of Naseby, had written to express his hope, that the men who had achieved so glorious a victory might be allowed to serve God according to the dictates of their consciences. Fairfax, in his despatches, continually pleaded in favour of toleration. Selden and Whitelock warned their colleagues to beware how they erected among them the tyranny of a Presbyterian kirk; and many in the two houses began to maintain that Christ had established no particular form of church government, but had left it to be settled under convenient limitations by the authority of the state.<sup>1</sup> Nor were their altercations confined to religious matters. The decline of the royal cause had elevated the hopes of the English leaders. They no longer disguised their jealousy of the projects of their Scottish allies; they accused them of invading the sovereignty of England by placing garrisons in Belfast, Newcastle, and Carlisle; and complained that their army served to no other purpose

than to plunder the defenceless inhabitants. The Scots haughtily replied, that the occupation of the fortresses was necessary for their own safety; and that, if disorders had occasionally been committed by the soldiers, the blame ought to attach to the negligence or parsimony of those who had failed in supplying the subsidies to which they were bound by treaty. The English commissioners remonstrated with the parliament of Scotland, the Scottish with that of England; the charges were reciprocally made and repelled in tones of asperity and defiance; and the occurrences of each day seemed to announce a speedy rupture between the two nations. Hitherto their ancient animosities had been lulled asleep by the conviction of their mutual dependence: the removal of the common danger called them again into activity.<sup>2</sup>

To a mind like that of Charles eager to multiply experiments, and prone to believe improbabilities, the hostile position of these parties opened a new field for intrigue. He persuaded himself that by gaining either he should be enabled to destroy both.<sup>3</sup> He therefore tempted the Independents with promises of ample rewards and unlimited toleration; and at the same time sought to win the Scots by professions of his willingness to accede to any terms compatible with his honour and conscience. Their commissioners in London had already made overtures for an accommodation to Queen Henrietta in Paris; and the French monarch, at her suggestion, had intrusted Montreuil with the delicate office of negotiating secretly between them an

<sup>1</sup> Baillie, ii. 111, 161, 169, 183. Rushw. vi. 46, 85. Whitelock, 69, 172. Journals, vii. 434, 476, 620.

<sup>2</sup> Journals, vii. 573, 619, 640-643, 653, 665, 689, 697, 703; viii. 27, 97. Baillie, ii. 161, 162, 166, 171, 185, 188.

<sup>3</sup> "I am not without hope that I shall be able to draw either the Presbyterians or Independents to side with me for expiating the one the other, that I shall be really king again."—Carte's Ormond, i. 452.

their sovereign. From Montreuil Charles understood that the Scots would afford him an asylum in their army, and declare in his favour, if he would assent to the three demands made of him during the treaty at Uxbridge; a proposal which both Henrietta and the queen regent of France thought so moderate in existing circumstances, that he would accept it with eagerness and gratitude. But the king, in his own judgment, gave the preference to a project of accommodation with the Independents, because they asked only for toleration, while the Scots sought to force their own creed on the consciences of others; nor did he seem to comprehend the important fact, that the latter were willing at least to accept him for their king, while the former aimed at nothing less than the entire subversion of his throne.<sup>1</sup>

From Oxford he had sent several messages to the parliament, by one of which he demanded passports for commissioners, or free and safe access for himself. To all a refusal was returned, on the ground that he had employed the opportunity afforded him by former treaties to tempt the fidelity of the commissioners, and that it was unsafe to indulge him with more facilities for conducting similar intrigues. Decency, however, required that in return the two houses should make their proposals; and it was resolved to submit to him certain articles for his immediate and unqualified approval or rejection. The Scots contended in favour of the three original propositions; but their opponents introduced several important alterations, for the twofold purpose, first of spinning out the debates, till

the king should be surrounded in Oxford, and secondly of making such additions to the severity of the terms as might insure their rejection.<sup>2</sup>

Under these circumstances Montreuil admonished him that he had not a day to spare; that the Independents sought to deceive him to his own ruin; that his only resource was to accept of the conditions offered by the Scots; and that, whatever might be his persuasion respecting the origin of episcopacy, he might, in his present distress, conscientiously assent to the demand respecting Presbyterianism; because it did not require him to introduce a form of worship which was not already established, but merely to allow that to remain which he had not the power to remove. Such, according to his instructions, was the opinion of the queen regent of France, and such was the prayer of his own consort, Henrietta Maria. But no argument could shake the royal resolution.<sup>3</sup> He returned a firm but temperate refusal, and renewed his request for a personal conference at Westminster. The message was conveyed in terms as energetic as language could supply, but it arrived at a most unpropitious moment, the very day on which the Committee of both Kingdoms thought proper to communicate to the two houses the papers respecting the treaty between Glamorgan and the Catholics of Ireland. Amidst the ferment and exasperation produced by the disclosure, the king's letter was suffered to remain unnoticed.<sup>4</sup>

The publication of these important documents imposed on Charles the necessity of vindicating his conduct to his Protestant subjects; a task of no

<sup>1</sup> Clarendon Papers, ii. 209—211. Baillie, ii. 188. Thurloe, i. 72, 73, 85.

<sup>2</sup> Charles's Works, 548—550. Journals, viii. 31, 45, 53, 72. Baillie, ii. 144, 173, 177, 184, 190.

<sup>3</sup> Clarendon Papers, ii. 211—214. "Let not my enemies flatter themselves so with

their good successes. Without pretending to prophesy, I will foretell their ruin, except they agree with me, however it shall please God to dispose of me."

<sup>4</sup> Clarendon Papers, ii. 213. Journals, viii. 103, 125. Commons', iv. Jan. 16, 26. Charles's Works, 551. Baillie, ii. 185.

very easy execution, had he not availed himself of the permission which he had formerly extorted from the attachment of Glamorgan. In an additional message to the two houses, he protested that he had never given to that nobleman any other commission than to enlist soldiers, nor authorized him to treat on any subject without the privity of the lord lieutenant; that he disavowed all his proceedings and engagements with the Catholics of Ireland; and that he had ordered the privy council in Dublin to proceed against him for his presumption, according to law.<sup>1</sup> That council, however, or at least the lord lieutenant, was in possession of a document unknown to the parliament, a copy of the warrant by which Charles had engaged to confirm whatever Glamorgan should promise in the royal name. On this account, in his answer to Ormond, he was compelled to shift his ground, and to assert that he had no recollection of any such warrant; that it was indeed possible he might have furnished the earl with some credential to the Irish Catholics; but that if he did, it was only with an understanding that it should not be employed without the knowledge and the approbation of the lord lieutenant. Whoever considers the evasive tendency of these answers, will find in them abundant proof of Glamorgan's pretensions.<sup>2</sup>

That nobleman had already recovered his liberty. To prepare against subsequent contingencies, and to leave the king what he termed "a starting-hole," he had been careful to subjoin to his treaty a secret article called a defeasance, stipulating that the sovereign should be no further bound than he himself might think proper, after he had witnessed the

efforts of the Catholics in his favour but that Glamorgan should conceal this release from the royal knowledge till he had made every exertion in his power to procure the execution of the treaty.<sup>3</sup> This extraordinary instrument he now produced in his own vindication: the council ordered him to be discharged upon bail for his appearance when it might be required; and he hastened, under the approbation of the lord lieutenant to resume his negotiation with the Catholics at Kilkenny. He found the general assembly divided into two parties. The clergy, with their adherents, opposed the adoption of a peace in which the establishment of the Catholic worship was not openly recognized; and their arguments were strengthened by the recent imprisonment of Glamorgan, and the secret influence of the papal nuncio Rinuccini, archbishop and prince of Ferme who had lately landed in Ireland. On the other hand, the members of the council and the lords and gentlemen of the Pale strenuously recommended the adoption of one of the two expedients which have been previously mentioned, as offering sufficient security for the church, and the only means of uniting the Protestant royalists in the same cause with the Catholics. At the suggestion of the nuncio, the decision was postponed to the month of May; but Glamorgan did not forget the necessities of his sovereign; he obtained an immediate aid of six thousand men and the promise of a considerable reinforcement, and proceeded to Waterford for the purpose of attempting to raise the siege of Chester. There while he waited the arrival of transports, he received the news of the public disavowal of his authority b

<sup>1</sup> Journals, viii. 132. Charles's Works, 555.

<sup>2</sup> Carte, iii. 445—448.

<sup>3</sup> Compare Carte, i. 551, with the Vindi-

ciae, 17. Neither of these writers gives us full copy of the defeasance. In the *Vindiciae* we are told that it was this which procure Glamorgan's discharge from prison.

the king. But this gave him little uneasiness: he attributed it to the real cause, the danger with which Charles was threatened; and he had been already instructed "to make no other account of such declarations, than to put himself in a condition to help his master and set him free."<sup>1</sup> In a short time the more distressing intelligence arrived that Chester had surrendered: the fall of Chester was followed by the dissolution of the royal army in Cornwall, under the command of Lord Hopton; and the prince of Wales, unable to remain there with safety, fled first to Scilly and thence to Jersey. There remained not a spot on the English coast where the Irish auxiliaries could be landed with any prospect of success. Glamorgan dispersed his army. Three hundred men accompanied the Lord Digby to form a guard for the prince; a more considerable body proceeded to Scotland in aid of Montrose; and the remainder returned to their former quarters.<sup>2</sup>

In the mean while the king continued to consume his time in unavailing negotiations with the parliament, the Scots, and the Independents. 1. He had been persuaded that there were many individuals of considerable influence both in the city and the two houses, who anxiously wished for such an accommodation as might heal the wounds of the country: that the terror inspired by the ruling party imposed silence on them for the present; but that, were he in London, they would joyfully rally around him,

and by their number and union compel his adversaries to lower their pretensions. This it was that induced him to solicit a personal conference at Westminster. He now repeated the proposal, and, to make it worth acceptance, offered to grant full toleration to every class of Protestant dissenters, to yield to the parliament the command of the army during seven years, and to make over to them the next nomination of the lord admiral, the judges, and the officers of state. The insulting silence with which this message was treated did not deter him from a third attempt. He asked whether, if he were to disband his forces, dismantle his garrisons, and return to his usual residence in the vicinity of the parliament, they, on their part, would pass their word for the preservation of his honour, person, and estate, and allow his adherents to live without molestation on their own property. Even this proposal could not provoke an answer. It was plain that his enemies dared not trust their adherents in the royal presence; and, fearing that he might privately make his way into the city, they published an ordinance, that if the king came within the lines of communication, the officer of the guard should conduct him to St. James's, imprison his followers, and allow of no access to his person; and at the same time they gave notice by proclamation that all Catholics, and all persons who had borne arms in the king's service, should depart within six days, under

<sup>1</sup> Birch, 189.

<sup>2</sup> Had Glamorgan's intended army of 10,000 men landed in England, the war would probably have assumed a most sanguinary character. An ordinance had passed the houses, that no quarter should be given to any Irishman, or any papist born in Ireland; that they should be excepted out of all capitulations; and that whenever they were taken, they should forthwith be put to death.—Rushworth, v. 729. Oct. 24 1644. By the navy this was

vigorously executed. The Irish sailors were invariably bound back to back, and thrown into the sea. At land we read of twelve Irish soldiers being hanged by the parliamentarians, for whom Prince Rupert hanged twelve of his prisoners.—Clarendon, ii. 623. After the victory of Naseby, Fairfax referred the task to the two houses. He had not, he wrote, time to inquire who were Irish and who were not, but had sent all the prisoners to London, to be disposed of according to law.—Journals, vii. 433.

the penalty of being proceeded against as spies according to martial law.<sup>1</sup>

2. In the negotiation still pending between Montreuil and the Scottish commissioners, other matters were easily adjusted; but the question of religion presented an unsurmountable difficulty, the Scots insisting that the presbyterian form of church government should be established in all the three kingdoms; the king consenting that it should retain the supremacy in Scotland, but refusing to consent to the abolition of episcopacy in England and Ireland.<sup>2</sup> To give a colour to the agency of Montreuil, Louis had appointed him the French resident in Scotland; and in that capacity he applied for permission to pass through Oxford on his way, that he might deliver to the king letters from his sovereign and the queen regent. Objections were made; delays were created; but after the lapse of a fortnight, he obtained a passport from the Committee of the two Kingdoms,<sup>3</sup> and employed his time at Oxford in persuading Charles of the necessity of concession, and in soliciting from the Scottish commissioners authority to assure their sovereign of safety as to person and conscience in the Scottish army. On the first of April he received from Charles a written engagement, that he would take with him

to their quarters before Newark "no man excepted by parliament, but only his nephews and Ashburnham," and that he would then listen to instruction in the matter of religion and concede as far as his conscience would permit.<sup>4</sup> In return, Montreuil pledged to him the word of hissovereign and the queen regent of France,<sup>5</sup> that the Scots should receive him as their natural king, should offer no violence to his person or conscience, his servants or followers, and should join their forces and endeavours with him to procure "a happy and well-grounded peace." On this understanding it was agreed that the king should attempt on the night of the following Tuesday to break through the parliamentary force lying round Oxford and that at the same time a body of three hundred Scottish cavalry should advance as far as Harborough to receive him, and escort him in safety to their own army.<sup>6</sup>

Two days later Montreuil resumed his pretended journey to Scotland and repaired to Southwell, within the quarters assigned to the Scots. That they might without inconvenience spare a large escort to meet the king, he had brought with him a royal order to Lord Belaysse to surrender Newark into their hands; but to his surprise and dismay, he found

<sup>1</sup> Charles's Works, 556, 557. Rushworth, vi, 249. Journals, March 31, 1646. Carte's Ormond, iii, 452.

<sup>2</sup> Clarendon Papers, ii, 209—215.

<sup>3</sup> Lords' Journ. viii, 171. Commons', Feb. 16, 28; March 4, 5, 7.

<sup>4</sup> Of this paper there were two copies, one to be kept secret, containing a protestation that none of the king's followers should be ruined or dishonoured; the other to be shown, containing no such protestation. "En l'un desquels, qui m'a esté donné pour faire voir, la protestation n'estoit point. Faite à Oxford ce premier Avril, 1646."—Clarendon Papers, ii, 220.

<sup>5</sup> Why so? It had been so settled in Paris, because the negotiation was opened under their auspices, and conducted by their agent.—Clarendon Hist. ii, 750. Papers, ii, 209.

<sup>6</sup> Ibid, 220—222. It had been asked whether Montreuil had any authority from the Scottish commissioners to make such an engagement. I see no reason to doubt it. Both Charles and Montreuil must have been aware that an unauthorized engagement could have offered no security to the king in the hazardous attempt which he meditated. We find him twice, before the date of the engagement, requiring the commissioners to send powers to Montreuil to assure him of safety in person and conscience in their army (Clarendon Pap. i, 218), and immediately afterwards informing Ormond that he was going to the Scottish army because he had lately received "very good security" that he and his friends should be safe in person, honour, and conscience. See the letter in Lords' Journals, viii, 366, and account of a letter from the king to Lord Belaysse in Pepys, ii, 246.

that the commissioners to the army affected to be ignorant of the authority exercised by him at Oxford, and refused to take upon themselves the responsibility of meeting and receiving the king. They objected that it would be an act of hostility towards the parliament, a breach of the solemn league and covenant between the nations: nor would they even allow him to inform Charles of their refusal, till they should have a personal conference with their commissioners in London. In these circumstances he burnt the order for the surrender of Newark; and the king, alarmed at his unaccountable silence, made no attempt to escape from Oxford. A fortnight was passed in painful suspense. At last the two bodies of commissioners met at Royston; and the result of a long debate was a sort of compromise between the opposite parties, that the king should be received, but in such manner that all appearance of previous treaty or concert might be avoided; that he should be requested to give satisfaction on the question of religion as speedily as possible, and that no co-operation of the royal forces with the Scots should be permitted. At first Montreuil, in the anguish of disappointment, was of opinion that no faith was to be put in the word of a Scotsman: now he thought that he discovered a gleam of hope in the resolution taken at Royston, and advised the king to accept the proposal, if no better expedient could be devised. It held out a prospect of safety, though it promised nothing more.<sup>1</sup>

3. During this negotiation the unfortunate monarch, though warned that, by treating at the same time with two opposite parties, he ran the risk of forfeiting the confidence of both, had employed Ashburnham to make proposals to the Independents through Sir Henry Vane. What the king asked from them was to facilitate his access to parliament. Ample rewards were held out to Vane, "to the gentleman, who was quartered with him,"<sup>2</sup> and to the personal friends of both; and an assurance was given, that if the establishment of Presbyterianism were still made an indispensable condition of peace, the king would join his efforts with theirs "to root out of the kingdom that tyrannical government." From the remains of the correspondence it appears that to the first communication Vane had replied in terms which, though not altogether satisfactory, did not exclude the hope of his compliance; and Charles wrote to him a second time, repeating his offers, describing his distress, and stating that, unless he received a favourable answer within four days, he must have recourse to some other expedient.<sup>3</sup> The negotiation, however, continued for weeks; it was even discovered by the opposite party, who considered it as an artful scheme on the part of the Independents to detain the king in Oxford, till Fairfax and Cromwell should bring up the army from Cornwall; to amuse the royal bird, till the fowlers had enclosed him in their toils.<sup>4</sup>

Oxford during the war had been

<sup>1</sup> These particulars appear in the correspondence in Clarendon Papers, 221—226. Montreuil left Oxford on Friday; therefore on the 3rd.

<sup>2</sup> This gentleman might be Fairfax or Cromwell; but from a letter of Baillie (ii. 199, App. 3), I should think that he was an "Independent minister," probably Peters.

<sup>3</sup> See two letters, one of March 2, from Ashburnham, beginning, "Sir, you cannot suppose the work is done," and another

without date, from Charles, beginning, "Sir, I shall only add this word to what was said in my last." They were first published from the papers of secretary Nicholas, by Birch, in 1764, in the preface to a collection of "Letters between Colonel Hammond and the committee at Derby House, &c." and afterwards in the Clarendon Papers, ii. 226, 227.

<sup>4</sup> See Baillie, App. 3, App. 23, ii. 199, 203. "Their daily treaties with Ashburnham to

rendered one of the strongest fortresses in the kingdom. On three sides the waters of the Isis and the Cherwell, spreading over the adjoining country, kept the enemy at a considerable distance, and on the north the city was covered with a succession of works, erected by the most skilful engineers. With a garrison of five thousand men, and a plentiful supply of stores and provisions, Charles might have protracted his fate for several months; yet the result of a siege must have been his captivity. He possessed no army; he had no prospect of assistance from without; and within, famine would in the end compel him to surrender. But where was he to seek an asylum?

Indignant at what he deemed a breach of faith in the Scots, he spurned the idea of throwing himself on their mercy; and the march of Fairfax with the advanced guard of his army towards Andover admonished him that it was time to quit the city of Oxford. First he inquired by two officers the opinion of Ireton, who was quartered at Waterstock, whether, if he were to disband his forces, and to repair to the general, the parliament would suffer him to retain the title and authority of king. Then, receiving no answer from Ireton, he authorized the earl of Southampton to state to Colonel Rainborowe, that the king was ready to deliver himself up to the army, on receiving a pledge that his personal safety should be respected.<sup>1</sup> But

keep the king still, till they deliver him to Sir Thomas Fairfax, and to be disposed upon as Cromwell and his friend think it fittest for their affairs."—*Ibid.* A different account is given in the continuation of Mackintosh, vi. 21.

<sup>1</sup> Hearne's *Dunstable*, ii. 787—790.

<sup>2</sup> The Scots had made three offers or promises to the king. The first and most important was the engagement of the 1st of April. But the Scottish commissioners with the army shrunk from the responsibility of carrying it into execution; and, as it appears to me, with some reason, for they

Rainborowe referred him to the parliament; and the unhappy monarch, having exhausted every expedient which he could devise, left Oxford at midnight, disguised as a servant, following his supposed master Ashburnham, who rode before in company with Hudson, a clergyman, well acquainted with the country. They passed through Henley and Brentford to Harrow; but the time which was spent on the road proved either that Charles had hitherto formed no plan in his own mind, or that he lingered with the hope of some communication from his partisans in the metropolis. At last he turned in the direction of St. Alban's; and, avoiding that town, hastened through bye-ways to Harborough. If he expected to find there a body of Scottish horse, or a messenger from Montreuil, he was disappointed. Crossing by Stamford, he rested at Downham, and spent two or three days in fruitless inquiries for a ship which might convey him to Newcastle or Scotland, whilst Hudson repaired to the French agent at Southwell, and returned the bearer of a short note sent by Montreuil, from whom the messenger understood that the Scots had pledged their word—they would give no written document—to fulfil on their part the original engagement made in their name at Oxford.<sup>2</sup> On this slender security—for he had no alternative—he repaired to the lodgings of Montreuil early in the morning, and about noon was conducted by a troop of horse to the

had not been parties to the contract. The second was the modified offer agreed upon by both bodies of commissioners at Royston. But this offer was never accepted by the king, and consequently ceased to be binding upon them. The third was the verbal promise mentioned above. If it was made—and of a promise of safety there can be no doubt, though we have only the testimony of Hudson—the Scots were certainly bound by it, and must plead guilty to the charge of breach of faith, by subsequently delivering up the fugitive monarch to the English parliament.



head quarters at Kelham. Leslie and his officers, though they affected the utmost surprise, treated him with the respect due to their sovereign; and Loudon in the name of the commissioners required that he should take the covenant, should order Lord Belasyse to surrender Newark, and should despatch a messenger with the royal command to Montrose to lay down his arms. Charles soon discovered that he was a prisoner, and when, to make the experiment, he undertook to give the word to the guard, he was interrupted by Leven, who said: "I am the older soldier, sir; your majesty had better leave that office to me."<sup>1</sup>

For ten days the public mind in the capital had been agitated by the most contradictory rumours: the moment the place of the king's retreat was ascertained, both Presbyterians and Independents united in condemning the perfidy of their northern allies. Menaces of immediate hostilities were heard. Poyntz received orders to watch the motions of the Scots with five thousand horse; and it was resolved that Fairfax should follow with the remainder of the army. But the Scottish leaders, anxious to avoid a rupture, and yet unwilling to surrender the royal prize, broke up their camp before Newark, and retired with precipitation to Newcastle. Thence by dint of protestations and denials they gradually succeeded in allaying the ferment.<sup>2</sup> Charles contributed

his share, by repeating his desire of an accommodation, and requesting the two houses to send to him the propositions of peace: and, as an earnest of his sincerity, he despatched a circular order to his officers to surrender the few fortresses which still maintained his cause. The war was at an end; Oxford, Worcester, Pendennis, and Ragland, opened their gates; and to the praise of the conquerors it must be recorded, that they did not stain their laurels with blood. The last remnants of the royal army obtained honourable terms from the generosity of Fairfax; easy compositions for the redemption of their estates were held out to the great majority of the royalists; and the policy of the measure was proved by the number of those who hastened to profit by the indulgence, and thus extinguished the hopes of the few who still thought it possible to conjure up another army in defence of the captive monarch.<sup>3</sup>

While the two houses, secure of victory, debated at their leisure the propositions to be submitted for acceptance to the king, the Scots employed the interval in attempts to convert him to the Presbyterian creed. For this purpose, Henderson, the most celebrated of their ministers, repaired from London to Newcastle. The king, according to his promise, listened to the arguments of his new instructor; and an interesting controversy respecting the divine insti-

<sup>1</sup> Peck, *Desid. Curios.* l. x. No. 8. Ashburnham, ii. 76. Rushworth, vi. 266, 267, 276. Clarendon, *Hist.* iii. 22; Papers, ii. 228. Turner, *Mem.* 41.

<sup>2</sup> See their messages in the *Lords' Journals*, viii. 307, 308, 311, 364; *Hearne's Dunstable*, ii. 790—800. They protest that they were astonished at the king's coming to their army; that they believed he must mean to give satisfaction, or he would never have come to them; that his presence would never induce them to act in opposition to the solemn league and covenant; that they should leave the settlement of all questions to the parliaments of the two

nations; that there had been no treaty between the king and them; and that the assertion in the letter published by Ormond was "a damnable untruth."

<sup>3</sup> *Journals*, viii. 309, 329, 360, 374, 475. *Baillie*, ii. 207, 209. *Rush.* vi. 280—297. The last who submitted to take down the royal standard was the marquis of Worcester. He was compelled to travel, at the age of eighty, from Ragland Castle to London, but died immediately after his arrival. As his estate was under sequestration, the Lords ordered a sum to be advanced for the expenses of his funeral.—*Journals*, viii. 498, 616. See Appendix, QQQ.

tution of episcopacy and presbytery was maintained with no contemptible display of skill between the two polemics. Whether Charles composed without the help of a theological monitor the papers which on this occasion he produced, may perhaps be doubted; but the author, whoever he were, proved himself a match, if not more than a match, for his veteran opponent.<sup>1</sup> The Scottish leaders, however, came with political arguments to the aid of their champion. They assured the king that his restoration to the royal authority, or his perpetual exclusion from the throne, depended on his present choice. Let him take the covenant, and concur in the establishment of the Directory, and the Scottish nation to a man, the English, with the sole exception of the Independents, would declare in his favour. His conformity in that point alone could induce them to mitigate the severity of their other demands, to replace him on the throne of his ancestors, and to compel the opposite faction to submit. Should he refuse, he must attribute the consequences to himself. He had received sufficient warning: they had taken the covenant, and must discharge their duty to God and their country.

It was believed then, it has often been repeated since, that the king's refusal originated in the wilfulness and obstinacy of his temper; and that his repeated appeals to his conscience were mere pretexts to disguise

<sup>1</sup> The following was the chief point in dispute. Each had alleged texts of Scripture in support of his favourite opinion, and each explained those texts in an opposite meaning. It was certainly as unreasonable that Charles should submit his judgment to Henderson, as that Henderson should submit his to that of Charles. The king, therefore, asked who was to be judge between them. The divine replied, that Scripture could only be explained by Scripture, which, in the opinion of the monarch, was leaving the matter undecided. He maintained that antiquity was the judge. The church go-

his design of replunging the nation into the horrors from which it had so recently emerged. But this supposition is completely refuted by the whole tenour of his secret correspondence with his queen and her council in France. He appears to have divided his objections into two classes, political and religious. 1. It was, he alleged, an age in which mankind were governed from the pulpit: whence it became an object of the first importance to a sovereign to determine to whose care that powerful engine should be intrusted. The principles of Presbyterianism were anti-monarchical; its ministers openly advocated the lawfulness of rebellion; and, if they were made the sole dispensers of public instruction, he and his successors might be kings in name, but would be slaves in effect. The wisest of those who had swayed the sceptre since the days of Solomon had given his sanction to the maxim "no bishop no king;" and his own history furnished a melancholy confirmation of the sagacity of his father. 2. The origin of episcopacy was a theological question, which he had made it his business to study. He was convinced that the institution was derived from Christ, and that he could not in conscience commute it for another form of church government devised by man. He had found episcopacy in the church at his accession; he had sworn to maintain it in all its rights; and he was bound to leave it in existence at his death. Once, indeed, to

vernment established by the apostles must have been consonant to the meaning of the Scripture. Now, as far as we can go back in history, we find episcopacy established: whence it is fair to infer that episcopacy was the form established by the apostles. Henderson did not allow the inference. The church of the Jews had fallen into idolatry during the short absence of Moses on the mount, the church of Christ might have fallen into error in a short time after the death of the apostles. Here the controversy ended with the sickness and death of the divine.—See Charles's Works, 75—80.

please the two houses, he had betrayed his conscience by assenting to the death of Strafford; the punishment of that transgression still lay heavy on his head; but should he, to please them again, betray it once more, he would prove himself a most incorrigible sinner, and deserve the curse both of God and man.<sup>1</sup>

The king had reached Newark in May: it was the end of July before the propositions of peace were submitted to his consideration. The same in substance with those of the preceding year, they had yet been aggravated by new restraints, and a more numerous list of proscriptions. On the tenth day, the utmost limit of the time allotted to the commissioners, Charles replied that it was impossible for him to return an unqualified assent to proposals of such immense importance: that without explanation he could not comprehend how much of the ancient constitution it was meant to preserve, how much to take away; that a personal conference was necessary for both parties, in order to remove doubts, weigh reasons, and come to a perfect understanding; and that for this purpose it was his intention to repair to Westminster whenever the two houses and the Scottish commissioners would assure him that he might reside there with freedom, honour, and safety.<sup>2</sup>

This message, which was deemed evasive, and therefore unsatisfactory,

<sup>1</sup> For all these particulars, see the Clarendon Papers, ii. 243, 248, 256, 260, 263, 265, 274, 277, 295; Baillie, ii. 208, 209, 214, 218, 219, 236, 241, 242, 243, 249.

<sup>2</sup> Journals, viii. 423, 447, 460. The king now wished to escape from the Scots. Ashburnham was instructed to sound Pierpoint, one of the parliamentary commissioners, but Pierpoint refused to confer with him.—Ashburn. ii. 78.

<sup>3</sup> Journals, viii. 461, 485. Baillie, ii. 222, 223, 225, 267. Rush. vi. 322—326. To procure the money, a new loan was raised in the following manner. Every subscriber to former loans on the faith of parliament, who had yet received neither principal nor

filled the Independents with joy, the Presbyterians with sorrow. The former disguised no longer their wish to dethrone the king, and either to set up in his place his son, the duke of York, whom the surrender of Oxford had delivered into their hands, or, which to many seemed preferable, to substitute a republican for a monarchical form of government. The Scottish commissioners sought to allay the ferment, by diverting the attention of the houses. They expressed their readiness not only to concur in such measures as the obstinacy of the king should make necessary, but on the receipt of a compensation for their past services, to withdraw their army into their own country. The offer was cheerfully accepted; a committee assembled to balance the accounts between the nations; many charges on both sides were disputed and disallowed; and at last the Scots agreed to accept four hundred thousand pounds in lieu of all demands, of which one half should be paid before they left England, the other after their arrival in Scotland.<sup>3</sup>

At this moment an unexpected vote of the two houses gave birth to a controversy unprecedented in history. It was resolved that the right of disposing of the king belonged to the parliament of England. The Scots hastened to remonstrate. To dispose of the king was an ambiguous term; they

interest, was allowed to subscribe the same sum to the present loan, and, in return, both sums with interest were to be secured to him on the grand excise and the sale of the bishops' lands. For the latter purpose, three ordinances were passed; one disabling all persons from holding the place, assuming the name, and exercising the jurisdiction of archbishops or bishops within the realm, and vesting all the lands belonging to archbishops and bishops in certain trustees, for the use of the nation (Journals, 515); another securing the debts of subscribers on these lands (ibid. 520); and a third appointing persons to make contracts of sale, and receive the money.—Journals of Commons, Nov. 16.

would assume that it meant to determine where he should reside until harmony was restored between him and his people. But it ought to be remembered that he was king of Scotland as well as of England; that each nation had an interest in the royal person; both had been parties in the war; both had a right to be consulted respecting the result. The English, on the contrary, contended that the Scots were not parties but auxiliaries, and that it was their duty to execute the orders of those whose bread they ate, and whose money they received. Scotland was certainly an independent kingdom. But its rights were confined within its own limits; it could not claim, it should not exercise, any authority within the boundaries of England. This altercation threatened to dissolve the union between the kingdoms. Conferences were repeatedly held. The Scots published their speeches; the Commons ordered the books to be seized, and the printers to be imprisoned; and each party obstinately refused either to admit the pretensions of its opponents, or even to yield to a compromise. But that which most strongly marked the sense of the parliament, was a vote providing money for the payment of the army during the next six months; a very intelligible hint of their determination to maintain their claim by force of arms, if it were invaded by the presumption of their allies.<sup>1</sup>

This extraordinary dispute, the difficulty of raising an immediate loan, and the previous arrangements for the departure of the Scots, occupied the attention of the two houses during the remainder of the year. Charles had sufficient leisure to re-

fect on the fate which threatened him. His constancy seemed to relax; he consulted the bishops of London and Salisbury; and successively proposed several unsatisfactory expedients, of which the object was to combine the toleration of episcopacy with the temporary or partial establishment of Presbyterianism. The Lords voted that he should be allowed to reside at Newmarket; but the Commons refused their consent; and ultimately both houses fixed on Holmby, in the vicinity of Northampton.<sup>2</sup> No notice was taken of the security which he had demanded for his honour and freedom; but a promise was given that respect should be had to the safety of his person in the defence of the true religion and the liberties of the two kingdoms, according to the solemn league and covenant. This vote was communicated to the Scottish commissioners at Newcastle, who replied that they awaited the commands of their own parliament.<sup>3</sup>

In Scotland the situation of the king had been the subject of many keen and animated debates. In the parliament his friends were active and persevering; and their efforts elicited a resolution that the commissioners in London should urge with all their influence his request of a personal conference. Cheered by this partial success, they proposed a vote expressive of their determination to support, under all circumstances, his right to the English throne. But at this moment arrived the votes of the two houses for his removal to Holmby: the current of Scottish loyalty was instantly checked; and the fear of a rupture between the nations induced the

<sup>1</sup> Journals, 498, 534. Commons, Oct. 7, 13, 14, 16. Rush. vi. 329—373. Baillie, ii. 346.

<sup>2</sup> "Holdenby or Holmby, a very stately house, built by the lord chancellor Hatton, and in King James's reign purchased by

Q. Anne for her second son."—Herbert, 13. It was, therefore, the king's own property.

<sup>3</sup> Clarendon Papers, ii. 265, 268, 276. Journals, 622, 635, 648, 681. Commons' Journals, Dec. 24. His letter to the bishop of London is in Ellis, iii. 326, 2nd ser.

estates to observe a solemn fast, that they might deserve the blessing of Heaven, and to consult the commissioners of the kirk, that they might proceed with a safe conscience. The answer was such as might have been expected from the bigotry of the age; that it was unlawful to assist in the restoration of a prince who had been excluded from the government of his kingdom for his refusal of the propositions respecting religion and the covenant. No man ventured to oppose the decision of the kirk. In a house of two hundred members, not more than seven or eight were found to speak in favour of their sovereign. A resolution was voted that he should be sent to Holmby, or some other of his houses near London, to remain there till he had assented to the propositions of peace; and all that his friends could obtain was an amendment more expressive of their fears than of their hopes, that no injury or violence should be offered to his person, no obstacle be opposed to the legitimate succession of his children, and no alteration made in the existing government of the kingdoms. This addition was cheerfully adopted by the English house of Lords; but the Commons did not vouchsafe to honour it with their notice. The first payment of one hundred thousand pounds had already been made at Northallerton: the Scots, according to agreement, evacuated Newcastle; and the parliamentary commissioners, without any other ceremony, took charge of the royal person. Four days later the Scots received the second sum of one hundred thousand pounds; their army repassed the border-line between the two kingdoms; and the captive monarch, under a strong guard, but with every demonstration of respect,

was conducted to his new prison at Holmby.<sup>1</sup>

The royalists, ever since the king's visit to Newark, had viewed with anxiety and terror the cool calculating policy of the Scots. The result converted their suspicions into certitude: they hesitated not to accuse them of falsehood and perfidy, and to charge them with having allured the king to their army by deceitful promises, that, Judas-like, they might barter him for money with his enemies. Insinuations so injurious to the character of the nation ought not to be lightly admitted. It is, indeed, true that fanaticism and self-interest had steeled the breasts of the Covenanters against the more generous impulses of loyalty and compassion; and that, by the delivery of the king to his enemies, they violated their previous pledge of personal safety, which, if once given, though by word only, ought to have been sacredly fulfilled. But there is no ground for the statement, that they held out promises to delude the unfortunate prince. It was with reluctance that they consented to receive him at all; and when at last he sought an asylum in their army, he came thither, not allured by invitation from them, but driven by necessity and despair.

2. If the delivery of the royal person, connected as it was with the receipt of 200,000*l.*, bore the appearance of a sale, it ought to be remembered, that the accounts between the two nations had been adjusted in the beginning of September; that for four months afterwards the Scots never ceased to negotiate in favour of Charles; nor did they resign the care of his person, till the votes of the English parliament compelled them to make the choice between compliance or war. It may be, that in forming their deci-

<sup>1</sup> Journals, viii. 686, 689, 695, 699, 713. Commons', Jan. 25, 26, 27. Baillie, ii. 253.

Rush. vi. 390—398. Whitelock, 232. Thuroloe, i. 73, 74.

sion their personal interest was not forgotten; but there was another consideration which had no small weight even with the friends of the monarch. It was urged that by suffering the king to reside at Holmby, they would do away the last pretext for keeping on foot the army under the command of Fairfax; the dissolution of that army would annihilate the influence of the Independents, and give an undisputed ascendancy to the Presbyterians; the first the declared enemies, the others the avowed advocates of Scotland, of the kirk, and of the king; and the necessary consequence must be, that the two parliaments would be left at liberty to arrange, in conformity with the covenant, both the establishment of religion and the restoration of the throne.<sup>1</sup>

Charles was not yet weaned from the expectation of succour from Ireland. At Newcastle he had consoled the hours of his captivity with dreams of the mighty efforts for his deliverance, which would be made by Ormond, and Glamorgan, and the council at Kilkenny. To the first of these he forwarded two messages, one openly through Lanark, the Scottish secretary, the other clandestinely through Lord Digby, who proceeded to Dublin from France. By the first Ormond received a positive command to break off the treaty with the Catholics; by the second he was told to adhere to his former instructions, and to obey no order which was not trans-

mitted to him by the queen or the prince. The letter to Glamorgan proves more clearly the distress to which he was reduced, and the confidence which he reposed in the exertions of that nobleman. "If," he writes, "you can raise a large sum of money by pawning my kingdoms for that purpose, I am content you should do it; and if I recover them, I will fully repay that money. And tell the nuncio, that if once I can come into his and your hands, which ought to be extremely wish'd for by you both, as well for the sake of England as Ireland, since all the rest, as I see, despise me, I will do it. And if I do not say this from my heart, or if in any future time I fail you in this, may God never restore me to my kingdoms in this world, nor give me eternal happiness in the next, to which I hope this tribulation will conduct me at last, after I have satisfied my obligations to my friends, to none of whom am I so much obliged as to yourself, whose merits towards me exceed all expressions that can be used by

"Your constant Friend,  
"CHARLES R."<sup>2</sup>

But religion was still the rock on which the royal hopes were destined to split. The perseverance of the supreme council at Kilkenny prevailed in appearance over the intrigues of the nuncio and the opposition of the clergy. The peace was reciprocally signed; it was published with more than usual parade in the

<sup>1</sup> See the declarations of Argyle in Laing, iii. 560; and of the Scottish commissioners to the English parliament, Journals, ix. 594, 598. "Stapleton and Hollis, and some others of the eleven members, had been the main persuaders of us to remove out of England, and leave the king to them, upon assurance, which was most likely, that this was the only means to get that evil army disbanded, the king and peace settled according to our minds; but their bent execution of this real intention has undone them, and all, till God provide a

remedy."—Baillie, ii. 257.

<sup>2</sup> Birch, Inquiry, 245. I may here mention that Glamorgan, when he was marquis of Worcester, published "A Century of the Names and Scantlings of such Inventions," &c., which Hume pronounces "a ridiculous compound of lies, chimeras, and impossibilities, enough to show what might be expected from such a man." If the reader peruse Mr. Partington's recent edition of this treatise, he will probably conclude that the historian had never seen it, or that he was unable to comprehend it

ties of Dublin and Kilkenny; but at the same time a national synod at Waterford not only condemned it as contrary to the oath of association, but on that ground excommunicated its authors, fautors, and abettors as guilty of perjury. The struggle between the advocates and opponents of the peace was soon terminated. The men of Ulster under Owen O'Neil, proud of their recent victory (they had almost annihilated the Scottish army in the sanguinary battle of Benburb), espoused the cause of the clergy; Preston, who commanded the forces of Leinster, after some hesitation, declared also in their favour; the members of the old council who had subscribed the treaty were imprisoned, and a new council was established, consisting of eight laymen and four clergymen, with the primate at their head. Under their direction, the two armies marched to besiege Dublin: it was saved by the prudence of Ormond, who had wasted the neighbouring country, and by the habits of jealousy and dissension which prevented any cordial co-operation between O'Neil and Preston, the one of Irish, the other of English descent. Ormond, however, despaired of preserving the capital against their repeated attempts; and the important question for his decision was, whether he should surrender it to them or to the parliament. The one favoured of perfidy to his religion, the other of treachery to his sovereign. He preferred the latter. The first answer to his offer he was induced to reject as derogatory from his honour: a second negotiation

followed; and he at last consented to resign to the parliament the sword, the emblem of his office, the castle of Dublin, and all the fortresses held by his troops, on the payment of a certain sum of money, a grant of security for his person, and the restoration of his lands, which had been sequestered. This agreement was performed. Ormond came to England, and the king's hope of assistance from Ireland was once more disappointed.<sup>1</sup>

Before the conclusion of this chapter, it will be proper to notice the progress which had been made in the reformation of religion. From the directory for public worship, the synod and the houses proceeded to the government of the church. They divided the kingdom into provinces, the provinces into classes, and the classes into presbyteries or elderships; and established by successive votes a regular gradation of authority among these new judicatories, which amounted, if we may believe the ordinance, to no fewer than ten thousand. But neither of the great religious parties was satisfied. 1. The Independents strongly objected to the intolerance of the Presbyterian scheme;<sup>2</sup> and though willing that it should be protected and countenanced by the state, they claimed a right to form, according to the dictates of their consciences, separate congregations for themselves. Their complaints were received with a willing ear by the two houses, the members of which (so we are told by a Scottish divine who attended the assembly at Westminster) might be divided into four

<sup>1</sup> Journals, viii. 519, 522; ix. 29, 32, 35. The reader will find an accurate account of the numerous and complicated negotiations respecting Ireland in Birch, Inquiry, &c., p. 142—261.

<sup>2</sup> Under the general name of Independents, I include, for convenience, all the different sects enumerated at the time by Edwards in his *Gangræna*,—Independents,

Brownists, Millenaries, Antinomians, Anabaptists, Arminians, Libertines, Familists, Enthusiasts, Seekers, Perfectists, Socinians, Arianists, Anti-Trinitarians, Anti-Scripturists, and Sceptics.—Neal's Puritans, ii. 251. I observe that some of them maintained that toleration was due even to Catholics. Baillie repeatedly notices it with feelings of horror (ii. 17, 18, 43, 61).

classes: the Presbyterians, who, in number and influence, surpassed any one of the other three; the Independents, who, if few in number, were yet distinguished by the superior talents and industry of their leaders; the lawyers, who looked with jealousy on any attempt to erect an ecclesiastical power independent of the legislature; and the men of irreligious habits, who dreaded the stern and scrutinizing discipline of a Presbyterian kirk. The two last occasionally served to restore the balance between the two others, and by joining with the Independents, to arrest the zeal, and neutralize the votes of the Presbyterians. With their aid, Cromwell, as the organ of the discontented religionists, had obtained the appointment of a "grand committee for accommodation," which sat four months, and concluded nothing. Its professed object was to reconcile the two parties, by inducing the Presbyterians to recede from their lofty pretensions, and the Independents to relax something of their sectarian obstinacy. Both were equally inflexible. The former would admit of no innovation in the powers which Christ, according to their creed, had bestowed on the presbytery; the latter, rather than conform, expressed their readiness to suffer the penalties of the law, or to seek some other clime, where the enjoyment of civil, was combined with that of religious freedom.<sup>1</sup>

2. The discontent of the Presbyterians arose from a very different source. They complained that the parliament sacrilegiously usurped that jurisdiction which Christ had vested exclusively in his church. The assembly contended, that "the keys of the kingdom of heaven were committed to the officers of the church, by virtue whereof, they have power

respectively to retain and remit sin to shut the kingdom of heaven against the impenitent by censures, and open it to the penitent by absolution. These claims of the divines were zealously supported by their brethren in parliament, and as fiercely opposed by all who were not of their communion. The divines claimed for the presbyteries the right of inquiring into the private lives of individuals, and of suspending the unworthy from the sacrament of the Lord's supper; but the parliament refused the first, and confined the second to cases of public scandal. They arrogated to themselves the power of judging what offences should be deemed scandalous; the parliament defined the particular offences, and appointed civil commissioners in each province, to whom the presbyteries should refer every case not previously enumerated. They allowed of no appeal from the ecclesiastical tribunals to the civil magistrate; the parliament empowered all who thought themselves aggrieved to apply for redress to either of the two houses.<sup>2</sup> This profane mutilation of the divine right of the presbyter excited the alarm and execration of every orthodox believer. When the ordinance for carrying the new plan into execution was in progress through the Commons, the ministers generally determined not to act under its provisions. The citizens of London, who petitioned against it, were indeed silenced by a vote that they had violated the privileges of the house; but the Scottish commissioners came to their aid with a demand that religion should be regulated to the satisfaction of the church; and the assembly of divines ventured to remonstrate that they could not in conscience submit to an imperfect and an unscriptural form of ecclesiastical government.

<sup>1</sup> Baillie, i. 408, 420, 431; ii. 11, 33, 37, 42, 57, 63, 66, 71.

<sup>2</sup> Journals, vii. 469. Commons', Sept. 10, Oct. 10, March 5.



ment. To the Scots a civil but meaning answer was returned: to rm the assembly, it was resolved at the remonstrance was a breach privilege, and that nine questions could be proposed to the divines, respecting the nature and object of the divine right to which they extended. These questions had been prepared by the ingenuity of Den and Whitelock, ostensibly for the sake of information, in reality to breed dissension and to procure a way.<sup>1</sup>

When the votes of the house were announced to the assembly, the members anticipated nothing less than the infliction of those severe penalties which breaches of privilege were usually visited. They observed a day of fasting and humiliation, to invoke the protection of God in favour of the persecuted church; required the immediate attendance of their absent leagues; and then reluctantly entered on the consideration of the questions sent to them from the Commons. A few days, however, the king took advantage in the Scottish army, and a new ray of hope cheered their afflicted spirits. Additional petitions were presented; the answer of the two houses became more accommodating; and

the petitioners received thanks for their zeal, with an assurance in conciliatory language that attention should be paid to their requests. The immediate consequence was the abolition of the provincial commissioners; and the ministers, softened by this condescension, engaged to execute the ordinance in London and Lancashire.<sup>2</sup> At the same time the assembly undertook the composition of a catechism and confession of faith; but their progress was daily retarded by the debates respecting the nine questions; and the influence of their party was greatly diminished by the sudden death of the earl of Essex.<sup>3</sup> It was, however, restored by the delivery of the king into the hands of the parliament: petitions were immediately presented, complaining of the growth of error and schism; and the impatience of the citizens induced them to appoint a committee to wait daily at the door of the house of Commons, till they should receive a favourable answer. But another revolution, to be related in the next chapter, followed; the custody of the royal person passed from the parliament to the army; and the hopes of the orthodox were utterly extinguished.<sup>4</sup>

<sup>1</sup> Journals, viii. 232. Commons', March 23, April 22. Baillie, ii. 194. "The pope and his agents," he exclaims, "were never more diligent in the quest for the headship of the church, than in the plurality of this parliament" (196, 199, 201, 216).

<sup>2</sup> These were the only places in which Presbyterian government was established according to law.

<sup>3</sup> Baillie says, "He was the head of our party here, kept altogether, who now are like, by that alone, to fall to pieces. The house of Lords absolutely, the city very much, and many of the shires depended on him" (ii. 234).

<sup>4</sup> Baillie, ii. 207, 215, 216, 226, 234, 236, 250. Journals, viii. 332, 509; ix. 18, 72, 82. Commons', May 26, Nov. 27, Dec. 7, March 15, 20.

## CHAPTER III.

OPPOSITE PROJECTS OF THE PRESBYTERIANS AND INDEPENDENTS—THE KING BROUGHT FROM HOLMBY TO THE ARMY—INDEPENDENTS DRIVEN FROM PARLIAMENT—RESTORED BY THE ARMY—ORIGIN OF THE LEVELLERS—KING ESCAPES FROM HAMPTON COURT AND IS SECURED IN THE ISLE OF WIGHT—MUTINY IN THE ARMY—PUBLIC OPINION IN FAVOUR OF THE KING—SCOTS ARM IN DEFENCE—THE ROYALISTS RENEW THE WAR—THE PRESBYTERIANS RESUME ASCENDANCY—DEFEAT OF THE SCOTS—SUPPRESSION OF THE ROYALISTS—TREATY OF NEWPORT—THE KING IS AGAIN BROUGHT TO THE ARMY—THE HOUSE OF COMMONS IS PURIFIED—THE KING'S TRIAL—JUDGMENT—AND EXECUTION—REFLECTIONS.

THE king during his captivity at Holmby divided his time between his studies and amusements. A considerable part of the day he spent in his closet, the rest in playing at bowls, or riding in the neighbourhood.<sup>1</sup> He was strictly watched; and without an order from the parliament no access could be obtained to the royal presence. The crowds who came to be touched for the evil were sent back by the guards; the servants who waited on his person received their appointment from the commissioners; and, when he refused the spiritual services of the two Presbyterian ministers sent to him from London, his request for the attendance of any of his twelve chaplains was equally refused. Thus three months passed away without any official communication from the two houses. The king's patience was exhausted; and he addressed them in a letter, which, as it must have been the production of his own pen, furnishes an undoubted and favourable specimen of his abilities. In it he observed that the want of advisers might, in the estimation of any reasonable man,

excuse him from noticing the important propositions presented to him at Newcastle; but his wish to restore a good understanding between himself and his houses of parliament induced him to make them the subjects of his daily study; and, if he could not return an answer satisfactory in every particular, it must be attributed not to want of will, but to the prohibition of his conscience. Many things he would cheerfully concede: with respect to the others he was ready to receive information, and that in person, if such were the pleasure of the Lords and Commons. Individuals in his situation might persuade themselves that propositions extorted from a prisoner are not binding. If such were his opinion he would not hesitate a moment to grant whatever had been asked. His very reluctance proved beyond dispute, that with him at least the word of a king were sacred.

After this preamble he proceeded to signify his assent to most of the propositions; but to the three principal points in debate, he answers; 1. That he is ready to confirm the Pres-

<sup>1</sup> "He frequently went to Harrowden, a house of the Lord Vaur's, where there was a good bowling-green with gardens, groves, and walks; and to Althorp, a fair house,

two or three miles from Holmby, belonging to the Lord Spenser, where there was a green well kept."—Herbert, 18.

rian government for the space of three years, on condition that liberty of worship be allowed to himself and his household; that twenty divines of his nomination be added to the assembly at Westminster; and that the final settlement of religion at the expiration of that period be made in the regular way by himself and the two houses: 2. he is willing that the command of the army and navy be vested in persons to be named by them, on condition that after ten years it may revert to the crown; and 3. if these things be accorded, he engages himself to give full satisfaction with respect to the war in Ireland. By the Lords the royal answer was favourably received, and they resolved by a majority of thirteen to nine that the king should be removed from Colmby to Oatlands; but the Commons neglected to notice the subject, and their attention was soon occupied with a question of more immediate and therefore in their estimation of superior importance.<sup>1</sup>

The reader is aware that the Presbyterians had long viewed the army under Fairfax with peculiar jealousy. It offered a secure refuge to their religious, and proved the strongest bulwark of their political, opponents. Under its protection, men were beyond the reach of intolerance. They prayed and preached as they pleased; the fanaticism of one served to counterbalance the fanaticism of another; and all, however they might differ in spiritual gifts and theological notions, were bound together by the common profession of godliness, and the common dread of persecution. Fairfax, though called a Presbyterian, had nothing of that stern unaccommo-

dating character which then marked the leaders of the party. In the field he was distinguished by his activity and daring; but the moment his military duties were performed, he relapsed into habits of ease and indolence; and, with the good-nature and the credulity of a child, suffered himself to be guided by the advice or the wishes of those around him—by his wife, by his companions, and particularly by Cromwell. That adventurer had equally obtained the confidence of the commander-in-chief and of the common soldier. Dark, artful, and designing, he governed Fairfax by his suggestions, while he pretended only to second the projects of that general. Among the privates he appeared as the advocate of liberty and toleration, joined with them in their conventicles, equalled them in the cant of fanaticism, and affected to resent their wrongs as religionists and their privations as soldiers. To his fellow-officers he lamented the ingratitude and jealousy of the parliament, a court in which experience showed that no man, not even the most meritorious patriot, was secure. To-day he might be in high favour, to-morrow, at the insidious suggestion of some obscure lawyer or narrow-minded bigot, he might find himself under arrest, and be consigned to the Tower. That Cromwell already aspired to the eminence to which he afterwards soared, is hardly credible; but that his ambition was awakened, and that he laboured to bring the army into collision with the parliament, was evident to the most careless observer.<sup>2</sup>

To disband that army was now become the main object of the Presbyterian leaders; but they disguised

<sup>1</sup> These particulars appear in the correspondence in Clar. Pap. 221—226; Journals, i. 69, 193, 199; Commons', Feb. 20, March 9; May 21.

<sup>2</sup> As early as Aug. 2, 1648, Huntingdon, the major in his regiment, in his account of

Cromwell's conduct, noticed, that in his chamber at Kingston he said, "What a sway Stapleton and Hollis had heretofore in the kingdom, and he knew nothing to the contrary but that he was as well able to govern the kingdom as either of them."—Journals, x. 411.

their real motives under the pretence of the national benefit. The royalists were humbled in the dust; the Scots had departed; and it was time to relieve the country from the charge of supporting a multitude of men in arms without any ostensible purpose. They carried, but with considerable opposition, the following resolutions: to take from the army three regiments of horse and eight regiments of foot, for the service in Ireland; to retain in England no greater number of infantry than might be required to do the garrison duty, with six thousand cavalry for the more speedy suppression of tumults and riots; and to admit of no officer of higher rank than colonel, with the exception of Fairfax, the commander-in-chief. In addition it was voted that no commission should be granted to any member of the lower house, or to any individual who refused to take the solemn league and covenant, or to any one whose conscience forbade him to conform to the Presbyterian scheme of church government.<sup>1</sup>

The object of these votes could not be concealed from the Independents. They resolved to oppose their adversaries with their own weapons, and to intimidate those whom they were unable to convince. Suddenly, at their secret instigation, the army, rising from its cantonments in the neighbourhood of Nottingham, approached the metropolis, and selected quarters in the county of Essex. This movement was regarded and resented as a menace; Fairfax, to excuse it, alleged the difficulty of procuring subsistence in an exhausted and impoverished district. At Saffron Walden he was met by the parliamentary commissioners, who called a

council of officers, and submitted their consideration proposals for the service of Ireland; but instead of a positive answer, inquiries were made and explanations demanded, while remonstrance against the treatment of the army was circulated for several natures through the several regiments. In it the soldiers required an ordinance of indemnity to screen them from actions in the civil courts for their past conduct, the payment of their arrears, which amounted to forty-three weeks for the horse, and to eighteen for the infantry; exemption from imprisonment for foreign service; compensation for the maimed; pensions for the widows and families of those who had fallen during the war, and a weekly provision of money that they might no longer be compelled to live at free quarters on the inhabitants. This remonstrance was presented to Fairfax to be forwarded by him to the two houses. The ruling party became alarmed: they dreaded to oppose petitioners with swords in their hands; and, that the project might be suppressed in its birth, both houses sent instructions to the general, ordered all members of parliament holding commands to repair to the army, and issued a declaration, in which, after a promise to take no notice of what was presented, they admonished the subscribers to persist in their illegal course would subject them to punishment "as enemies to the state and disturbers of public peace."<sup>2</sup>

The framers of this declaration knew little of the temper of the military. They sought to prevail by intimidation, and they only inflamed general discontent. Was it to be borne, the soldiers asked each other

<sup>1</sup> Journals of Commons, iv. Feb. 15, 19, 20, 23, 25, 26, 27; March 1, 2, 3, 4, 5. On several divisions, the Presbyterian majority was reduced to ten; on one, to two members. They laboured to exclude Fairfax, but were left in a minority of 147 to 159.—

Ibid. March 5. "Some," says Whitehead, "wondered it should admit debate on the question" (p. 239).

<sup>2</sup> Journals, ix. 66, 72, 82, 89, 95, 112—Commons', v. March 11, 25, 26, 27, 29.

at the city of London and the county of Essex should be allowed to petition against the army, and that they, who had fought, and bled, and conquered in the cause of their country, should be forbidden either to state their grievances or to vindicate their characters? Hitherto the army had been guided, in appearance at least, by the council of officers; now, whether it was a contrivance of the officers themselves to shift the odium on the whole body of the military, or as suggested by the common men, who began to distrust the integrity of their commanders, two deliberating bodies, in imitation of the houses at Westminster, were formed; one consisting of the officers holding commissions, the other of two representatives from every troop and company, calling themselves adjutators and helpers; a name which, by the genuity of their enemies, was changed into that of agitators or disturbers.<sup>1</sup> Guided by their resolves, the whole army seemed to be animated with one soul: scarcely a man could be tempted to desert the common cause by accepting of the service in Ireland; each corps added supernumeraries to its original complement; <sup>2</sup> and language was held, and projects were suggested, most alarming to the presbyterian party. Confident, however, in their own power, the majority of the house resolved that the several regiments should be disbanded on the receipt of a small portion of their arrears. This vote was scarcely passed, when a deputation from the adjutators presented to the Commons

a defence of the remonstrance. They maintained that by becoming soldiers they had not lost the rights of subjects; that by purchasing the freedom of others, they had not forfeited their own; that what had been granted to the adversaries of the commonwealth, and to the officers in the armies of Essex and Waller, could not in justice be refused to them; and that, as without the liberty of petitioning, grievances are without remedy, they ought to be allowed to petition now in what regarded them as soldiers, no less than afterwards in what might regard them as citizens. At the same time the adjutators addressed to Fairfax and the other general officers a letter complaining of their wrongs, stating their resolution to obtain redress, and describing the expedition to Ireland as a mere pretext to separate the soldiers from those officers to whom they were attached, "a cloak to the ambition of men who having lately tasted of sovereignty, and been lifted beyond their ordinary sphere of servants, sought to become masters and degenerate into tyrants." The tone of these papers excited alarm; and Cromwell, Skippon, Ireton, and Fleetwood, were ordered to repair to their regiments, and assure them that ordinances of indemnity should be passed, that their arrears should be audited, and that a considerable payment should be made previous to their dismissal from the service. When these officers announced, in the words of the parliamentary order, that they were come to quiet "the distempers in the army," the councils

Hobbes, Behemoth, 587. Berkeley, 1. This, however, was not the first appearance of the agitators. "The first," says Fairfax, "I took notice of them at Nottingham (end of February), by soldiers meeting to frame a petition to parliament about their arrears. The thing seemed just; but not liking the way, I spoke with some officers who were principally engaged in it, and got it suppressed that time."—Short Memorials of Thomas

Lord Fairfax, written by himself. Somers's Tracts, v. 392. Maseres, 446.

<sup>2</sup> Several bodies of troops in the distant counties had been disbanded; but the army under Fairfax, by enlisting volunteers from both parties, royalists as well as parliamentarians, was gradually increased by several thousand men, and the burthen of supporting it was doubled.—See Journals, ix, 559—583.

replied, that they knew of no distempers, but of many grievances, and that of these they demanded immediate redress.<sup>1</sup>

Whitelock, with his friends, earnestly deprecated a course of proceeding which he foresaw must end in defeat; but his efforts were frustrated by the inflexibility or violence of Holles, Stapleton, and Glyn, the leaders of the ruling party, who, though they condescended to pass the ordinance of indemnity, and to issue money for the payment of the arrears of eight weeks, procured instructions for the lord general to collect the several regiments in their respective quarters, and to disband them without delay. Instead of obeying, he called together the council of officers, who resolved, in answer to a petition to them from the agitators, that the votes of parliament were not satisfactory; that the arrears of payment for eight weeks formed but a portion of their just claim, and that no security had been given for the discharge of the remainder; that the bill of indemnity was a delusion, as long as the vote declaring them enemies of the state was unrepealed; and that, instead of suffering themselves to be disbanded in their separate quarters, the whole army ought to be drawn together, that they might consult in common for the security of their persons and the reparation of their characters. Orders were despatched at the same time to secure the park of artillery at Oxford, and to seize the sum of four thousand pounds destined for the garrison in that city. These measures opened the eyes of their adversaries. A proposal was made in parliament to expunge the offensive declaration from the journals, a more comprehensive bill of

indemnity was introduced, and other votes were suggested, calculated to remove the objections of the army when the alarm of the Presbyterian leaders was raised to the highest pitch by the arrival of unexpected tidings from Holmby.<sup>2</sup>

Soon after the appointment of agitators, an officer had delivered to the king a petition from the army that he would suffer himself to be conducted to the quarters of the lord general, by whom he should be restored to his honour, crown, and dignity. Charles replied, that he hoped one day to reward them for their loyalty of their intention, but that he could not give his consent to a measure which must, in all probability, replunge the nation into the horrors of a civil war.<sup>3</sup> He believed that the answer had induced the army to abandon the design; but six weeks later, on Wednesday, the 2nd of July, while he was playing at bowls at Althorp, Joyce, a cornet in the general's life-guard, was observed standing among the spectators; and late in the evening of the same day, the commissioners in attendance upon him understood that a numerous party of horse had assembled on Charles Heath, at the distance of two miles from Holmby. Their object could not be doubted; it was soon ascertained that the military under their orders would offer no resistance; Colonel Greaves, their commander, deemed it expedient to withdraw to a place of safety. About two in the morning a body of troopers appeared before the gates, and were instantly admitted. To the questions of the commissioners, who was their commander, and what was their purpose, Joyce replied, that they were the king's commanders, and that they had

<sup>1</sup> Journals, ix. 164. Commons', Ap. 27, 30. Whitelock, 245, 246. Rushworth, vi. 447, 451, 457, 469, 480, 485.

<sup>2</sup> Whitelock, 248, 250. Holles 92. Jour-

nals, 207, 222, 226—228. Commons', Ms. 21, 25, 28; June 1, 4, 5. Rushworth, vi. 493, 497—500, 505.

<sup>3</sup> Clarendon Papers, ii. 365.

to arrest Colonel Greaves, and to secure the person of the king, that he might not be carried away by their enemies. With a pistol in his hand he then demanded admission to Charles: but the grooms of the bed-chamber interposed; and, after a violent altercation, he was induced to withdraw. During the day the parliamentary guards were replaced by these strangers; about ten at night Joyce again demanded admission to the royal bedchamber, and informed the king that his comrades were apprehensive of a rescue, and wished to conduct him to a place of greater security. Charles signified his assent, on the condition that what then passed between them in private should be repeated in public; and at six the next morning, took his station on the steps at the door, while the troopers drew up before him, with Joyce a little in advance of the line. This dialogue ensued:—

**KING.**—Mr. Joyce, I desire to ask you, what authority you have to take charge of my person and convey me away?

**JOYCE.**—I am sent by authority of the army, to prevent the design of their enemies, who seek to involve the kingdom a second time in blood.

**KING.**—That is no lawful authority. I know of none in England but my own, and after mine, that of the parliament. Have you any written commission from Sir Thomas Fairfax?

**JOYCE.**—I have the authority of the army, and the general is included in the army.

**KING.**—That is no answer. The general is the head of the army. Have you any written commission?

**JOYCE.**—I beseech your majesty to ask me no more questions. There is my commission, pointing to the troopers behind him.

**KING,** with a smile—I never before read such a commission; but it is written in characters fair and legible enough; a company of as handsome proper gentlemen as I have seen a long while. But to remove me hence, you must use absolute force, unless you give me satisfaction as to these reasonable and just demands which I make: that I may be used with honour and respect, and that I may not be forced in anything against my conscience or honour, though I hope that my resolution is so fixed that no force can cause me to do a base thing. You are masters of my body, my soul is above your reach.

The troopers signified their assent by acclamation; and Joyce rejoined, that their principle was not to force any man's conscience, much less that of their sovereign. Charles proceeded to demand the attendance of his own servants, and, when this had been granted, asked whither they meant to conduct him. Some mentioned Oxford, others Cambridge; but, at his own request, Newmarket was preferred. As soon as he had retired, the commissioners protested against the removal of the royal person, and called on the troopers present to come over to them, and maintain the authority of parliament. But they replied with one voice, "None, none;" and the king, trusting himself to Joyce and his companions, rode that day as far as Hinchinbrook House, and afterwards proceeded to Childersley, not far from Cambridge.<sup>1</sup>

This design of seizing the person of

next day I waited on his majesty, it being also my business to persuade his return to Holmby; but he was otherwise resolved ..... So having spent the whole day about this business, I returned to my quarters; and as I took leave of the king, he said to me, Sir, I have as good interest in the army

<sup>1</sup> Compare the narrative published by the army (Rushw. vi. 53), with the letters sent by the commissioners to the house of Lords, Journals, 237, 240, 248, 250, 273, and Herbert's Memoirs, 26—33. Fairfax met the king at Childersley, near Cambridge, and advised him to return to Holmby. "The

the king was openly avowed by the council of the agitators, though the general belief attributed it to the secret contrivance of Cromwell. It had been carefully concealed from the knowledge of Fairfax, who, if he was not duped by the hypocrisy of the lieutenant-general and his friends, carefully suppressed his suspicions, and acted as if he believed his brother officers to be animated with the same sentiments as himself, an earnest desire to satisfy the complaints of the military, and at the same time to prevent a rupture between them and the parliament. But Cromwell appears to have had in view a very different object, the humiliation of his political opponents; and his hopes were encouraged not only by the ardour of the army, but also by the general wishes of the people.

1. The day after the abduction of the king from Holmby, the army rendezvoused at Newmarket, and entered into a solemn engagement, stating that, whereas several officers had been called in question for advocating the cause of the military, they had chosen certain men out of each company, who then chose two or more out of themselves, to act in the name and behalf of the whole soldiery of their respective regiments; and that they did now unanimously declare and promise that the army should not disband, nor volunteer for the service in Ireland, till their grievances had been so far redressed, and their subsequent safety so far secured, as to give satisfaction to a council composed of the general officers, and of two commissioned officers, and two

as you.....I called for a council of war to proceed against Joyce for this high offence, and breach of the articles of war; but the officers, whether for fear of the distempered soldiers, or rather (as I suspected) a secret allowance of what was done, made all my endeavours in this ineffectual."—Somers's Tracts, v. 394. Holles asserts that the removal of the king had been planned at the house of Cromwell, on the 30th of May (Holles, 96);

privates, or adjutators, chosen from each regiment.<sup>1</sup>

2. The forcible removal of the king had warned the Presbyterian leaders of the bold and unscrupulous spirit which animated the soldiery; yet they entertained no doubt of obtaining the victory in this menacing and formidable contest. So much apparent reverence was still paid to the authority of the parliament, so powerful was the Presbyterian interest in the city and among the military, that they believed it would require only a few concessions, and some judicious management on their part, to break that bond of union which formed the chief element of strength possessed by their adversaries. But when it became known that a friendly understanding already existed between the officers and the king, they saw that no time was to be lost. In their alarm the measures, which they had hitherto discussed very leisurely, were hurried through the two houses; the obnoxious declaration was erased from the journals; a most extensive bill of indemnity was passed; several ordinances were added securing more plentiful pay to the disbanded soldiers, and still more plentiful to those who should volunteer for the service in Ireland. Six commissioners—the earl of Nottingham and Lord Delaware from the house of Lords, and Field-marshal General Skippon,<sup>2</sup> Sir Henry Vane the younger, and two others from the house of Commons—were appointed to superintend the disbandment of the forces; and peremptory orders were despatched to the lord general, to collect all the regiments

Huntingdon, that it was advised by Cromwell and Ireton.—Lords' Journals, x. 409.

<sup>1</sup> Parl. Hist. iii. 604.

<sup>2</sup> Skippon had been appointed commander-in-chief of the forces in Ireland with the title of field-marshal, and six pounds per day for his entertainment.—Journals, ix. 122, Ap. 6. He also received the sum of one thousand pounds for his outfit.—Holles, p. 250.



under his immediate command on Newmarket Heath on Wednesday, the 9th of June, and to second to the utmost of his power the proceedings on the part of the six deputies. He professed obedience; but of his own authority changed the place of rendezvous to Triploe Heath, between Cambridge and Royston, and the day also from Wednesday to Thursday, apparently with a view to the convenience of the two houses.<sup>1</sup>

It was only on the morning of Wednesday that the earl of Nottingham, with his five companions, was able to set out from London on their important mission; and, while they were on the road, their colleagues at Westminster sought to interest Heaven in their favour by spending the day, as one of fasting and humiliation, in religious exercises, according to the fashion of the time. Late in the evening the commissioners reached Cambridge, and immediately offered the votes and ordinances, of which they were the bearers, to the acceptance of Fairfax and his council. The whole, however, of the next morning was wasted (artfully, it would seem, on the part of the officers) in trifling controversies on mere matters of form, till at last the lord general declined to return an answer which was tantamount to a refusal. To the proposals of parliament he preferred the solemn engagement already entered into by the army on Newmarket Heath, because the latter presented a more effectual way of disbanding the forces under his command without danger, and of extinguishing satisfactorily the discontent which pervaded the whole nation. If, however, the commissioners wished to

ascertain in person the real sentiments of the soldiery, he was ready with his officers to attend upon them, whilst they made the inquiry.<sup>2</sup> It was now one in the afternoon; every corps had long since occupied its position on the heath; and there is reason to believe, that the opportunity afforded by this delay had been improved to prepare each regiment separately, and particular agents in each regiment, against the arrival and proposals of the commissioners. The latter dared not act on their own discretion, but resolved to obey their instructions to the very letter. Proceeding, therefore, to the heath, they rode at once to the regiment of infantry of which Fairfax was colonel. The votes of the two houses were then read to the men, and Skippon, having made a long harangue in commendation of the votes, concluded by asking whether, with these concessions, they were not all satisfied. "To that no answer can be returned," exclaimed a voice from the ranks, "till your proposals have been submitted to, and approved by, the council of officers and adjutators." The speaker was a subaltern, who immediately, having asked and obtained permission from his colonel to address the whole corps, called aloud, "Is not that the opinion of you all?" They shouted, "It is, of all, of all." "But are there not," he pursued, "some among you who think otherwise?" "No," was the general response, "no, not one." Disconcerted and abashed, the commissioners turned aside, and, as they withdrew, were greeted with continual cries of "Justice, justice, we demand justice."<sup>3</sup>

From this regiment they proceeded

<sup>1</sup> The orders of the parliament with respect to the time and place are in the Lords' Journals, ix. 241. Yet the debates on the concessions did not close before Tuesday, or did the negotiation between the commissioners and the military council conclude

till afternoon on Thursday.—Ibid. 247, 253.

<sup>2</sup> The correspondence is in the Journals, *ibid.*

<sup>3</sup> Rushworth, vi. 518. Whitelock, 251. Holles, 252.

to each of the others. In every instance the same ceremony was repeated, and always with the same result. No one now could doubt that both officers and men were joined in one common league; and that the link which bound them together was the "solemn engagement."<sup>1</sup> Both looked upon that engagement as the charter of their rights and liberties. No concession or intrigue, no partiality of friendship or religion, could seduce them from the faith which they had sworn to it. There were, indeed, a few seceders, particularly the captains, and several of the lord general's life-guard; but after all, the men who yielded to temptation amounted to a very inconsiderable number, in comparison with the immense majority of those who with inviolable fidelity adhered to the engagement, and, by their resolution and perseverance, enabled their leaders to win for them a complete, and at the same time a bloodless victory.

3. On the next day a deputation of freeholders from the county of Norfolk, and soon afterwards similar deputations from the counties of Suffolk, Essex, Herts, and Buckingham, waited with written addresses upon Fairfax. They lamented that now, when the war with the king was concluded, peace had not brought with it the blessings, the promise of which by the parliament had induced them to submit to the evils and privations of war; a disappointment that could be attributed only to the obstinacy with which certain individuals clung to the emoluments of office and the monopoly of power. To Fairfax, therefore, under God, they appealed to become the saviour of his country, to be the mediator between it and the two houses. With this view, let him keep his army together,

till he had brought the incendiaries to condign punishment, and extorted full redress of the grievances so severely felt both by the army and the people.<sup>2</sup>

The chiefs, however, who now ruled at Westminster, were not the men to surrender without a struggle. They submitted, indeed, to pass a few ordinances calculated to give satisfaction; but these were combined with others which displayed a fixed determination not to succumb to the dictates of a mutinous soldiery. A committee was established with power to raise forces for the defence of the nation: the favourite general Skippon was appointed to provide for the safety of the capital; and the most positive orders were sent to Fairfax not to suffer any one of the corps under his command to approach within forty miles of London. Every day the contest assumed a more threatening aspect. A succession of petitions, remonstrances, and declarations issued from the pens of Ireton and Lambert, guided, it was believed by the hand of Cromwell. In addition to their former demands, it was required that all capitulations granted by military commanders during the war should be observed; that a time should be fixed for the termination of the present parliament; that the house of Commons should be purged of every individual disqualified by preceding ordinances; and, in particular, that eleven of its members comprising Holles, Glyn, Stapleton Clotworthy, and Waller, the chief leaders of the Presbyterian party, and members of the committee at Derby House, should be excluded, till they had been tried by due course of law for the offence of endeavouring to commit the army with the parliament. To give weight to these de-

<sup>1</sup> Nottingham's Letter in the Lords' Journals, ix. 253.

<sup>2</sup> Lords' Journals, 260, 263, 277. Holles

says that these petitions were drawn by Cromwell, and sent into the counties for subscriptions.—Holles, 256.

mands, Fairfax, who seems to have acted as the mere organ of the council of officers,<sup>1</sup> marched successively to St. Alban's, to Watford, and to Uxbridge. His approach revealed the weakness of his opponents, and the cowardice, perhaps hypocrisy, of many, who foresaw the probable issue of the contest, and deemed it not their interest to provoke by a useless resistance the military chiefs, who might in a few hours be their masters. Hence it happened that men who had so clamorously and successfully appealed to the privileges of parliament, when the king demanded the five members, now submitted tamely to a similar demand, when it was made by twelve thousand men in arms. Skippon, their oracle, was one of the first deserters. He resigned the several commands which he held, and exhorted the Presbyterians to fast and pray, and submit to the will of God. From that time it became their chief solicitude to propitiate the army. They granted very ingeniously leave of absence to the eleven accused members; they ordered the new levies for the defence of the city to be disbanded, and the new lines of communication to be demolished; they sent a month's pay to the forces under Fairfax, with a vote declaring them the army of the parliament, and appointed commissioners to treat with commissioners from the military council, as if the latter were the representatives of an independent and co-equal authority.<sup>2</sup>

This struggle and its consequences were viewed with intense interest by the royalists, who persuaded themselves that it must end in the restoration of the king; but the opportunities furnished by the passions of his adversaries were as often forfeited by the irresolution of the monarch. While both factions courted his assistance, he, partly through distrust of their sincerity, partly through the hope of more favourable terms, balanced between their offers, till the contest was decided without his interference. Ever since his departure from Holmby, though he was still a captive, and compelled to follow the marches of the army, the officers had treated him with the most profound respect; attention was paid to all his wants; the general interposed to procure for him occasionally the company of his younger children; his servants, Legge, Berkeley, and Ashburnham, though known to have come from France with a message from the queen,<sup>3</sup> were permitted to attend him; and free access was given to some of his chaplains, who read the service in his presence publicly and without molestation. Several of the officers openly professed to admire his piety, and to compassionate his misfortunes; even Cromwell, though at first he affected the distance and reserve of an enemy, sent him secret assurances of his attachment; and successive addresses were made to him in the name of the military, expressive of the general wish to effect

*The army  
& the King*

<sup>1</sup> "From the time they declared their usurped authority at Triploe Heath (June 10th), I never gave my free consent to any thing they did; but being yet undischarged of my place, they set my name in way of course to all their papers, whether I consented or not."—Somers's Tracts, v. 396. This can only mean that he reluctantly allowed them to make use of his name; for he was certainly at liberty to resign his command, or to protest against the measures which he disapproved.

<sup>2</sup> Rushworth, vi. 518—596. Whitelock, 251—256. Holles, 104. Journals, 249, 257,

260, 263, 275, 277, 284, 289, 291, 298. Commons', June 7, 11, 12, 15, 18, 25, 26, 28. On divisions in general, the Presbyterians had a majority of forty; but on the 28th, the first day after the departure of their leaders, they were left in a minority of eighty-five to one hundred and twenty-one.—Ibid.

<sup>3</sup> "I returned with instructions to endeavour by the best means imaginable such a compliance between his majesty and the army, as might have influence, and beget a right understanding between his majesty and the parliament."—Ashburnham's Letter, in 1648, p. 5.

an accommodation, which should reconcile the rights of the throne with those of the people. A secret negotiation followed through the agency of Berkeley and Ashburnham; and Fairfax, to prepare the public for the result, in a letter to the two houses, spurned the imputation cast upon the army, as if it were hostile to monarchical government, justified the respect and indulgence with which he had treated the royal captive, and maintained that "tender, equitable, and moderate dealings towards him, his family, and his former adherents," was the most hopeful course to lull asleep the feuds which divided the nation. Never had the king so fair a prospect of recovering his authority.<sup>1</sup>

In the treaty between the commissioners of the parliament and those of the army, the latter proceeded with considerable caution. The redress of military grievances was but the least of their cares; their great object was the settlement of the national tranquillity on what *they* deemed a solid and permanent basis. Of this intention they had suffered some hints to transpire; but before the open announcement of their plan, they resolved to bring the city, as they had brought the parliament, under subjection. London, with its dependencies, had hitherto been the chief support of the contrary faction; it abounded with discharged officers and soldiers who had served under Essex and Waller, and who were ready at the first summons to draw the sword in defence of the covenant; and the supreme authority over the military within the lines of communication had been, by an ordinance of the last year, vested in a committee, all the members of which were strongly attached to the Presbyterian interest. To wrest this formidable weapon from

the hands of their adversaries, they forwarded a request to the two houses, that the command of the London militia might be transferred from disaffected persons to men distinguished by their devotion to the cause of the country. The Presbyterians in the city were alarmed; they suspected a coalition between the king and the Independents; they saw that the covenant itself was at stake, and that the propositions of peace so often voted in parliament might in a few days be set aside. A petition was presented in opposition to the demand of the army; but the houses, now under the influence of the Independents, passed the ordinance; and the city, on its part, determined to resist both the army and the parliament. Lord Lauderdale, the chief of the Scottish commissioners, hastened to the king to obtain his concurrence; a new covenant, devised in his favour, was exposed at Skinners' Hall, and the citizens and soldiers, and probably the concealed royalists, hastened in crowds to subscribe their names. By it they bound themselves, in the presence of God, and at the risk of their lives and fortunes, to bring the sovereign to Westminster, that he might confirm the concessions which he had made in his letter from Holmby, and might confer with his parliament on the remaining propositions. But the recent converts to the cause of the army hastened to prove the sincerity of their conversion. Both Lords and Commons voted this engagement an act of treason against the kingdom; and the publication of the vote, instead of damping the zeal, inflamed the passions of the people. The citizens petitioned a second time, and received a second refusal. The moment the petitioners departed, a multitude of apprentices, supported by a crowd of military men, besieged the doors of the two houses; for eight hours they continued, by shouts and

<sup>1</sup> Journals, ix. 323, 324. Ashburn. ii. 91. Also Huntingdon's Narrative, x. 409.

messages, to call for the repeal of the ordinance respecting the militia, and of the vote condemning the covenant; and the members, after a long resistance, worn out with fatigue, and overcome with terror, submitted to their demands. Even after they had been suffered to retire, the multitude suddenly compelled the Commons to return, and, with the speaker in the chair, to pass a vote that the king should be conducted without delay to his palace at Westminster. Both houses adjourned for three days, and the two speakers, with most of the Independent party and their proselytes, amounting to eight peers and fifty-eight commoners, availed themselves of the opportunity to withdraw from the insults of the populace, and to seek an asylum in the army.<sup>1</sup>

In the mean while the council of officers had completed their plan "for the settlement of the nation," which they submitted first to the consideration of Charles, and afterwards to that of the parliamentary commissioners. In many points it was similar to the celebrated "propositions of peace;" but contained in addition several provisions respecting the manner of election, and the duration of parliament and the composition of the magistracy, which may not be uninteresting to the reader even at the present day. It proposed that a parliament should meet every year, to sit not less than a certain number of days, or more than another certain number, each of which should be fixed by law; that if at the close of a session any parliamentary business remained unfinished, a committee should be appointed with power to sit and bring it to a conclusion; that a new parliament should be summoned every two years, unless the former parliament had been previously dissolved with its own con-

sent; that decayed and inconsiderable boroughs should be disfranchised, and the number of county members increased, such increase being proportionate to the rates of each county in the common charges of the kingdom; that every regulation respecting the reform of the representation and the election of members should emanate from the house of Commons alone, whose decision on such matters should have the force of law, independently of the other branches of the legislature; that the names of the persons to be appointed sheriffs annually, and of those to be appointed magistrates at any time, should be recommended to the king by the grand jury at the assizes; and that the grand jury itself should be selected, not by the partiality of the sheriff, but equally by the several divisions of the county; that the excise should be taken off all articles of necessity without delay, and off all others within a limited time; that the land-tax should be equally apportioned; that a remedy should be applied to the "unequal, troublesome, and contentious way of ministers' maintenance by tithes;" that suits at law should be rendered less tedious and expensive; that the estates of all men should be made liable for their debts; that insolvent debtors, who had surrendered all that they had to their creditors, should be discharged; and that no corporation should exact from their members oaths trenching on freedom of conscience<sup>2</sup> To these innovations, great and important as they were, it was not the interest, if it had been the inclination, of Charles to make any serious objection: but on three other questions he felt much more deeply, —The church, the army, and the fate of the royalists; yet there existed a disposition to spare his feelings on all

<sup>1</sup> Whitelock, 260, 261. Journals, ix. 377, 393. Holles, 145. Leicester's Journal in the Sydney Papers, edited by Mr. Blencowe, p. 25.

<sup>2</sup> Charles's Works, 579. Parl. History, ii. 738.

three; and after long and frequent discussion, such modifications of the original proposals were adopted, as in the opinion of his agents, Berkeley and Ashburnham, would insure his assent. 1. Instead of the abolition of the hierarchy, it was agreed to deprive it only of the power of coercion, to place the liturgy and the covenant on an equal footing, by taking away the penalties for absence from the one, and for refusal of the other; and to substitute in place of the oppressive and sanguinary laws still in force, some other provision for the discovery of popish recusants, and the restraint of popish priests and Jesuits, seeking to disturb the state. 2. To restore to the crown the command of the army and navy at the expiration of ten years. 3. And to reduce the number of delinquents among the English royalists to be excluded from pardon, to five individuals. Had the king accepted these terms, he would most probably have been replaced on the throne; for his agents, who had the best means of forming a judgment, though they differed on other points, agreed in this, that the officers acted uprightly and sincerely; but he had unfortunately persuaded himself—and in that persuasion he was confirmed both by the advice of several faithful royalists and by the interested representations of the Scottish commissioners—that the growing struggle between the Presbyterians and Independents would enable him to give the law to both parties; and hence, when “the settlement” was submitted to him for his final approbation, he returned an unqualified refusal. The astonishment of his agents was not less than that of the officers. Had he dissembled, or had he changed his mind? In either case both had been deceived. *They* might suppress their feelings;

but the adjutators complained aloud and a party of soldiers, attributing the disappointment to the intrigues of Lord Lauderdale, burst at night into the bedchamber of that nobleman, and ordered him to rise and depart without delay. It was in vain that he pleaded his duty as commissioner from the estates of Scotland, or that he solicited the favour of a short interview with the king: he was compelled to leave his bed and hasten back to the capital.<sup>1</sup>

Before this, information of the proceedings in London had induced Fairfax to collect his forces and march towards the city. On the way he was joined by the speakers of both houses, eight lords and fifty-eight commoners, who in a council held at Sion House solemnly bound themselves “to live and die with the army.” Here it was understood that many royalists had joined the Presbyterians, and that a declaration had been circulated in the name of the king, condemning all attempts to make war on the parliament. The officers, fearing the effect of this intelligence on the minds of the military, already exasperated by the refusal of their proposals, conjured Charles to write a conciliatory letter to the general, in which he should disavow any design of assisting the enemy, should thank the army for its attention to his comfort, and should commend the moderation of their plan of settlement in many points, though he could not consent to it in all. The ill-fated monarch hesitated; the grace of the measure was lost by a delay of twenty-four hours; and though the letter was at last sent, it did not arrive before the city had made an offer of submission. In such circumstances it could serve no useful purpose. It was interpreted as an artifice to cover the king’s in-

<sup>1</sup> Compare the narratives of Berkeley, 364; Ashburnham, ii. 92; Ludlow, i. 174; and Huntingdon (Journals, x. 410), with the pro-

posals of the army in Charles’s Works, 678. The insult to Lauderdale is mentioned in the Lords’ Journals, ix. 367.

figures with the Presbyterians, instead of a demonstration of his good will to the army.<sup>1</sup>

To return to the city; Holles and his colleagues had resumed the ascendancy during the secession of the Independents. The eleven members returned to the house; the command of the militia was restored to the former committee; and a vote was passed that the king should be invited to Westminster. At the same time the common council resolved to raise by subscription a loan of ten thousand pounds, and to add auxiliaries to the trained bands to the amount of eighteen regiments. Ten thousand men were already in arms; four hundred barrels of gunpowder, with other military stores, were drawn from the magazine in the Tower; and the Presbyterian generals, Massey, Valler, and Poyntz, gladly accepted the command.<sup>2</sup> But the event proved that these were empty menaces. In proportion as it was known that Fairfax had begun his march, that he had reviewed the army on Hounslow Heath, and that he had fixed his head-quarters at Hammersmith, the sense of danger cooled the fervour of enthusiasm, and the boast of resistance was insensibly exchanged for offers of submission. The militia of Southwark openly fraternized with the army; the works on the line of communication were abandoned; and the lord mayor, on a promise that no violence should be offered to the inhabitants, ordered the gates to be thrown open. The next morning was celebrated the triumph of the Independents. A regiment of infantry, followed by one of cavalry, entered the city;

then came Fairfax on horseback, surrounded by his body-guards and a crowd of gentlemen; a long train of carriages, in which were the speakers and the fugitive members, succeeded; and another regiment of cavalry closed the procession. In this manner, receiving as they passed the forced congratulations of the mayor and the common council, the conquerors marched to Westminster, where each speaker was placed in his chair by the hand of the general.<sup>3</sup> Of the lords who had remained in London after the secession, one only, the earl of Pembroke, ventured to appear; and he was suffered to make his peace by a declaration that he considered all the proceedings during the absence of the members compulsory, and therefore null. But in the lower house the Presbyterians and their adherents composed a more formidable body; and by their spirit and perseverance, though they could not always defeat, frequently embarrassed the designs of their opponents. To many things they gave their assent; they suffered Maynard and Glyn, two members, to be expelled, the lord mayor, one of the sheriffs, and four of the aldermen, to be sent to the Tower, and the seven peers who sat during the secession of their colleagues, to be impeached. But a sense of danger induced them to oppose a resolution sent from the Lords, to annul all the votes passed from the 26th of July to the 6th of August. Four times, contrary to the practice of the house, the resolution was brought forward, and as often, to the surprise of the Independents, was rejected. Fairfax hastened to the

<sup>1</sup> Journals, 359, 375. Heath, 140. Ludlow, i. 181. Charles afterwards disavowed the declaration, and demanded that the author and publisher should be punished.—Whitelock, 267. There are two copies of this letter, one in the Clarendon Papers, ii. 173; another and shorter in the Parliamentary History, xv. 205.

<sup>2</sup> Journals, x. 13, 16, 17.

<sup>3</sup> Whitelock, 261—264. Leicester's Journal, 27. Baillie calls this surrender of the city "an example rarely paralleled, if not of treachery, yet at least of childish improvidence and base cowardice" (ii. 259). The eleven members instantly fled.—Leicester, *ibid.*

aid of his friends. In a letter to the speaker, he condemned the conduct of the Commons as equivalent to an approval of popular violence, and hinted the necessity of removing from the house the enemies of the public tranquillity. The next morning the subject was resumed; the Presbyterians made the trial of their strength on an amendment, and finding themselves outnumbered, suffered the resolution to pass without a division.<sup>1</sup>

The submission of the citizens made a considerable change in the prospects of the captive monarch. Had any opposition been offered, it was the intention of the officers (so we are told by Ashburnham) to have unfurled the royal standard, and to have placed Charles at their head. The ease with which they had subdued their opponents convinced them of their own superiority, and rendered the policy of restoring the king a more doubtful question. Still they continued to treat him with respect and indulgence. From Oatlands he was transferred to the palace of Hampton Court. There he was suffered to enjoy the company of his children, whenever he pleased to command their attendance, and the pleasure of hunting, on his promise not to attempt an escape; all persons whom he was content to see found ready admission to his presence; and, what he prized above all other con-

cessions, he was furnished with opportunity of corresponding freely and safely with the queen at Paris. At the same time the two houses considered the requisition of the Scottish commissioners, submitted "the propositions" once more to the royal consideration; but Charles replied, that the plan suggested by the army was better calculated to form the basis of lasting peace, and professed his readiness to treat respecting that point with commissioners appointed by parliament, and others by the army. The officers applauded this answer. Cromwell in the Commons spoke in its favour with a vehemence which excited suspicion; and, though it was ultimately voted equivalent to a refusal, a grand committee was appointed "to take the whole matter respecting the king into consideration." It had been calculated that this attempt to amalgamate the plan of the parliament with that of the army might be accomplished in the space of twenty days; but it occupied more than two months; for there was no third house to consult, the council of war, which debated every clause and notified its resolves to the Lords and Commons, under the moderate but expressive name of the desires of the army.<sup>4</sup>

While the king sought thus to flatter the officers, he was, according to his custom, employed in treating with the opposite party.<sup>5</sup> The ma-

<sup>1</sup> Journals, 375, 385, 388, 391—398. Commons', iv. Aug. 9, 10, 17, 19, 20.

<sup>2</sup> Clarendon Papers, ii. 381, Appendix, xli. Rushw. vii. 795. Memoirs of Hamiltons, 316. Herbert, 48. Ashburn. ii. 93, 95.

<sup>3</sup> Of this answer, Charles himself says to the Scottish commissioners, "Be not startled at my answer which I gave yesterday to the two houses; for if you truly understand it, I have put you in a right way, where before you were wrong."—Memoirs of Hamiltons, 323.

<sup>4</sup> Ludlow, i. 184. Whitelock, 269. Huntingdon in Journals, x. 410. Journals, v. Sept. 22. On the division, Cromwell was one of the tellers for the Yea, and Colonel

Rainsborough, the chief of the Levellers for the No. It was carried by a majority of 84 to 34.—Ibid.

<sup>5</sup> In vindication of Charles, it has been suggested that he was only playing at the same game as his opponents, amusing them as they sought to amuse him. This, however, is very doubtful as far as it regards the superior officers, who appear to me to have treated with him in good earnest, till they were induced to break off the negotiations by repeated proofs of his duplicity, and the rapid growth of distrust and disaffection in the army. I do not, however, give credit to Morrice's tale of a letter from Charles to Henrietta intercepted by Cromwell at Ireton.



ness of Ormond, and the lord Capel,<sup>1</sup> with the Scottish commissioners, invited on him from London; and a resolution was formed that in the next spring, the Scots should enter England with a numerous army, and all on the Presbyterians for their aid; that Charles, if he were at liberty, otherwise the prince of Wales, should sanction the enterprise by his presence; and that Ormond should remove the government of Ireland, while Capel summoned to the royal standard the remains of the king's army in England. Such was the outline of the plan: the minor details had not been arranged, when Cromwell, either informed by his spies, or prompted by his suspicions, complained to Ashburnham of the incurable duplicity of his master, who was at the same time soliciting the aid, and plotting the destruction of the army.<sup>2</sup>

But by this time a new party had arisen, equally formidable to royalists, Presbyterians, and Independents. Its founders were a few fanatics in the ranks, who enjoyed the reputation of superior godliness. They pretended not to knowledge or abilities: they were but humble individuals, to whom God had given reason for their guide, and whose duty it was to act as that reason dictated. Hence they called themselves Rationalists, a name which was soon exchanged for the more expressive appellation of Levellers. In religion they rejected all coercive authority; men might establish a

public worship at their pleasure, but, if it were compulsory, it became unlawful, by forcing conscience and leading to wilful sin: in politics they taught that it was the duty of the people to vindicate their own rights and do justice to their own claims. Hitherto the public good had been sacrificed to private interest; by the king, whose sole object was the recovery of arbitrary power; by the officers, who looked forward to commands, and titles, and emoluments; and by the parliament, which sought chiefly the permanence of its own authority. It was now time for the oppressed to arise, to take the cause into their own hands, and to resolve "to part with their lives, before they would part with their freedom."<sup>3</sup> These doctrines were rapidly diffused: they made willing converts of the dissolute, the adventurous, and the discontented; and a new spirit, the fruitful parent of new projects, began to agitate the great mass of the army. The king was seldom mentioned but in terms of abhorrence and contempt; he was an Ahab or Coloquintida, the everlasting obstacle to peace, the cause of dissension and bloodshed. A paper entitled "The Case of the Army," accompanied with another under the name of "The Agreement of the People," was presented to the general by the agitators of eleven regiments. They offered, besides a statement of grievances, a new constitution for the kingdom. It made no mention of king or lords. The sovereignty was

<sup>1</sup> Capel was one of the most distinguished of the royal commanders, and had lately returned from beyond the sea with the permission of parliament.

<sup>2</sup> Clarendon, iii. 70—72—75. Ashburnham, ii. 94. Of the disposition of the Scottish parliament, we have this account from Baillie: "If the king be willing to ratify our covenant, we are all as one man to restore him to all his rights, or die by the way; we continue resolute to reject our covenant, and only to give us some parts of the matter of it, many here will be for him, even on these terms; but divers of the best and

wisest are irresolute, and wait till God give more light."—Baillie, ii. 260.

<sup>3</sup> Clarendon Papers, ii. App. xl. Walker, History of Independents, 194. Rushworth, vii. 845. Hutchinson, 287. Secretary Nicholas, after mentioning the Rationalists, adds, "There are a sect of women lately come from foreign parts, and lodged in Southwark, called Quakers, who swell, shiver, and shake; and when they come to themselves (for in all the time of their fits Mahomet's holy ghost converses with them) they begin to preach what hath been delivered to them by the spirit."—Clarendon Papers, ii. 353.

said to reside in the people, its exercise to be delegated to their representatives, but with the reservation of equality of law, freedom of conscience, and freedom from forced service in the time of war; three privileges of which the nation would never divest itself; parliaments were to be biennial, and to sit during six months; the elective franchise to be extended, and the representation to be more equally distributed. These demands of the Levellers were strenuously supported by the colonels Pride and Rainsborough, and as fiercely opposed by Cromwell and Ireton. The council of officers yielded so far as to require that no more addresses should be made to the king; but the two houses voted the papers destructive of the government, and ordered the authors to be prosecuted; though at the same time, to afford some satisfaction to the soldiery, they resolved that the king was bound to give the royal assent to all laws for the public good, which had been passed and presented to him by the Lords and Commons.<sup>1</sup>

It was now some time since the king had begun to tremble for his safety. He saw that the violence of the Levellers daily increased; that the officers, who professed to be his friends, were become objects of suspicion; that Ireton had been driven from the council, and Cromwell threatened with impeachment; that several regiments were in a state of complete insubordination; and that Fairfax himself doubted of his power to restore the discipline of the army. Charles had formerly given his word of honour to the governor, Colonel Whalley, not to attempt an escape:

he now withdrew it under the pretence that of late he had been narrowly watched as if no credit were due to his promise. His guards were immediately doubled; his servants with the exception of Legge, were dismissed; and the gates were closed against the admission of strangers. Yet it may be doubted whether the precautions were taken with any other view than to lull the suspicion of the Levellers; for he still possessed the means of conferring personally with Ashburnham and Berkeley, and received from Whalley repeated hints of the dangerous desigus of his enemies. But where was he to seek an asylum? Jersey, Berwick, the Isle of Wight, and the residence of the Scottish commissioners in London, were proposed. At first the commissioners expressed a willingness to receive him; the next day they withdrew their consent, and he fixed, as a last resource on the Isle of Wight. On November 10th his apprehensions were wound up to the highest pitch by some additional and most alarming intelligence; the next evening he was missing. At supper-time Whalley entered his apartment, but, instead of the king, found on his table several written papers, of which one was an anonymous letter, warning him of danger to his person, and another message from himself to the two houses, promising, that though he had sought a more secure asylum, he should be always ready to come forth, "whenever he might be heard with honour, freedom, and safety."<sup>2</sup>

This unexpected escape drew forth the parliament threats of vengeance against all persons who should presume to harbour the royal fugitive

<sup>1</sup> Claren. Papers, ii. App. xl. xli. Journ. Nov. 5, 6. Rush. vii. 849, 857, 860, 863. Whitelock, 274—277.

<sup>2</sup> See Ashburnham's letter to the speaker on Nov. 26, p. 2; his Memoir, 101—112; Berkeley, 373—375; Journals, ix. 520; Rush. vii. 871; Clarendon, iii. 77; Mem. of

Hamiltons, 324; Whitelock, 278. That letter from Cromwell was received or received by the king, is certain (see Journals, 411; Berkeley, 377); that it was written for the purpose of inducing him to escape, and thus fall into the hands of the Levellers, is a gratuitous surmise of Cromwell's enemies.

at in the course of three days the intelligence arrived, that he was again prisoner in the custody of Colonel Hammond, who had very recently been appointed governor of the Isle of Wight. The king, accompanied by Legge, groom of the chamber, had in the evening of his departure descended the back stairs into the garden, and repaired to a spot where Berkeley and Ashburnham waited for his arrival. The night was dark and stormy, which facilitated their escape; but, when they had crossed the river at Thames Ditton, they lost their way, and it was daybreak before they reached Sutton, where they mounted their horses. The unfortunate monarch had still no fixed plan. As they proceeded in a southerly direction, he consulted his companions; and after some debate resolved to seek a temporary asylum at Tichfield House, the residence of the countess of Southampton, whilst Ashburnham and Berkeley should cross over to the Isle of Wight, and sound the disposition of Hammond the governor, of whom little more was known than that he was nephew to one of the royal chaplains. When Hammond first learned the object of the messengers, he betrayed considerable alarm, under the impression that the king was actually on the island; but, having recovered his self-possession, he reminded them that he was but a servant bound to obey the orders of his employers, and refused to give any other pledge than that he would prove himself an honest man. How they could satisfy themselves with this ambiguous promise, is a mystery which was never explained—each subsequently shifting the blame to the other—but they suffered him to accompany them to the king's retreat, and even to take with him a brother officer, the captain of Cowes Castle.

During their absence Charles had formed a new plan of attempting to

escape by sea, and had despatched a trusty messenger to look out for a ship in the harbour of Southampton. He was still meditating on this project when Ashburnham returned, and announced that Hammond with his companion was already in the town, awaiting his majesty's commands. The unfortunate monarch exclaimed, "What! have you brought him hither? Then I am undone." Ashburnham instantly saw his error. It was not, he replied, too late. *They* were but two, and might be easily despatched. Charles paced the room a few minutes, and then rejected the sanguinary hint. Still he clung to the vain hope that a ship might be procured; but at the end of two hours, Hammond became impatient; and the king, having nerved his mind for the interview, ordered him to be introduced, received him most graciously, and, mingling promises with flattery, threw himself on his honour. Hammond, however, was careful not to commit himself; he replied in language dutiful, yet ambiguous; and the king, unable to extricate himself from the danger, with a cheerful countenance, but misboding heart, consented to accompany him to the island. The governor ordered every demonstration of respect to be paid to the royal guest, and lodged him in Carisbrook Castle.<sup>1</sup>

The increasing violence of the Levellers, and the mutinous disposition of the army, had awakened the most serious apprehensions in the superior officers; and Fairfax, by the advice of the council, dismissed the agitators to their respective regiments, and ordered the several corps to assemble in three brigades on three different days. Against the time a remonstrance was prepared in his name, in which he complained of

<sup>1</sup> Journals, ix. 525. Rushworth, vii. 874. Ashburnham, ii. Berkeley, 377—382. Herbert, 52. Ludlow, i. 187—191.

the calumnies circulated among the soldiers, stated the objects which he had laboured to obtain, and offered to persist in his endeavours, provided the men would return to their ancient habits of military obedience. All looked forward with anxiety to the result; but no one with more apprehension than Cromwell. His life was at stake. The Levellers had threatened to make him pay with his head the forfeit of his intrigues with Charles; and the flight of that prince, by disconcerting their plans, had irritated their former animosity. On the appointed day the first brigade, that on which the officers could rely, mustered in a field between Hertford and Ware; and the remonstrance was read by order of Fairfax to each regiment in succession. It was answered with acclamations; the men hastened to subscribe an engagement to obey the commands of the general; and the sowers of discord, the distributors of seditious pamphlets, were pointed out, and taken into custody. From this corps Fairfax proceeded to two regiments, which had presumed to come on the ground without orders. The first, after some debate, submitted; the second was more obstinate. The privates had expelled the majority of the officers, and wore round their hats this motto: "The people's freedom, and the soldiers' rights." Cromwell darted into the ranks to seize the ringleaders; his intrepidity daunted the mutineers; one man was immediately shot, two more were tried and condemned on the spot, and several others were reserved as pledges for the submission of their comrades.<sup>1</sup> By this act of vigour it was thought that subordination had been restored; but

Cromwell soon discovered that Levellers constituted two-thirds of military force, and that it was necessary for him to retrace his steps he wished to retain his former fluence. With that view he made public acknowledgment of his error and a solemn promise to stand or fall with the army. The conversion of the sinner was hailed with acclamations of joy, a solemn fast was kept to celebrate the event; and Cromwell in the assembly of officers confessed, weeping as he spoke, that "his eyes, dazzled by the glory of the world, had not clearly discerned the work of the Lord; and therefore humbled himself before them, and desired the prayers of the saints, that God would forgive his self-seeking." His fellow-delinquent Ireton followed in the same repentant strain; he poured forth their souls before God in fervent and extemporary prayer, and "never," so we are assured, "did more harmonious music ascend the ear of the Almighty."<sup>2</sup>

The king had yet no reason to repent of his confidence in Hammond; but that governor, while he granted every indulgence to his captive, had no intention of separating his own lot from that of the army. He consulted the officers at the headquarters, and secretly resolved to adhere to their instructions. Charles commenced his former intrigue through the agency of Dr. Gougeon, one of the queen's chaplains, sought to prevail on the Scottish commissioners to recede from the demand that he should confirm the covenant: he sent Sir John Berkeley to Cromwell and his friends, to remind them of their promises, and solicit their aid towards a person

<sup>1</sup> Whitelock, 278. Journals, ix. 527. Ludlow, i. 192. It was reported among the soldiers that the king had promised to Cromwell the title of earl with a blue ribbon, to his son the office of gentleman of the

bedchamber to the prince, and to Ireton the command of the forces in Ireland. Holles, 127.

<sup>2</sup> Clarendon Papers, ii. App. xlv. Berkeley, 385. Whitelock, 284.

ty; and by a message to the parliament he proposed, in addition to his former offers, to surrender the command of the army during his life, to exchange the profits of the Court Wards for a yearly income, and to provide funds for the discharge of the moneys due to the military and to the public creditors. The neglect with which this message was received, and the discouraging answer returned by the officers, awakened his apprehensions; they were confirmed by the Scottish commissioners, who, while they complained of his late offer as a violation of his previous engagement, assured him that many of his enemies sought to make him a close prisoner, and that others openly talked of removing him either by a legal trial, or by assassination. These warnings induced him to arrange a plan of escape: application was made to the queen for a ship of war to convey him from the island; and Newark was selected as the place of his retreat.<sup>1</sup> He had, however, but little time to spare. As their ultimatum, and the only condition on which they would consent to a personal treaty, the houses demanded the royal assent to four bills which they had prepared. The first of these, after vesting the command of the army in the parliament for twenty years, enacted, that after that period it might be restored to the crown, but not without the previous consent of the Lords and Commons; and that still, whenever they should declare the safety of the kingdom to be concerned, all bills passed by them re-

specting the forces by sea or land should be deemed acts of parliament, even though the king for the time being should refuse his assent; the second declared all oaths, proclamations, and proceedings against the parliament during the war, void and of no effect; the third annulled all titles of honour granted since the 20th of May, 1642, and deprived all peers to be created hereafter of the right of sitting in parliament, without the consent of the two houses; and the fourth gave to the houses themselves the power of adjourning from place to place at their discretion.<sup>2</sup> The Scots, to delay the proceedings, asked for a copy of the bills, and remonstrated against the alterations which had been made in the propositions of peace. Their language was bold and irritating; they characterized the conduct of the parliament as a violation of the league and covenant; and they openly charged the houses with suffering themselves to be controlled by a body, which owed its origin and its subsistence to their authority. But the Independents were not to be awed by the clamour of men whom they knew to be enemies under the name of allies; they voted the interference of any foreign nation in acts of parliament a denial of the independence of the kingdom, and ordered the four bills to be laid before the king for his assent without further delay. The Scots hastened to Carisbrook, in appearance to protest against them, but with a more important object in view. They now relaxed from their former obstinacy;

<sup>1</sup> *Memoirs of Hamiltons*, 325—333. *Ludlow*, i. 195—201. *Berkeley*, 383.

<sup>2</sup> *Journals*, ix. 575. *Charles's Works*, 590—593. Now let the reader turn to *Clarendon's History*, iii. 88. He tells us, that by one, the king was to have confessed himself the author of the war, and guilty of all the blood which had been spilt; by another, he was to dissolve the government of the church, and grant all lands belonging to the

church to other uses; by a third, to settle the militia, without reserving so much power to himself as any subject was capable of; and in the last place, he was in effect to sacrifice all those who had served him, or adhered to him, to the mercy of the parliament. When this statement is compared with the real bills, it may be judged how little credit is due to the assertions of *Clarendon*, unless they are supported by other authorities.

they no longer insisted on the positive confirmation of the covenant, but were content with a promise that Charles should make every concession in point of religion which his conscience would allow. The treaty which had been so long in agitation between them was privately signed; and the king returned this answer to the two houses, that neither his present sufferings, nor the apprehension of worse treatment, should ever induce him to give his assent to any bills as a part of the agreement, before the whole was concluded.<sup>1</sup>

Aware of the consequences of his refusal, Charles had resolved to anticipate the vengeance of the parliament by making his escape the same evening to a ship which had been sent by the queen, and had been waiting for him several days in Southampton Water; but he was prevented by the vigilance of Hammond, who closed the gates on the departure of the commissioners, doubled the guards, confined the royal captive to his chamber, and dismissed Ashburnham, Berkeley, Legge, and the greater part of his attendants.<sup>2</sup> An attempt to raise in his favour the inhabitants of the island was instantly suppressed, and its author, Burley, formerly a captain in the royal army, suffered the punishment of a traitor. The houses resolved (and the army promised to live and die with them in defence of the resolution)<sup>3</sup> that they would receive no additional message from the king; that they would send no address or application to him; that

if any other person did so with leave, he should be subject to penalties of high treason; and the committee of public safety should be renewed, to sit and act alone, without the aid of foreign coadjutors. This last hint was understood by the Scots: they made a demand of a hundred thousand pounds due to them by the treaty of evacuation, and announced their intention of returning immediately to their parliament.<sup>4</sup>

The king appeared to submit with patience to the new restraints imposed on his freedom; and even affected an air of cheerfulness, to disguise the design which he still cherished of making his escape. The immediate charge of his person had been trusted to four warders of approved fidelity, who, two at a time, undertook the task in rotation. They accompanied the captive wherever he went at his meals, at his public devotions during his recreation on the bowling green, and during his walks round the walls of the castle. He was not permitted to be alone, unless it was in the retirement of his bedchamber, and then one of the two warders continually stationed at each of the doors which led from that apartment. Yet in defiance of these precautions (such was the ingenuity of the king, so generous the devotion of those who sought to serve him) he found means of maintaining a correspondence with his friends on the coast of Hampshire, and through them with the English royalists, the Scotch commissioners in Edinburgh,

<sup>1</sup> Journals, ix. 575, 578, 582, 591, 604, 615, 621. Charles's Works, 594. Memoirs of Hamiltons, 334.

<sup>2</sup> Ashburnham, ii. 121. Berkeley, 387, 393.

<sup>3</sup> On Jan. 11, before the vote passed, an address was presented from the general and the council of war by seven colonels and other officers to the house of Commons, expressive of the resolution of the army to

stand by the parliament; and another from the house of Lords, expressive of their intention to preserve inviolate the rights of the peerage. Of the latter no notice is taken in the journals of the house. Journ. v. Jan. 11. Parl. Hist. vi. 835.

<sup>4</sup> The vote of non-addresses passed by a majority of 141 to 92. Journals, v. Jan. See also Jan. 11, 1648; Lords' Journ. ix. 640, 662; Rushworth, vii. 953, 961, & Leicester's Journal, 30.

queen at Paris, and the duke of York at St. James's, who soon afterwards, in obedience to the command of his father, escaped in the disguise of a female to Holland.<sup>1</sup>

In the mean while an extraordinary ferment seemed to agitate the whole mass of the population. With the exception of the army, every class of men was dissatisfied. Though the war had ceased twelve months before, the nation enjoyed few of the benefits of peace. Those forms and institutions, the safeguards of liberty and property, which had been suspended during the contest, had not been restored; the committees in every county continued to exercise the most oppressive tyranny; and a monthly tax was still levied for the support of the forces, exceeding in amount the sums which had been exacted for the same purpose during the war. No man could be ignorant that the parliament, nominally the supreme authority, was under the control of the council of officers; and the continued captivity of the king, the known sentiments of the agitators, and, above all, the vote of non-addresses, provoked a general suspicion that it was in contemplation to abolish the monarchical government, and to introduce in its place a military despotism. Four-fifths of the nation began to wish for the re-establishment of the throne. Much diversity of opinion prevailed with respect to the conditions; but all agreed that what Charles had so often demanded, a personal treaty, ought to be granted, as the most likely means to reconcile opposite interests and to lead to a satisfactory arrangement.

Soon after the passing of the vote of non-addresses, the king had appealed to the good sense of the people through the agency of the press. He put it to them to judge between him and his opponents, whether by his answer to the four bills he had given any reasonable cause for their violent and unconstitutional vote; and whether they, by the obstinate refusal of a personal conference, had not betrayed their resolve not to come to any accommodation.<sup>2</sup> The impression made by this paper called for an answer: a long and laboured vindication of the proceedings of the house of Commons was prepared, and after many erasures and amendments approved; copies of it were allotted to the members to be circulated among their constituents, and others were sent to the curates to be read by them to their parishioners.<sup>3</sup> It contained a tedious enumeration of all the charges, founded or unfounded, which had ever been made against the king from the commencement of his reign; and thence deduced the inference that, to treat with a prince so hostile to popular rights, so often convicted of fraud and dissimulation, would be nothing less than to betray the trust reposed in the two houses by the country. But the framers of the vindication marred their own object. They had introduced much questionable matter, and made numerous statements open to refutation: the advantage was eagerly seized by the royalists; and, notwithstanding the penalties recently enacted on account of unlicensed publications, several answers, eloquently and convincingly written, were circulated in many

<sup>1</sup> Journals, x. 35, 76, 220. Rushworth, vii. 984, 1002, 1067, 1109. Clarendon, iii. 129. One of those through whom Charles corresponded with his friends, was Firebrace, who tells us that he was occasionally employed by one of the warders to watch for him at the door of the king's bed-chamber, and on such occasions gave and

received papers through a small crevice in the boards. See his account in the additions to Herbert's Memoirs, p. 187. The manner of the duke's escape is related in his Life, i. 33, and Ellis, 2nd series, iii. 329.

<sup>2</sup> King's Works, 130. Parl. Hist. iii. 663.

<sup>3</sup> Journals, v. Feb. 10, 11. Parl. Hist. iii. 847. Perrinchief, 44.

parts of the country. Of these the most celebrated came from the pens of Hyde the chancellor, and of Dr. Bates, the king's physician.<sup>1</sup>

But whilst the royal cause made rapid progress among the people, in the army itself the principles of the Levellers had been embraced by the majority of the privates, and had made several converts among the officers. These fanatics had discovered in the Bible, that the government of kings was odious in the sight of God,<sup>2</sup> and contended that in fact Charles had now no claim to the sceptre. Protection and allegiance were reciprocal. At his accession he had bound himself by oath to protect the liberties of his subjects, and by the violation of that oath he had released the people from the obligation of allegiance to him. For the decision of the question he had appealed to the God of battles, who, by the result, had decided against his pretensions. He therefore was answerable for the blood which had been shed; and it was the duty of the representatives of the nation to call him to justice for the crime, and, in order to prevent the recurrence of similar mischiefs, to provide for the liberties of all, by founding an equal commonwealth on the general consent. Cromwell invited the patrons of this doctrine to meet at his house the grandees (so they were called) of the parliament and army. The question was argued; but both he and his colleagues were careful to conceal their real sentiments. They did not openly contradict the principles laid down by the Levellers, but they affected to doubt the possibility of reducing them to practice. The truth was, that they wished not to commit themselves by too explicit an avowal before they could see their way plainly before them.<sup>3</sup>

In this feverish state of the public mind in England, every eye was turned towards the proceedings in Scotland. For some time a notice had been cherished by the Scottish clergy, that the king at Carisbrooke had not only subscribed the covenant but had solemnly engaged to enforce it throughout his dominions; and the prospect of a speedy triumph over the Independents induced them to preach a crusade from the pulpit in favour of the kirk and the throne. But the return of the commissioners and the publication of "the agreement" with the king, bitterly disappointed their hopes. It was found that Charles had indeed consented to the establishment of Presbyterianism in England, but only as an experiment for three years, and with the liberty of dissent both for himself and for those who might choose to follow his example. Their invectives were no longer pointed against the Independents; "the agreement" and its advocates became the objects of their fiercest attacks. Its provisions were said to be unwarranted by the powers of the commissioners, and its purpose was pronounced an act of apostasy from the covenant, an impious attempt to erect the throne of the king in preference to the throne of Christ. Their vehemence intimidated the Scottish parliament, and admonished the duke of Hamilton to proceed with caution. That nobleman, whose imprisonment ended with the surrender of Pendennis, had waited on the king in Newcastle a reconciliation followed; and he was now become the avowed leader of the royalists and moderate Presbyterians. That he might not irritate the religious prejudices of his countrymen he sought to mask his real object, the restoration of the monarch, under the pretence of suppressing heresy.

<sup>1</sup> Ibid. Parl. Hist. iii. 866. King's Works, 132.

<sup>2</sup> 1 Kings, viii. 8.

<sup>3</sup> Ludlow, i. 206. Whitelock, 317.



and schism; he professed the deepest veneration for the covenant, and the most implicit deference to the authority of the kirk; he listened with apparent respect to the remonstrances of the clerical commission, and openly solicited its members to aid the parliament with their wisdom, and to state their desires. But these were mere words intended to lull suspicion. By dint of numbers (for his party comprised two-thirds of the convention), he obtained the appointment of a committee of danger; this was followed by a vote to place the kingdom in a posture of defence; and the consequence of that vote was the immediate levy of reinforcements for the army. But his opponents under the earl of Argyle threw every obstacle in his way. They protested in parliament against the war; the commissioners of the kirk demanded that their objections should be previously removed; the women cursed the duke as he passed, and pelted him with stones from their windows; and the ministers from their pulpits denounced the curse of God on all who should take a share in the unholy enterprise. Forty thousand men had been voted; but though force was frequently employed, and blood occasionally shed, the levy proceeded so slowly, that even in the month of July the grand army hardly exceeded one-fourth of that number.<sup>1</sup>

By the original plan devised at Hampton Court, it had been arranged that the entrance of the Scots into England should be the signal for a simultaneous rising of the royalists in every quarter of the kingdom. But the former did not keep their time, and the zeal of the latter could not brook delay. The first who proclaimed the king was a parliamentary

officer, Colonel Poyer, mayor of the town, and governor of the castle, of Pembroke. He refused to resign his military appointment at the command of Fairfax, and, to justify his refusal, unfurled the royal standard. Poyer was joined by Langherne and Powel, two officers whose forces had lately been disbanded. Several of the men hastened to the aid of their former leaders; the Cavaliers ran to arms in both divisions of the principality; a force of eight thousand men was formed; Chepstow was surprised, Carnarvon besieged, and Colonel Fleming defeated. By these petty successes the unfortunate men were lured on to their ruin. Horton checked their progress; Cromwell followed with five regiments to punish their presumption. The tide immediately changed. Langherne was defeated; Chepstow was recovered; the besiegers of Carnarvon were cut to pieces. On the refusal of Poyer to surrender, the lieutenant-general assembled his corps after sunset, and the fanatical Hugh Peters foretold that the ramparts of Pembroke, like those of Jerico, would fall before the army of the living God. From prayer and sermon the men hastened to the assault; the ditch was passed, the walls were scaled; but they found the garrison at its post, and after a short but sanguinary contest, Cromwell ordered a retreat. A regular siege was now formed; and the Independent general, notwithstanding his impatience to proceed to the north, was detained more than six weeks before this insignificant fortress.<sup>2</sup>

Scarcely a day passed, which was not marked by some new occurrence indicative of the approaching contest. An alarming tumult in the city, in which the apprentices forced the

<sup>1</sup> Memoirs of the Hamiltons, 339, 347, 353. Thurloe, i. 94. Rushworth, vii. 1031, 48, 52, 67, 114, 132. Two circumstantial and interesting letters from Baillie, ii. 290—297.

Whitelock, 305. Turner, 52.

<sup>2</sup> Lords' Journals, x. 88, 253. Rushworth, vii. 1016, 38, 66, 97, 129. Heath, 171. Whitelock, 303, 305. May, 116.

guard, and ventured to engage the military under the command of the general, was quickly followed by similar disturbances in Norwich, Thetford, Canterbury, Exeter, and several other towns. They were, indeed, suppressed by the vigilance of Fairfax and the county committees; but the cry of "God and the king," echoed and re-echoed by the rioters on these occasions, sufficiently proved that the popular feeling was setting fast in favour of royalty. At the same time petitions from different public bodies poured into the two houses, all concurring in the same prayer, that the army should be disbanded, and the king brought back to his capital.<sup>1</sup> The Independent leaders, aware that it would not be in their power to control the city while their forces were employed in the field, sought a reconciliation. The parliament was suffered to vote that no change should be made in the fundamental government of the realm by King, Lords, and Commons; and the citizens in return engaged themselves to live and die with the parliament. Though the promises on both sides were known to be insincere, it was the interest of each to dissemble. Fairfax withdrew his troops from Whitehall and the Mews; the charge of the militia was once more intrusted to the lord mayor and the aldermen; and the chief command was conferred on Skippon, who, if he did not on every subject agree with the Independents, was yet distinguished by his marked opposition to the policy of their opponents.

The inhabitants of Surrey and Essex felt dissatisfied with the answers given to their petitions; those of Kent repeatedly assembled to consider their grievances, and to consult on the means of redress. These meet-

ings, which originated with a private gentleman of the name of Hales, soon assumed the character of loyalty and defiance. Associations were formed, arms were collected, and on an appointed day a general rising took place. The inhabitants of Deal distinguished themselves on this occasion; and Rainsborowe, the parliamentary admiral, prepared to chastise their presumption. Leaving orders for the fleet to follow, he proceeded in his barge to reconnoitre the town; but the men, several of whom had families and relatives in it, began to murmur, and Lindale, a boatswain in the admiral's ship, proposed to declare for the king. He was answered with acclamations; the officers were instantly arrested; the crews of the other ships followed the example of the arguments and entreaties of Rainsborowe himself, and of the earl of Warwick, who addressed them in the character of lord high admiral, were disregarded, and the whole fleet consisting of six men-of-war full equipped for the summer service sailed under the royal colours to Helvoetsluys, in search of the young duke of York, whom they chose for their commander-in-chief.<sup>2</sup> But the alarm excited by this revolt at sea was quieted by the success of Fairfax against the insurgents on land. The Cavaliers had ventured to oppose him in the town of Maidstone, and for six hours, aided by the advantage of their position, they resisted the efforts of the enemy; but their loss was proportionate to their valour, and two hundred fell in the streets, four hundred were made prisoners. Many of the countrymen, discouraged by this defeat, hastened to their homes. Goring, earl of Newport, putting himself at the head of a different body, advanced to Blackheath, and solicited admisso-

<sup>1</sup> Journals, 243, 260, 267, 272. Commons, April 13, 27, May 16. Whitelock, 299, 302,

303, 305, 306.

<sup>2</sup> Life of James II. i. 41.

into the city. It was a moment big with the most important consequences. The king's friends formed a numerous party; the common council wavered; and the parliament possessed no armed force to support its authority. The leaders saw that they had but one resource, to win by conciliation. The aldermen imprisoned at the request of the army were set at liberty; the impeachment against the six lords was discharged; and the excluded members were permitted to resume their seats. These concessions, aided by the terror which the victory at Maidstone inspired, and by the vigilance of Skippon, who intercepted all communication between the royalists and the party at Blackheath, defeated the project of Goring. That commander, having received a refusal, crossed the river, with five thousand horse, was joined by Lord Capel with the royalists from Hertfordshire, and by Sir Charles Lucas with a body of horse from Chelmsford, and assuming the command of the whole, fixed his head-quarters in Colchester. The town had no other fortification than a low rampart of earth; but, relying on his own resources and the constancy of his followers, he resolved to defend it against the enemy, that he might detain Fairfax and his army in the south, and keep the north open to the advance of the Scots. This plan succeeded; Colchester was assailed and defended with equal resolution; nor was its fate decided till the failure of the Scottish invasion had proved the utter hopelessness of the royal cause.<sup>1</sup>

It soon appeared that the restoration of the impeached and excluded members, combined with the departure of the officers to their com-

mands in the army, had imparted a new tone to the proceedings in parliament. Holles resumed not only his seat, but his preponderance in the lower house. The measures which his party had formerly approved were again adopted; and a vote was passed to open a new treaty with the king, on condition that he should previously engage to give the royal assent to three bills, revoking all declarations against the parliament, establishing the Presbyterian discipline for the term of three, and vesting the command of the army and navy in certain persons during that of ten years. But among the lords a more liberal spirit prevailed. The imprisonment of the six peers had taught them a salutary lesson. Aware that their own privileges would infallibly fall with the throne, they rejected the three bills of the Commons, voted a personal treaty without any previous conditions, and received from the common council an assurance that, if the king were suffered to come to London, the city would guarantee both the royal person and the two houses from insult and danger. But Holles and his adherents refused to yield; conference after conference was held; and the two parties continued for more than a month to debate the subject without interruption from the Independents. These had no leisure to attend to such disputes. Their object was to fight and conquer, under the persuasion that victory in the field would restore to them the ascendancy in the senate.<sup>2</sup>

It was now the month of July, and the English royalists had almost abandoned themselves to despair, when they received the cheering intelligence that the duke of Hamilton had

<sup>1</sup> Journals, x. 276, 278, 279, 283, 289, 297, 301, 304. Commons, May 24, 25, June 4, 8. Whitelock, 307, 308, 309, 310. Clarendon, iii. 133, 151, 154.

<sup>2</sup> Journals, 308, 349, 351, 362, 364, 367. Commons, July 5. Whitelock, 315, 316, 318, 319. Ludlow, i. 251.

at last redeemed his promise, and entered England at the head of a numerous army. The king's adherents in the northern counties had already surprised Berwick and Carlisle; and, to facilitate his entry, had for two months awaited with impatience his arrival on the borders. The approach of Lambert, the parliamentary general, compelled them to seek shelter within the walls of Carlisle, and the necessity of saving that important place compelled the duke to despatch a part of his army to its relief. Soon afterwards he arrived himself. Report exaggerated his force to thirty thousand men, though it did not in fact amount to more than half that number; but he was closely followed by Monro, who led three thousand veterans from the Scottish army in Ireland, and was accompanied or preceded by Sir Marmaduke Langdale, the commander of four thousand Cavaliers, men of approved valour, who had staked their all on the result. With such an army a general of talent and enterprise might have replaced the king on his throne; but Hamilton, though possessed of personal courage, was diffident of his own powers, and resigned himself to the guidance of men who sacrificed the interests of the service to their private jealousies and feuds. Forty days were consumed in a short march of eighty miles; and when the decisive battle was fought, though the main body had reached the left bank of the Ribble near Preston, the rear-guard, under Monro, slept in security at Kirkby Lonsdale. Lambert had retired slowly before the advance of the Scots, closely followed by Langdale and his Cavaliers; but in Otley Park he was joined by Cromwell, with several regiments which had been employed in the reduction of Pembroke. Their united force did not exceed nine thousand men; but the

impetuosity of the general despaired of the inequality of numbers; and the ardour of his men induced him to lead them without delay against the enemy. From Clitheroe, Langdale fell back on the Scottish army near Preston, and warned the duke to prepare for battle on the following day. Of the disasters which followed, it is impossible to form any consistent notion from the discordant statements of the Scottish officers, each of whom, anxious to exculpate himself, laid the chief blame on some of his colleagues. This only is certain, that the Cavaliers fought with the obstinacy of despair; that for six hours they bore the whole brunt of the battle; that as they retired from hedge to hedge they solicited from the Scots a reinforcement of men and a supply of ammunition; and that, unable to obtain either, they retreated into the town where they discovered that their allies had crossed to the opposite bank, and were contending with the enemy for the possession of the bridge. Langdale, in this extremity ordered his infantry to disperse, and with the cavalry and the duke, who had refused to abandon his English friends, swam across the Ribble. Cromwell won the bridge, and the royalists fled in the night toward Wigan.

Of the Scottish forces, none but the regiments under Monro, and the stragglers who rejoined him, returned to their native country. Two-thirds of the infantry, in their eagerness to escape, fell into the hands of the neighbouring inhabitants; nor did Baillie, their general, when he surrendered at Warrington, number more than three thousand men under their colours. The duke wandered as far as Uttoxeter with the cavalry: there his followers mutinied, and he yielded himself a prisoner to General Lambert and the Lord Grey of Groby. The Cavaliers disbanded

themselves in Derbyshire; their gallant leader, who travelled in the disguise of a female, was discovered and taken in the vicinity of Nottingham: but Lady Savile bribed his keeper: dressed in a clergyman's cassock he escaped to the capital; and remained there in safety with Dr. Barwick, being taken for an Irish minister driven from his cure by the Irish Catholics.<sup>1</sup>

On the very day on which the Scots began their march, a feeble attempt had been made to assist their advance by raising the city of London. Its author was one who by his inconstancy had deservedly earned the contempt of every party,—the earl of Holland. He had during the contest passed from the king to the parliament, and from the parliament to the king. His ungracious reception by the royalists induced him to return to their opponents, by whom he was at first treated with severity, afterwards with neglect. Whether it were resentment or policy, he now professed himself a true penitent, offered to redeem his past errors by future services, and obtained from the prince of Wales a commission to raise forces. As it had been concerted between him and Hamilton, on the 5th of July he marched at the head of five hundred horse, in warlike array from his house in the city, and having fixed his quarters in the vicinity of Kingston, sent messages to the parliament and the common council, call-

ing on them to join with him in putting an end to the calamities of the nation. On the second day, through the negligence, it was said, of Dalbier, his military confidant, he was surprised, and after a short conflict, fled with a few attendants to St. Neots; there a second action followed, and the earl surrendered at discretion to his pursuers. His misfortune excited little interest; but every heart felt compassion for two young noblemen whom he had persuaded to engage in this rash enterprise, the duke of Buckingham and his brother the Lord Francis Villiers. The latter was slain at Kingston; the former, after many hair-breadth escapes, found an asylum on the continent.<sup>2</sup>

The discomfiture of the Scottish army was followed by the surrender of Colchester. While there was an object to fight for, Goring and his companions had cheerfully submitted to every privation; now that no hope remained, they offered to capitulate, and received for answer that quarter would be granted to the privates, but that the officers had been declared traitors by the parliament, and must surrender at discretion. These terms were accepted; the council deliberated on the fate of the captives; Goring, Capel, and Hastings, brother to the earl of Huntingdon, were reserved for the judgment of the parliament; but two, Sir George Lisle and Sir Charles Lucas, because they were not men of family, but soldiers of fortune,<sup>3</sup>

<sup>1</sup> Lords' Journals, x. 455—458. Rushworth, vii. 1227, 1242. Barwicci Vita, 66. The narrative in Burnet's *Memoirs of the Hamiltons* (355—365) should be checked by that in *Clarendon* iii. (150, 160). The first was derived from Sir James Turner (*Turner's Memoirs*, 63), who held a command in the Scottish army; the second from Sir Marmaduke Langdale. According to Turner, Langdale was ignorant, or kept the Scots in ignorance, of the arrival of Cromwell and his army; according to Langdale, he repeatedly informed them of it, but they refused to give credit to the information. Langdale's statement is confirmed by Dach-

mont, who affirmed to Burnet, that "on fryday before Preston the duke read to Douchel and him a letter he had from Langdale, telling how the enemy had rendezvoused at Oatley and Oatley Park, wher Cromwell was."—See a letter from Burnet to Turner, in App. to *Turner's Memoirs*, 251. Monro also informed the duke, probably by Dachmont, of Cromwell's arrival at Skipton.—*Ibid.* 249.

<sup>2</sup> *Clarendon*, iii. 121, 176. *Whitelock*, 317, 318, 320. *Lords' Journals*, 367. *Commons*, July 7, 12. *Leicester's Journal*, 35.

<sup>3</sup> This is the reason assigned by Fairfax himself.—*Memoirs*, 450.

were selected for immediate execution. Both had been distinguished by their bravery, and were reckoned among the first commanders in the royal service. Lucas tearing open his doublet, exclaimed, "Fire, rebels!" and instantly fell. Lisle ran to him, kissed his dead body, and turning to the soldiers, desired them to advance nearer. One replied, "Fear not, sir, we shall hit you." "My friends," he answered, "I have been nearer when you have missed me." The blood of these brave men impressed a deep stain on the character of Fairfax, nor was it wiped away by the efforts of his friends, who attributed their death to the revengeful counsels of Ireton.<sup>1</sup>

At this time the prince of Wales had been more than six weeks in the Downs. As soon as he heard of the revolt of the fleet, he repaired to the Hague, and taking upon himself the command, hastened with nineteen sail to the English coast. Had he appeared before the Isle of Wight, there can be little doubt that Charles would have recovered his liberty; but the council with the prince decided that it was more for the royal interest to sail to the mouth of the river, where they long continued to solicit by letters the wavering disposition of the parliament and the city. While Hamilton advanced, there seemed a prospect of success; the destruction of his army extinguished their hopes. The king, by a private message, suggested that before their departure from the coast, they should free him from his captivity. But the mariners proved that they were the masters. They demanded to fight the hostile fleet under the earl of Warwick, who

studiously avoided an engagement that he might be joined by a squadron from Portsmouth. During two days the royalists offered him battle; but by different manœuvres he eluded their attempts; and on the third day the want of provisions compelled the prince to steer for the coast of Holland, without paying attention to the request of his royal father. Warwick, who had received his reinforcements, followed at a considerable distance; but, though he defended his conduct on motives of prudence, he did not escape the severe censure of the Independents and Levellers, who maintained that the cause had always been betrayed when it was intrusted to the cowardice or disaffection of noble commanders.<sup>2</sup>

It is now time to revert to the contest between the two houses respecting the proposed treaty with the king. Towards the end of July the Commons had yielded to the obstinacy of the Lords; the preliminary conditions on which they had insisted were abandoned, and the vote of non-addresses was repealed. Hitherto these proceedings had been marked with the characteristic slowness of every parliamentary measure; but the victory of Cromwell over Hamilton, and the danger of interference on the part of the army, alarmed the Presbyterian leaders; and fifteen commissioners, five lords and ten commoners, were appointed to conduct the negotiation.<sup>3</sup> At length they arrived; Charles repaired from his prison in Carisbrook Castle to the neighbouring town of Newport; he was suffered to call around him his servants, his chaplains, and such of his counsellors as had taken no part

<sup>1</sup> Journals, x. 477. Rushworth, vii. 1242, 1244. Clarendon, iii. 177. Fairfax says in his vindication that they surrendered "at mercy, which means that some are to suffer, some to be spared."—Memoirs, p. 540.

<sup>2</sup> Lords' Journals, x. 399, 413, 417, 426, 444, 483, 488, 494. Clarendon Papers, ii.

412, 414.

<sup>3</sup> They were the earls of Northumberland, Salisbury, Pembroke, and Middlesex, the lords Say and Sele, Lord Wenman, Sir Henry Vane, junior, Sir Harbottle Grimstone, and Holles, Pierrepoint, Brown, Crew, Glyn, Potts, and Bulkely.

in the war; and, as far as outward appearance might be trusted, he had at length obtained the free and honourable treaty which he had so often solicited. Still he felt that he was a captive, under promise not to leave the island till twenty days after the conclusion of the treaty; and he soon found, in addition, that he was not expected to treat, but merely to submit. How far the two houses might have yielded in other circumstances is uncertain; but, under the present superiority of the army, they dared not descend from the lofty pretensions which they had previously put forth. The commissioners were permitted to argue, to advise, to entreat; but they had no power to concede; their instructions bound them to insist on the king's assent to every proposition which had been submitted to his consideration at Hampton Court. To many of these demands Charles made no objection; in lieu of those which he refused, he substituted proposals of his own, which were forwarded to the parliament, and voted unsatisfactory. He offered new expedients and modifications; but the same answer was invariably returned, till the necessity of this situation wrung from the unfortunate prince his unqualified assent to most of the articles in debate. On four points only he remained inflexible. Though he agreed to suspend for three years, he refused to abolish

entirely, the functions of the bishops; he objected to the perpetual alienation of the episcopal lands, but proposed to grant leases of them for lives, or for ninety-nine years, in favour of the present purchasers; he contended that all his followers, without any exception, should be admitted to compound for their delinquency; and he protested that, till his conscience were satisfied of the lawfulness of the covenant, he would neither swear to it himself, nor impose it upon others. Such was the state of the negotiation, when the time allotted by the parliament expired; and a prolongation for twenty days was voted.<sup>1</sup>

The Independents from the very beginning had disapproved of the treaty. In a petition presented by "thousands of well-affected persons in and near London," they enumerated the objects for which they had fought, and which they now claimed as the fruit of their victory. Of these the principal were, that the supremacy of the people should be established against the negative voice of the king and of the lords; that to prevent civil wars, the office of the king and the privileges of the peers should be clearly defined; that a new parliament, to be elected of course and without writs, should assemble every year, but never for a longer time than forty or fifty days; that religious belief and worship should be free from restraint or compulsion; that the proceedings in law

<sup>1</sup> The papers given in during this treaty may be seen in the Lords' Journals, x. 474—618. The best account is that composed by order of the king himself, for the use of the prince of Wales.—Clarendon Papers, ii. 425—449. I should add, that a new subject of discussion arose incidentally during the conferences. The lord Inchiquin had abandoned the cause of the parliament in Ireland, and, at his request, Ormond had been sent from Paris by the queen and the prince, to resume the government, with a commission to make peace with the Catholic party. Charles wrote to him two letters (Oct. 10, 28.—Carte, ii. App. xxxi. xxxii.), ordering him to follow the queen's instruc-

tions, to obey no commands from himself as long as he should be under restraint, and not to be startled at his concessions respecting Ireland, for they would come to nothing. Of these letters the houses were ignorant; but they got possession of one from Ormond to the Irish Catholics, and insisted that Charles should order the lord lieutenant to desist. This he eluded for some time, alleging that if the treaty took effect, their desire was already granted by his previous concessions; if it did not, no order of his would be obeyed. At last he consented, and wrote the letter required.—Journals, x. 576—578, 597, 618. Clarendon Papers, ii. 441, 445, 452.

should be shortened, and the charges ascertained; that tithes for the support of the clergy, and perpetual imprisonment for debt, should be abolished: and that the parliament "should lay to heart the blood spilt, and the rapine perpetrated by commission from the king, and consider whether the justice of God could be satisfied, or his wrath be appeased, by an act of oblivion." This instrument is the more deserving of attention, because it points out the political views which actuated the leaders of the party.<sup>1</sup>

In the army, flushed as it was with victory, and longing for revenge, maxims began to prevail of the most dangerous tendency in respect of the royal captive. The politicians maintained that no treaty could be safely made with the king, because if he were under restraint, he could not be bound by his consent; if he were restored to liberty, he could not be expected to make any concessions. The fanatics went still further. They had read in the book of Numbers that "blood defileth the land, and the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed it;" and hence they inferred that it was a duty, imposed on them by the God who had given them the victory, to call the king to a strict account for all the blood which had been shed during the civil war. Among these, one of the most eminent was Colonel Ludlow, a member of parliament, who, having persuaded himself that the anger of God could be appeased only by the death of Charles, laboured, though in vain, to make Fairfax a convert to his opinion. He proved more successful with Ireton, whose regiment petitioned the commander-in-chief, that crime might be impartially punished without any

distinction of high or low, rich or poor; that all who had contrived abetted the late war might receive their just deserts; and that whosoever should speak or act in favour of Charles, before that prince had been acquitted of shedding innocent blood, should incur the penalties of treason. The immediate object of this paper was to try the general disposition of the army. Though it did not openly express, it evidently contemplated the future trial of the king, and was followed by another petition from the regiment of Colonel Ingoldsby, which in plainer and bolder terms, demanded that the monarch and his adherents should be brought to justice; condemned the treaty between him and the parliament as dangerous and unjust; and required the appointment of a council of war to discover an adequate remedy for the national evils. Fairfax had not the courage to oppose what, in his own judgment, he disapproved; the petitions were laid before an assembly of officers, and the result of their deliberation was a remonstrance of enormous length, which, in a tone of menace and asperity, proclaimed the whole plan of the reformers. It required that "the capital and grand author of all the troubles and woes which the kingdom had endured, should be speedily brought to justice for the treason, blood, and mischief of which he had been guilty;" that a penalty should be fixed for the dissolution of the parliament; that a more equitable representation of the people should be devised; that the representative body should possess the supreme power, and elect every future king, and that the prince so elected should be bound to disclaim all pretensions to a negative voice in the passing of laws, and to subscribe to that form of government which he should first established by the present parliament. This remonstrance was addressed

<sup>1</sup> Whitelock, 335.



the lower house alone; for the removers declared themselves unable to understand on what ground the lords could claim co-equal power with the representatives of the people, in whom the sovereignty resided.<sup>1</sup> It provoked a long and animated debate; but the Presbyterians met its vocates without fear, and silenced them by an overwhelming majority. They felt that they were supported in the general wish of the nation, and trusted that if peace were once established by agreement with the king, the officers would not dare to urge their pretensions. With this view they appointed a distant day for the consideration of the remonance, and instructed the commissioners at Newport to hasten the treaty to a speedy conclusion.<sup>2</sup>

The king now found himself driven to the last extremity. The threats of his army resounded in his ears; his friends conjured him to recede from his former answers; and the commissioners declared their conviction, that without full satisfaction, the two houses could not save him from the vengeance of his enemies. To add to his alarm, Hammond, the governor of the island, had received a message from Fairfax to repair without delay to the head-quarters at Windsor. This was followed by the arrival of Colonel Eure, with orders to seize

the king, and confine him again in Carisbrook Castle, or, if he met with opposition, "to act as God should direct him." Hammond replied with firmness, that in military matters he would obey his general; but as to the royal person, he had received the charge from the parliament, and would not suffer the interference of any other authority. Eure departed; but Charles could no longer conceal from himself the danger which stared him in the face; his constancy or obstinacy relented; and he agreed, after a most painful struggle, and when the time was run to the last minute, to remit the compositions of his followers to the mercy of parliament; to consent to the trial of the seven individuals excepted from pardon, provided they were allowed the benefit of the ancient laws; and to suspend the functions and vest in the crown the lands of the bishops, till religion should be settled, and the support of its ministers determined by common consent of the king and the two houses. By this last expedient it was hoped that both parties would be satisfied; the monarch, because the order was not abolished, nor its lands alienated *for ever*; the parliament, because neither one nor the other could be restored without its previous consent.<sup>3</sup>

In the morning, when the commis-

<sup>1</sup> Whitelock, 343, 346, 355. Rushworth, 1298, 1311, 1331.

<sup>2</sup> Journals of Commons, Nov. 20, 24, 30. There were two divisions relating to this question; in the first the majority was 94 to 60, in the second 125 to 58.

<sup>3</sup> Clarendon Papers, 449—454. Journals, 620—622. The royalists excepted from mercy were the marquess of Newcastle, Marmaduke Langdale, Lord Digby, Sir Richard Grenville, Mr. Justice Jenkins, Sir Francis Dorrington, and Lord Byron. It appears to me difficult to read the letters written by Charles during the treaty to his son the prince of Wales (Clarendon Papers, 425—454), and yet believe that he acted thus insincerely. But how then, asks Mr. King (Hist. of Scotland, iii. 411), are we to account for his assertion to Ormond, that

the treaty would come to nothing, and for his anxiety to escape manifested by his correspondence with Hopkins?—Wagstaff's Vindication of the Royal Martyr, 142—161.

1. Charles knew that, besides the parliament, there was the army, which had both the will and the power to set aside any agreement which might be made between him and the parliament; and hence arose his conviction that "the treaty would come to nothing." 2. He was acquainted with all that passed in the private councils of his enemies; with their design to bring him to trial and to the scaffold; and he had also received a letter, informing him of an intention to assassinate him during the treaty.—Herbert, 134. Can we be surprised, if, under such circumstances, he sought to escape? Nor was his parole an objection.

sioners took their leave, Charles addressed them with a sadness of countenance and in a tone of voice which drew tears from all his attendants. "My lords," said he, "I believe we shall scarce ever see each other again. But God's will be done! I have made my peace with him, and shall undergo without fear whatever he may suffer men to do to me. My lords, you cannot but know that in my fall and ruin you see your own, and that also near you. I pray God send you better friends than I have found. I am fully informed of the carriage of them who plot against me and mine; but nothing affects me so much as the feeling I have of the sufferings of my subjects, and the mischief that hangs over my three kingdoms, drawn upon them by those who, upon pretences of good, violently pursue their own interests and ends."<sup>1</sup> Hammond departed at the same time with the commissioners, and the command at Carisbrook devolved on Boreman, an officer of the militia; at Newport on Rolfe, a major in the army. To both he gave a copy of his instructions from the parliament for the safety of the royal person; but the character of Rolfe was known: he had been charged with a design to take the king's life six months before, and had escaped a trial by the indulgence of the grand jury, who ignored the bill, because the main fact was attested by the oath of only one witness.<sup>2</sup>

The next morning a person in disguise ordered one of the royal attendants to inform the king that a military force was on its way to make him prisoner. Charles immediately consulted the duke of Richmond, the

earl of Lindsey, and Colonel Coke who joined in conjuring him to save his life by an immediate escape. That night was dark and stormy; they were acquainted with the watchword; and Coke offered him horses and a boat. But the king objected, that he was bound in honour to remain two days after the treaty, nor would admit of the distinction which they suggested, that his parole was given not to the army, but to the parliament. It was in vain that they argued and entreated; Charles, with his characteristic obstinacy, retired to bed about midnight; and in a short time Lieutenant-Colonel Cobham arrived with a troop of horse and a company of foot. Boreman refused to admit him into Carisbrook. John Rolfe offered his aid at Newport: five the king was awakened by a message that he must prepare to depart, and about noon he was safely lodged in Hurst Castle, situate on a solitary rock, and connected by a narrow causeway, two miles in length, with the opposite coast of Hampshire.<sup>3</sup>

The same day the council of officers published a menacing declaration against the house of Commons, charged the majority with apostasy from their former principles, and appealed from their authority to "the extraordinary judgment of God and of all good people;" called on the faithful members to protest against the past conduct of their colleagues; to place themselves under the protection of the army; and asserted that since God had given to the officers the power, he had also made it their duty, to provide for the settlement of the kingdom and the punishment of the guilty. In the pursuit

He conceived himself released from it by misconduct on the part of Hammond, who, at last, aware of that persuasion, prevailed on him, though with considerable difficulty, to renew his pledge.—*Journals*, x. 598. After this renewal he refused to escape even when every facility was offered him.—

Rushworth, vii. 1344.

<sup>1</sup> Appendix to Evelyn's *Memoirs*, ii. 1.  
<sup>2</sup> *Journals*, x. 315, 345, 349, 358, 370, Clarendon, iii. 234.

<sup>3</sup> Rushworth, vii. 1344—1348, 1351. Herbert, 113, 124.

ese objects, Fairfax marched several regiments to London, and quartered them at Whitehall, York House, the Mews, and in the skirts of the city.<sup>1</sup>

The reader will recollect the pusillanimous conduct of the Presbyterian members on the approach of the army in the year 1646. On the present occasion they resolved to redeem their character. They betrayed no symptom of fear, no disposition to retire, and to submit. Amidst the din of arms and the menaces of the soldiers, they valiantly attended their duty in parliament, declared that the seizure of the royal person had been made without their knowledge or consent, and proceeded to consider the tendency of the concessions made by Charles in the treaty of Newport. This produced the longest and most animated debate hitherto known in the history of parliament. Vane drew a most unfavourable portrait of the king, and represented all his promises and professions as hollow and insincere; Henrietta became for the first time the royal apologist, and refuted the charges brought by his fellow commissioner; and Prynne, the celebrated adversary of Laud, seemed to forget his antipathy to the court, that he might lash the presumption and perfidy of the army. The debate continued by successive adjournments three days and a whole night; and on the last division in the morning a resolution was carried by a majority of thirty-six, that the offers of the sovereign furnished a sufficient ground for the future settlement of the kingdom.<sup>2</sup>

But the victors were not suffered to enjoy their triumph. The next day

Skippon discharged the guards of the two houses, and their place was supplied by a regiment of horse and another of foot from the army. Colonel Pride, while Fairfax, the commander-in-chief, was purposely employed in a conference with some of the members, stationed himself in the lobby: in his hand he held a list of names, while the Lord Grey stood by his side to point out the persons of the members; and two-and-fifty Presbyterians, the most distinguished of the party by their talents or influence, were taken into custody and conducted to different places of confinement. Many of those who passed the ordeal on this, met with a similar treatment on the following day; numbers embraced the opportunity to retire into the country; and the house was found, after repeated purifications, to consist of about fifty individuals, who, in the quaint language of the time, were afterwards dignified with the honourable appellation of the "Rump."<sup>3</sup>

Whether it were through policy or accident, Cromwell was not present to take any share in these extraordinary proceedings. After his victory at Preston he had marched in pursuit of Monro, and had besieged the important town of Berwick. But his real views were not confined to England. The defeat of the Scottish royalists had raised the hopes of their opponents in their own country. In the western shires the curse of Meroz had been denounced from the pulpit against all who refused to arm in defence of the covenant; the fanatical peasants marshalled themselves under their respective ministers; and Loudon and Eglinton, assuming the com-

retired during the night; at the conclusion there were only two hundred and twelve.

<sup>1</sup> Rushworth, vii. 1341, 1350. Whitelock, 58.

<sup>2</sup> Journals, Dec. 1, 2, 3, 5. Clarendon Papers, ii. App. xlviii. Cobbett, Parl. Hist. 152. In some of the previous divisions, the house consisted of two hundred and forty members; but several seem to have

<sup>3</sup> Whitelock, 358, 359. Commons' Journals, Dec. 6, 7. This was called Pride's purge. Forty-seven members were imprisoned, and ninety-six excluded.—Parl. Hist. iii. 1248.

mand, led them to Edinburgh.<sup>1</sup> This tumultuary mass, though joined by Argyle and his Highlanders, and by Cassillis with the people of Carrick and Galloway, was no match for the disciplined army under Lanark and Monro; but Cromwell offered to advance to their support, and the two parties hastened to reconcile their differences by a treaty, which secured to the royalists their lives and property, on condition that they should disband their forces. Argyle with his associates assumed the name and the office of the committee of the estates; Berwick and Carlisle were delivered to the English general; and he himself with his army was invited to the capital. Amidst the public rejoicing, private conferences, of which the subject never transpired, were repeatedly held; and Cromwell returning to England, left Lambert with two regiments of horse, to support the government of his friends till they could raise a sufficient force among their own party.<sup>2</sup> His progress through the northern counties was slow; nor did he reach the capital till the day after the exclusion of the Presbyterian members. His late victory had rendered him the idol of the soldiers: he was conducted with acclamations of joy to the royal apartments in Whitehall, and received the next day the thanks of the house of Commons for his distinguished services to the two kingdoms. Of his sentiments with respect to the late proceedings no doubt was entertained. If he had not suggested, he had at least been careful to applaud the conduct of the officers, and in a letter to Fairfax

he blasphemously attributed it to inspiration of the Almighty.<sup>3</sup>

The government of the king had now devolved in reality on the army. There were two military councils, the one select, consisting of the grandees, or principal commanders; the other general, to which the inferior officers, most of them mercenary levelling principles, were admitted. A suspicion existed that the former aimed at the establishment of an oligarchy; whence their advice was frequently received with jealousy and distrust, and their resolutions were sometimes negatived by the greater number of their inferiors. When any measure had received the approbation of the general council, it was carried to the house of Commons, who were expected to impart to it the sanction of their authority. When ready obedience they renewed their vote of non-addresses, resolved on the re-admission of the eleven expelled members was dangerous in its consequences, and contrary to the usages of the house, and declared the treaty in the Isle of Wight, and the approbation given to the royal concessions, were dishonourable to parliament, destructive of the common good, and a breach of the public faith.<sup>4</sup> But these were only preparatory measures: they were soon called upon to pass a vote, the very mention of which a few years before would have struck the boldest among them with astonishment and terror.

It had been long the conviction of the officers that the life of the king was incompatible with their safety. If he were restored, they would

<sup>1</sup> This was called the inroad of the Whiggamores; a name given to these peasants either from whiggam, a word employed by them in driving their horses, or from whig (Anglicè whey), a beverage of sour milk, which formed one of the principal articles of their meals.—Burnet's History of his own Times, i. 43. It soon came to designate an enemy of the king, and in the next reign

was transferred, under the abbreviated form of whig, to the opponents of the court.

<sup>2</sup> Memoirs of the Hamiltons, 367—368. Guthrie, 283—299. Rushworth, vii. 12, 1282, 1286, 1296, 1325.

<sup>3</sup> Journals, Dec. 8. Whitelock, 362. Rushworth, vii. 1339.

<sup>4</sup> Journals, Dec. 3, 13, 14, 20. Whitelock, 362, 363. Clarendon Papers, ii. App. xlii.

me the objects of royal vengeance; he were detained in prison, the public tranquillity would be disturbed, a succession of plots in his favour. A private assassination there was something base and cowardly from which the majority revolted; but to bring him to public justice was to do so openly and boldly; it was to prove their confidence in the goodness of their cause; to give to the world a splendid proof of the sovereignty of the people and of the responsibility of kings.<sup>1</sup> When the motion was made in the Commons, a few ventured to oppose it, not so much with the hope of saving the life of Charles, but for the purpose of transferring the odium of his death on its real authors. They suggested that the person of the king was sacred; that history afforded no precedent of a sovereign compelled to plead before a court of judicature composed of his own subjects; that measures of vengeance could only serve to widen the bleeding wounds of the country; that it was idle to fear any re-action in favour of the monarch, and it was now time to settle on a permanent basis the liberties of the country. But their opponents were clamorous, obstinate, and menacing. The king, they maintained, was the capital delinquent: justice required that he should suffer as well as the minor offenders. He had been guilty of treason against the people, it remained for their representatives to bring him to punishment; he had shed the blood of man; God made it a duty to demand his blood in return. The opposition was silenced; and a committee of thirty-eight members was appointed to receive information and to devise the most eligible manner of proceeding. Among the more influential names were those of Wid-  
rington and Whitelock, Scot and

Marten. But the first two declined to attend; and, when the clerk brought them a summons, retired into the country.<sup>2</sup>

At the recommendation of this committee, the house passed a vote declaratory of the law, that it was high treason in the king of England for the time being to levy war against the parliament and kingdom of England; and this was followed up with an ordinance erecting a high court of justice to try the question of fact, whether Charles Stuart, king of England, had or had not been guilty of the treason described in the preceding vote. But the subserviency of the Commons was not imitated by the Lords. They saw the approaching ruin of their own order in the fall of the sovereign; and when the vote and ordinance were transmitted to their house, they rejected both without a dissentient voice, and then adjourned for a week. This unexpected effort surprised, but did not disconcert, the Independents. They prevailed on the Commons to vote that the people are the origin of all just power, and from this theoretical truth proceeded to deduce two practical falsehoods. As if no portion of that power had been delegated to the king and the Lords, they determined that "the Commons of England assembled in parliament, being chosen by and representing the people, have the supreme authority:" and thence inferred that "whatsoever is enacted and declared for law by the Commons in parliament hath force of law, and concludes all the people of the nation, although the consent and concurrence of the king and the house of Peers be not had thereunto." But even in that hypothesis, how could the house, constituted as it then was, claim to be the representative of the people? It was in fact the representative of the

<sup>1</sup> Clarendon, Hist. iii. 249.

<sup>2</sup> Journals, Dec. 23. Whitelock, 363.

army only, and not a free but an enslaved representative, bound to speak with the voice, and to enregister the decrees of its masters.<sup>1</sup> Two days later an act for the trial of the king was passed by the authority of the Commons only.

In the mean while Cromwell continued to act his accustomed part. Whenever he rose in the house, it was to recommend moderation, to express the doubts which agitated his mind, to protest that, if he assented to harsh and ungracious measures, he did it with reluctance, and solely in obedience to the will of the Almighty. Of his conduct during the debate on the king's trial, we have no account; but when it was suggested to dissolve the upper house, and transfer its members to that of the Commons, he characterized the proposal as originating in revolutionary phrensy; and, on the introduction of a bill to alter the form of the great seal, adopted a language which strongly marks the hypocrisy of the man, though it was calculated to make impression on the fanatical minds of his hearers. "Sir," said he, addressing the speaker, "if any man whatsoever have carried on this design of deposing the king, and disinheriting his posterity, or if any man have still such a design, he must be the greatest traitor and rebel in the world; but since the providence of God has cast

this upon us, I cannot but submit to Providence, though I am not prepared to give you my advice."<sup>2</sup>

The lord general, on the contrary began to assume a more open and bolder tone. Hitherto, instead of leading, he had been led. That disapproved of much that had been done, we may readily believe; but only records his own weakness, which he alleges in excuse of his conduct that his name had been subscribed to the resolves of the council, whether he consented or not. He had lashed the blood of two gallant officers at Colchester, but no solicitation could induce him to concur in shedding the blood of the king. His name stood at the head of the commissioners; he attended at the first meeting, in which no business was transacted, but he constantly refused to be present at their subsequent meetings or to subscribe his name to their resolutions. This conduct surprised and mortified the Independents: probably arose from the influence of his wife, whose desperate loyalty will soon challenge the attention of the reader.<sup>3</sup>

Before this the king, in anticipation of his subsequent trial, had been removed to the palace of James's. In the third week of his confinement in Hurst Castle, he was suddenly roused out of his sleep in the midnight by the fall of the dra-

<sup>1</sup> Journals, x. 641. Commons, Jan. 1, 2, 4, 6. Hitherto the Lords had seldom exceeded seven in number; but on this occasion they amounted to fourteen.—Leicester's Journal, 47.

<sup>2</sup> For Cromwell's conduct, see the letters in the Appendix to the second volume of the Clarendon Papers, l. li. The authenticity of this speech has been questioned, as resting solely on the treacherous credit of Perrinchiefe; but it occurs in a letter written on the 11th of January, which describes the proceedings of the 9th, and therefore cannot, I think, be questioned. By turning to the Journals, it will be found that on that day the house had divided on a question whether any more mes-

sages should be received from the Lord which was carried in opposition to Lud and Marten. "Then," says the letter, "they fell on the business of the king's trial." On this head nothing is mentioned in the Journals; but a motion which would cause frequent allusions to it was made and carried. It was for a new great seal, which should be engraven the House of Commons, with this inscription:—"In the first year of freedom, by God's blessing stored, 1648." Such a motion would naturally introduce Cromwell's speech respecting the deposition of the king and the inheritance of his posterity.

<sup>3</sup> Naisson, Trial of Charles I. Clarendon Papers, ii. App. ii.

ridge and the trampling of horses. A thousand frightful ideas rushed on his mind, and at an early hour in the morning he desired his servant Herbert to ascertain the cause; but every mouth was closed, and Herbert returned with the scanty information that a Colonel Harrison had arrived. At the name the king turned pale, hastened into the closet, and sought to relieve his terrors by private devotion. In a letter which he had received at Newport, Harrison had been pointed out to him as a man engaged to take his life. His alarm, however, was unfounded. Harrison was a fanatic, but no murderer: he sought, indeed, the blood of the king, but it was his wish that it should be shed by the axe of the executioner, not by the dagger of the assassin. He had been appointed to superintend the removal of the royal captive, and had come to arrange matters with the governor, of whose fidelity some suspicion existed. Keeping himself private during the day, he departed in the night; and two days later Charles was conducted with a numerous escort to the royal palace of Windsor.<sup>1</sup>

Hitherto, notwithstanding his confinement, the king had always been served with the usual state; but at Windsor his meat was brought to table uncovered, and by the hands of the soldiers; no say was given; no cup presented on the knee. This absence of ceremony made on the unfortunate monarch a deeper impression than could have been expected. It was, he said, the denial of that to him, which by ancient custom was due to many of his subjects; and rather than submit to the humiliation, he chose to diminish the number of

the dishes, and to take his meals in private. Of the proceedings against him he received no official intelligence; but he gleaned the chief particulars through the inquiries of Herbert, and in casual conversation with Whichcote the governor. The information was sufficient to appal the stoutest heart; but Charles was of a most sanguine temperament, and though he sought to fortify his mind against the worst, he still cherished a hope that these menacing preparations were only intended to extort from him the resignation of his crown. He relied on the interposition of the Scots, the intercession of foreign powers, and the attachment of many of his English subjects. He persuaded himself that his very enemies would blush to shed the blood of their sovereign; and that their revenge would be appeased, and their ambition sufficiently gratified, by the substitution in his place of one of his younger children on the throne.<sup>2</sup>

But these were the dreams of a man who sought to allay his fears by voluntary delusions. The princes of Europe looked with cold indifference on his fate. The king of Spain during the whole contest had maintained a friendly correspondence with the parliament. Frederick III., king of Denmark, though he was his cousin-german, made no effort to save his life; and Henrietta could obtain for him no interposition from France, where the infant king had been driven from his capital by civil dissension, and she herself depended for subsistence on the charity of the cardinal de Retz, the leader of the Fronde.<sup>3</sup> The Scottish parliament, indeed, made a feeble effort in his favour. The commissioners subscribed a protest against

<sup>1</sup> Herbert, 131—136. Rushworth, vii. 375.

<sup>2</sup> Herbert, 155, 157. Whitelock, 365. Sir John Temple attributed his tranquillity "to strange conceit of Ormond's working for

him in Ireland. He still hangs upon that twigg; and by the enquireys he made after his and Inchiquin's conjunction, I see he will not be beaten off it."—In Leicester's Journal, 48. <sup>3</sup> Memoirs of Retz. i. 261.

the proceedings of the Commons, by whom it was never answered; and argued the case with Cromwell, who referred them to the covenant, and maintained, that if it was their duty to punish the malignants in general, it was still more so to punish him who was the chief of the malignants.<sup>1</sup>

As the day of trial approached, Charles resigned the hopes which he had hitherto indulged; and his removal to Whitehall admonished him to prepare for that important scene on which he was soon to appear. Without information or advice, he could only resolve to maintain the port and dignity of a king, to refuse the authority of his judges, and to commit no act unworthy of his exalted rank and that of his ancestors. On the 30th of January the commissioners appointed by the act assembled in the Painted Chamber, and proceeded in state to the upper end of Westminster Hall. A chair of crimson velvet had been placed for the lord president, Joan Bradshaw, serjeant-at-law; the others, to the number of sixty-six, ranged themselves on either side, on benches covered with scarlet; at the feet of the president sat two clerks at a table on which lay the sword and the mace; and directly opposite stood a chair intended for the king. After the preliminary formalities of reading the commission, and calling over the members, Bradshaw ordered the prisoner to be introduced.<sup>2</sup>

Charles was received at the door by the serjeant-at-arms, and conducted

by him within the bar. His step was firm, his countenance erect and unmoved. He did not uncover; but first seated himself, then rose, and surveyed the court with an air of superiority, which abashed and irritated his enemies. While the clerk read the charge, he appeared to listen with indifference; but a smile of contempt was seen to quiver on his lips at the passage which described him as a "tyrant, traitor, murderer, and public and implacable enemy to the commonwealth of England." At the conclusion Bradshaw called on him to answer; but he demanded by what lawful authority he had been brought thither. He was king of England; he acknowledged no superior upon earth; and the crown, which he had received from his ancestors, he would transmit unimpaired by any act of his to his posterity. His case, moreover, was the case of all the people of England; for if force without law could alter the fundamental laws of the kingdom, there was no man who could be secure of his life or liberty for an hour. He was told that the court sat by the authority of the house of Commons. But where, he asked, were the Lords? Were the Commons the whole legislature? Were they free? Were they a court of judicature? Could they confer on others a jurisdiction which they did not possess themselves? He would never acknowledge an usurped authority. It was a duty imposed upon him by the Almighty to disown every lawless power, that invaded either the rights of the crown or the liberties of the

<sup>1</sup> Journals, Jan. 6, 22, 23. Parl. Hist. iii. 1277. Burnet's Own Times, i. 42.

<sup>2</sup> The commissioners, according to the act (for bills passed by the Commons alone were now denominated acts), were in number 133, chosen out of the lower house, the inn of court, the city, and the army. In one of their first meetings they chose Bradshaw for their president. He was a native of Cheshire, bred to the bar, had long prac-

tised in the Guildhall, and had lately before been made serjeant. In the first list of commissioners his name did not occur; but on the rejection of the ordinance by the upper house, the names of six lords were erased, and his name with those of five others was substituted. He obtained for the reward of his services the estate of Lord Cottingham, the chancellorship of the duchy of Lancaster, and the office of president of the council.



subject. Such was the substance of his discourse, delivered on three different days, and amidst innumerable interruptions from the president, who would not suffer the jurisdiction of the court to be questioned, and at last ordered the "default and contempt of the prisoner" to be recorded.

The two following days the court sat in private, to receive evidence that the king had commanded in several engagements, and to deliberate on the form of judgment to be pronounced. On the third Bradshaw took his seat, dressed in scarlet; and Charles immediately demanded to be heard. He did not mean, he said, on this occasion either to acknowledge or deny the authority of the court; his object was to ask a favour, which would spare them the commission of a great crime, and restore the blessing of tranquillity to his people. He asked permission to confer with a joint committee of the Lords and Commons. The president replied that the proposal was not altogether new, though it was now made for the first time by the king himself; that it pre-supposed the existence of an authority co-ordinate with that of the Commons, which could not be admitted; that its object could only be to delay the proceedings of the court, now that judgment was to be pronounced. Here he was interrupted by the earnest expostulation of Colonel Downes, one of the members. The king was immediately removed; the commissioners adjourned into a neighbouring apartment, and almost an hour was spent in private and animated debate. Had the conference been granted, Charles would have proposed (so at least it was understood) to resign the crown in favour of the prince of Wales.

When the court resumed, Bradshaw announced to him the refusal of his request, and proceeded to animadvert in harsh and unfeeling language on

the principal events of his reign. The meek spirit of the prisoner was roused; he made an attempt to speak, but was immediately silenced with the remark, that the time for his defence was past; that he had spurned the numerous opportunities offered to him by the indulgence of the court; and that nothing remained for his judges but to pronounce sentence; for they had learned from holy writ that "to acquit the guilty was of equal abomination as to condemn the innocent." The charge was again read, and was followed by the judgment, "that the court, being satisfied in conscience that he, the said Charles Stuart, was guilty of the crimes of which he had been accused, did adjudge him as a tyrant, traitor, murderer, and public enemy to the good people of the nation, to be put to death by severing his head from his body." The king heard it in silence, sometimes smiling with contempt, sometimes raising his eyes to heaven, as if he appealed from the malice of men to the justice of the Almighty. At the conclusion the commissioners rose in a body to testify their assent, and Charles made a last and more earnest effort to speak; but Bradshaw ordered him to be removed, and the guards hurried him out of the hall.<sup>1</sup>

During this trial a strong military force had been kept under arms to suppress any demonstration of popular feeling in favour of the king. On the first day, when the name of Fairfax, as one of the commissioners, was called, a female voice cried from the gallery, "He has more wit than to be here." On another occasion, when Bradshaw attributed the charge against the king to the consentient voice of the people of England, the same female voice exclaimed, "No,

<sup>1</sup> See the trial of Charles Stuart, with additions by Nalson, folio, London, 1735.

not one-tenth of the people." A faint murmur of approbation followed, but was instantly suppressed by the military. The speaker was recognised to be Lady Fairfax, the wife of the commander-in-chief; and these affronts, probably on that account, were suffered to pass unnoticed.<sup>1</sup>

When Coke, the solicitor-general, opened the pleadings, the king gently tapped him on the shoulder with his cane, crying, "Hold, hold." At the same moment the silver head of the cane fell off, and rolled on the floor. It was an accident which might have happened at any time; but in this superstitious age it could not fail to be taken for an omen. Both his friends and enemies interpreted it as a presage of his approaching decapitation.<sup>2</sup>

On one day, as the king entered the court, he heard behind him the cry of "Justice, justice;" on another, as he passed between two lines of soldiers, the word "execution" was repeatedly sounded in his ears. He bore these affronts with patience, and on his return said to Herbert, "I am well assured that the soldiers bear me no malice. The cry was suggested by their officers, for whom they would do the like if there were occasion."<sup>3</sup>

On his return from the hall, men and women crowded behind the guards, and called aloud, "God preserve your majesty." But one of the soldiers venturing to say, "God bless you, Sir," received a stroke on the head from an officer with his cane. "Truly," observed the king, "I think the punishment exceeded the offence."<sup>4</sup>

By his conduct during these proceedings, Charles had exalted his character even in the estimation of his enemies: he had now to prepare

himself for a still more trying scene, to nerve his mind against the terrors of a public and ignominious death. But he was no longer the man he had been before the civil war. Affliction had chastened his mind; he had learned from experience to submit to the visitations of Providence; and he sought and found strength and relief in the consolations of religion. The next day, the Sunday, was spent by him at St. James's, by the commissioners at Whitehall. *They* observed a fast, preached on the judgments of God, and prayed for a blessing on the commonwealth. *He* devoted his time to devotional exercises in the company of Herbert and of Dr. Juxon, bishop of London, who at the request of Hugh Peters (and it should be recorded to the honour of that fanatical preacher), had been permitted to attend the monarch. His nephew the prince elector, the duke of Richmond, the marquis of Hertford, and several other noblemen, came to the door of his bedchamber, to pay their last respects to their sovereign; but they were told in his name that he thanked them for their attachment, and desired their prayers; that the shortness of his time admonished him to think of another world; and that the only moments which he could spare must be given to his children. These were two, the Princess Elizabeth and the duke of Gloucester: the former wept for her father's fate; the latter, too young to understand the cause, joined his tears through sympathy. Charles placed them on his knees, gave them such advice as was adapted to their years, and seemed to derive pleasure from the pertinency of their answers. In conclusion, he divided a few jewels between them, kissed them, gave them his blessing,

<sup>1</sup> Nalson's Trial. Clarendon, iii. 254. State Trials, 366, 367, 368, folio, 1730.

<sup>2</sup> Nalson. Herbert, 165. "He seemed unconcerned; yet told the bishop, it really

made a great impression on him; and to this hour, says he, I know not possibly how it should come."—Warwick, 340.

<sup>3</sup> Herbert, 163, 164. <sup>4</sup> Ibid. 163, 165.

and hastily retired to his devotions.<sup>1</sup>

On the last night of his life he slept soundly about four hours, and early in the morning awakened Herbert, who lay on a pallet by his bed-side. "This," he said, "is my second marriage-day. I would be as trim as may be; for before night I hope to be espoused to my blessed Jesus." He then pointed out the clothes which he meant to wear, and ordered two shirts, on account of the severity of the weather: "For," he observed, "were I to shake through cold, my enemies would attribute it to fear. I would have no such imputation. I fear not death. Death is not terrible to me. I bless my God I am prepared."<sup>2</sup>

The king spent an hour in privacy with the bishop; Herbert was afterwards admitted; and about ten o'clock Colonel Hacker announced that it was time to proceed to Whitehall. He obeyed, was conducted on foot, between two detachments of military, across the park, and received permission to repose himself in his former bedchamber. Dinner had been prepared for him; but he refused to eat, though afterwards, at the solicitation of the bishop, he took the half of a manchet and a glass of wine. Here he remained almost two hours, in constant expectation of the last sum-

mons, spending his time partly in prayer and partly in discourse with Dr. Juxon. There might have been nothing mysterious in the delay; if there was, it may perhaps be explained from the following circumstance.

Four days had now elapsed since the arrival of ambassadors from the Hague to intercede in his favour. It was only on the preceding evening that they had obtained audiences of the two houses, and hitherto no answer had been returned. In their company came Seymour, the bearer of two letters from the prince of Wales, one addressed to the king, the other to the Lord Fairfax. He had already delivered the letter, and with it a sheet of blank paper subscribed with the name and sealed with the arms of the prince. It was the price which he offered to the grantees of the army for the life of his father. Let them fill it up with the conditions; whatever they might be, they were already granted; his seal and signature were affixed.<sup>3</sup> It is not improbable that this offer may have induced the leaders to pause. That Fairfax laboured to postpone the execution, was always asserted by his friends; and we have evidence to prove that, though he was at Whitehall, he knew not, or at least pretended not to know, what was passing.<sup>4</sup>

<sup>1</sup> Herbert, 169—180. State Trials, 357—360.

<sup>2</sup> Herbert, 183—185. I may here insert an anecdote, which seems to prove that Charles attributed his misfortunes in a great measure to the counsels of Archbishop Laud. On the last night of his life, he had observed that Herbert was restless during sleep, and in the morning insisted on knowing the cause. Herbert answered that he was dreaming. He saw Laud enter the room; the king took him aside, and spoke to him with a pensive countenance; the Archbishop sighed, retired, and fell prostrate on the ground. Charles replied, "It is very remarkable; but he is dead. Yet had we conferred together during life, 'tis very likely (albeit I loved him well) I should have said something to him might have

occasioned his sigh."—Herbert's Letter to Dr. Samways, published at the end of his Memoirs, p. 220.

<sup>3</sup> For the arrival of the ambassadors see the Journals of the House of Commons on the 26th. A fac-simile of the carte-blanche, with the signature of the prince, graces the title-page of the third volume of the Original Letters, published by Mr. Ellis.

<sup>4</sup> "Mean time they went into the long gallery, where chancing to meet the general, he ask'd Mr. Herbert how the king did? Which he thought strange.....His question being answer'd, the general seem'd much surprized."—Herbert, 194. It is difficult to believe that Herbert could have mistaken or fabricated such a question, or that Fairfax would have asked it, had he known what had taken place. To his asser-

In the meanwhile Charles enjoyed the consolation of learning that his son had not forgotten him in his distress. By the indulgence of Colonel Tomlinson, Seymour was admitted, delivered the letter, and received the royal instructions for the prince. He was hardly gone, when Hacker arrived with the fatal summons. About two o'clock the king proceeded through the long gallery, lined on each side with soldiers, who, far from insulting the fallen monarch, appeared by their sorrowful looks to sympathize with his fate. At the end an aperture had been made in the wall, through which he stepped at once upon the scaffold. It was hung with black; at the further end were seen the two executioners, the block, and the axe; below appeared in arms several regiments of horse and foot; and beyond, as far as the eye was permitted to reach, waved a dense and countless crowd of spectators. The king stood collected and undismayed amidst the apparatus of death. There was in his countenance that cheerful intrepidity, in his demeanour that dignified calmness, which had characterized, in the hall of Fotheringay, his royal grandmother Mary Stuart. It was his wish to address the people; but they were kept beyond the reach of his voice by the swords of the military; and therefore confining his discourse to the few persons standing with him on the scaffold, he took, he said, that opportunity of denying in the presence of his God the crimes of which he had been accused. It was not to him, but to the houses of parliament, that the war and all its evils should be charged. The parliament had first invaded the rights of the crown by claiming the command of the army; and had provoked hos-

tion that Fairfax was with the officers in Harrison's room, employed in "prayer or discourse," it has been objected that his name does not occur among the names of those who were proved to have been there

ilities by issuing commissions for the levy of forces, before he had raised a single man. But he had forgiven all even those, whoever they were (for he did not desire to know their names), who had brought him to his death. He did more than forgive them, he prayed that they might repent. But for that purpose they must do three things: they must render to God his due, by settling the church according to the Scripture; they must restore to the crown those rights which belonged to it by law; and they must teach the people the distinction between the sovereign and the subject: those persons could not be governors who were to be governed; they could not rule, whose duty it was to obey. Then, in allusion to the offers formerly made to him by the army, he concluded with these words:—"Sirs, it was for the liberties of the people that I am come here. If I would have assented to an arbitrary sway, to have all things changed according to the power of the sword, I needed not to have come hither; and therefore I tell you (and I pray God it be not laid to your charge), that I am the martyr of the people."

Having added, at the suggestion of Dr. Juxon, "I die a Christian according to the profession of the church of England, as I found it left me by my father," he said, addressing himself to the prelate, "I have on my side a good cause, and a gracious God."

BISHOP.—There is but one stage more; it is turbulent and troublesome, but a short one. It will carry you from earth to heaven, and there you will find joy and comfort.

KING.—I go from a corruptible to an incorruptible crown.

at the trial of the regicides. But that is no contradiction. The witnesses speak of what happened before, Herbert of what happened during, the execution. See also Ellis, 2nd series, iii. 345.

**BISHOP.**—You exchange an earthly for an eternal crown—a good exchange.

Being ready, he bent his neck on he block, and after a short pause, stretched out his hands as a signal. At that instant the axe descended; his head rolled from the body; and a deep groan burst from the multitude of the spectators. But they had no leisure to testify their feelings; two troops of horse dispersed them in different directions.<sup>1</sup>

Such was the end of the unfortunate Charles Stuart; an awful lesson to the possessors of royalty, to watch the growth of public opinion, and to moderate their pretensions in conformity with the reasonable desires of their subjects. Had he lived at a more early period, when the sense of wrong was quickly subdued by the habit of submission, his reign would probably have been marked with fewer violations of the national liberties. It was resistance that made him a tyrant. The spirit of the people refused to yield to the encroachments of authority; and one act of oppression placed him under the necessity of committing another, till he had

revived and enforced all those odious prerogatives, which, though usually claimed, were but sparingly exercised, by his predecessors. For some years his efforts seemed successful; but the Scottish insurrection revealed the delusion; he had parted with the real authority of a king, when he forfeited the confidence and affection of his subjects.

But while we blame the illegal measures of Charles, we ought not to screen from censure the subsequent conduct of his principal opponents. From the moment that war seemed inevitable, they acted as if they thought themselves absolved from all obligations of honour and honesty. They never ceased to inflame the passions of the people by misrepresentation and calumny; they exercised a power far more arbitrary and formidable than had ever been claimed by the king; they punished summarily, on mere suspicion, and without attention to the forms of law; and by their committees they established in every county a knot of petty tyrants, who disposed at will of the liberty and property of the inhabitants. Such anomalies may, perhaps, be in-

<sup>1</sup> Herbert, 189—194. Warwick, 344. Nalson, Trial of Charles Stuart. The royal corpse, having been embalmed, was after some days delivered to the earl of Richmond for private interment at Windsor. That nobleman, accompanied by the marquess of Hertford, the earls of Southampton and Lindsey, Dr. Juxon, and a few of the king's attendants, deposited it in a vault in the choir of St. George's chapel, which already contained the remains of Henry VIII. and of his third queen, Jane Seymour.—Herbert, 203. Blencowe, Sydney Papers, 64. Notwithstanding such authority, the assertion of Clarendon that the place could not be discovered, threw some doubt upon the subject. But in 1813 it chanced that the workmen made an aperture in a vault corresponding in situation, and occupied by three coffins; and the prince regent ordered an investigation to ascertain the truth. One of the coffins, in conformity with the account of Herbert, was of lead, with a leaden croll, in which were cut the words "King Charles." In the upper lid of this an opening was made; and when the cerecloth and

unctuous matter were removed, the features of the face, as far as they could be distinguished, bore a strong resemblance to the portraits of Charles I. To complete the proof, the head was found to have been separated from the trunk by some sharp instrument, which had cut through the fourth vertebra of the neck.—See "An Account of what appeared on opening the coffin of King Charles I. By Sir Henry Hallford, bart." 1813. It was observed at the same time, that "the lead coffin of Henry VIII. had been beaten in about the middle, and a considerable opening in that part exposed a mere skeleton of the king." This may perhaps be accounted for from a passage in Herbert, who tells us that while the workmen were employed about the inscription, the chapel was cleared, but a soldier contrived to conceal himself, descended into the vault, cut off some of the velvet pall, and "wimble a hole into the largest coffin." He was caught, and "a bone was found about him, which, he said, he would haft a knife with."—Herbert, 204. See Appendix, R.R.R.

separable from the jealousies, the resentments, and the heart-burnings, which are engendered in civil commotions; but certain it is, that right and justice had seldom been more wantonly outraged, than they were by those who professed to have drawn the sword in the defence of right and justice.

Neither should the death of Charles be attributed to the vengeance of the people. They, for the most part, declared themselves satisfied with their victory; they sought not the blood of the captive monarch; they were even willing to replace him on the throne, under those limitations which they deemed necessary for the preservation of their rights. The men who hurried him to the scaffold

were a small faction of bold and ambitious spirits, who had the address to guide the passions and fanaticism of their followers, and were enabled through them to control the sentiments of the nation. Even the commissioners appointed to sit in judgment on the king, scarce one-half could be induced to attend at his trial; and many of those who concurred in his condemnation subscribed the sentence with feelings of shame and remorse. But so it always happens in revolutions: the most violent put themselves forward; the vigilance and activity seem to multiply their number; and the daring of the few wins the ascendancy over the indolence or the pusillanimity of the many.

## CHAPTER IV.

### THE COMMONWEALTH.

ESTABLISHMENT OF THE COMMONWEALTH—PUNISHMENT OF THE ROYALISTS—MUTINY AND SUPPRESSION OF THE LEVELLERS—CHARLES II. PROCLAIMED KING IN SCOTLAND—ASCENDANCY OF HIS ADHERENTS IN IRELAND—THEIR DEFEAT AT RATHMINES—SUCCESS OF CROMWELL IN IRELAND—LANDING OF CHARLES II. IN SCOTLAND—CROMWELL IS SENT AGAINST HIM—HE GAINS A VICTORY AT DUNBAR—THE KING MARCHES INTO ENGLAND—LOSES THE BATTLE OF WORCESTER—HIS SUBSEQUENT ADVENTURES AND ESCAPE.

WHEN the two houses first placed themselves in opposition to the sovereign, their demands were limited to the redress of existing grievances; now that the struggle was over, the triumphant party refused to be content with anything less than the abolition of the old, and the establishment of a new and more popular form of government. Some, indeed, still ventured to raise their voices in favour of monarchy, on the plea that it was an institution the most congenial to the habits and feelings of Englishmen. By these it was proposed that the two elder sons of

Charles should be passed by, because their notions were already formed, and their resentments already kindled; that the young duke of Gloucester or his sister Elizabeth, should be placed on the throne; and that, under the infant sovereign, the royal prerogative should be circumscribed by law, so as to secure from future encroachment the just liberties of the people. But the majority warmly contended for the establishment of a commonwealth. Why, they asked, should they spontaneously set up again the idol which it had cost them so much blood and treasure to pu-

own? Laws would prove but feeble restraints on the passions of a proud and powerful monarch. If they brought an insuperable barrier to the restoration of despotism, it could be found only in some of those institutions which lodge the supreme power with the representatives of the people. That they spoke their real sentiments was not improbable, though we are assured, by one who was present at their meetings, that personal interest had no small influence in their final determination. They had sinned too deeply against royalty to trust themselves to the mercy, or the moderation, of a king. A republic was their choice, because it promised to shelter them from the vengeance of their enemies, and offered to them the additional advantage of sharing among themselves all the power, the patronage, and the emoluments of office.<sup>1</sup>

In accordance with this decision, the moment the head of the royal victim fell on the scaffold at Whitehall, a proclamation was read in the marketplace, declaring it treason to give to any person the title of king without the authority of parliament; and at the same time was published the vote of the 4th of January, that the supreme authority in the nation resided in the representatives of the people. The peers, though aware of their approaching fate, continued to sit; but, after a pause of a few days, the Commons resolved: first, that the house of Lords, and, next, that the office of king, ought to be abolished. These votes, though the acts to be engrafted on them were postponed, proved sufficient; from that hour the kingship (the word by which the royal dignity was now designated),

with the legislative and judicial authority of the peers, was considered extinct; and the lower house, under the name of the Parliament of England, concentrated within itself all the powers of government.<sup>2</sup>

The next measure was the appointment, by the Commons, of a council of state, to consist of forty-one members, with powers limited in duration to twelve months. They were charged with the preservation of domestic tranquillity, the care and disposal of the military and naval force, the superintendence of internal and external trade, and the negotiation of treaties with foreign powers. Of the persons selected for this office, three-fourths possessed seats in the house; and they reckoned among them the heads of the law, the chief officers in the army, and five peers,—the earls of Denbigh, Mulgrave, Pembroke, and Salisbury, with the Lord Grey of Werke, who condescended to accept the appointment, either through attachment to the cause, or as a compensation for the loss of their hereditary rights.<sup>3</sup> But at the very outset a schism appeared among the new counsellors. The oath required of them by the parliament contained an approval of the king's trial, of the vote against the Scots and their English associates, and of the abolition of monarchy and of the house of Lords. By Cromwell and eighteen others, it was taken cheerfully, and without comment; by the remaining twenty-two, with Fairfax at their head, it was firmly but respectfully refused. The peers alleged that it stood not with their honour to approve upon oath of that which had been done in opposition to their vote; the com-

<sup>1</sup> Whitelock, 391.

<sup>2</sup> Journals, 1649, Jan. 30, Feb. 6, 7. Cromwell voted in favour of the house of Lords.—Ludlow, i. 246. Could he be sincere? I think not.

<sup>3</sup> The earl of Pembroke had the meanness

to solicit and accept the place of representative for Berkshire; and his example was imitated by two others peers, the earl of Salisbury and Lord Howard of Escrick, who sat for Lynn and Carlisle.—Journals, April 16, May 5, Sept. 18. Leicester's Journal, 72.

moners, that it was not for them to pronounce an opinion on judicial proceedings of which they had no official information. But their doubts respecting transactions that were past formed no objection to the authority of the existing government. The house of Commons was in actual possession of the supreme power. From that house they derived protection, to it they owed obedience, and with it they were ready to live and die. Cromwell and his friends had the wisdom to yield; the retrospective clauses were expunged, and in their place was substituted a general promise of adhesion to the parliament, both with respect to the existing form of public liberty, and the future government of the nation, "by way of a republic without king or house of peers."<sup>1</sup>

This important revolution drew with it several other alterations. A representation of the house of Commons superseded the royal effigy on the great seal, which was intrusted to three lords-commissioners, Lisle, Keble, and Whitelock; the writs no longer ran in the name of the king, but of "the keepers of the liberty of England by authority of parliament;" new commissions were issued to the judges, sheriffs, and magistrates; and in lieu of the oaths of allegiance and supremacy, was required an engagement to be true to the commonwealth of England. Of the judges, six resigned; the other six consented to retain their situations, if parliament would issue a proclamation

declaratory of its intention to maintain the fundamental laws of the kingdom. The condition was accepted and fulfilled;<sup>2</sup> the courts proceeded to hear and determine causes after the ancient manner; and the great body of the people scarcely felt the important change which had been made in the government of the country. For several years past the superior authority had been administered in the name of the king by the two houses at Westminster, with the aid of the committee at Derby House; now the same authority was equally administered in the name of the people by one house only, and with the advice of a council of state.

The merit or demerit of thus erecting a commonwealth on the ruins of the monarchy chiefly belongs to Cromwell, Ireton, Bradshaw, and Marten, who by their superior influence guided and controlled the opinions and passions of their associates in the senate and the army. After the king's death they derived much valuable aid from the talents of Vane,<sup>3</sup> Whitelock, and St. John; and a feeble lustre was shed on their cause by the accession of the five peers from the abolished house of Lords. But, after all, what right could this handful of men have to impose a new constitution on the kingdom? Ought they not, in consistency with their own principles, to have ascertained the sense of the nation by calling a new parliament? The question was raised, but the leaders, aware that their power was

<sup>1</sup> Journals, Feb. 7, 13, 14, 15, 19, 22. Whitelock, 378, 382, 383. The amended oath is in Walker, part ii. 130.

<sup>2</sup> Journals, Feb. 8. Yet neither this declaration nor the frequent remonstrances of the lawyers could prevent the house from usurping the office of the judges, or from inflicting illegal punishments. Thus, for example, on the report of a committee, detailing the discovery of a conspiracy to extort money by a false charge of delinquency, the house, without hearing the

accused, or sending them before a court of justice, proceeded to inflict on some the penalties of the pillory, fine, and imprisonment, and adjudged Mrs. Samford, as the principal, to be whipped the next day from Newgate to the Old Exchange, and to be kept to hard labour for three months. Journals, 1650, Feb. 2, Aug. 13.

<sup>3</sup> Immediately after Pride's purge, Van der Dike, disgusted at the intolerance of his own party, left London, and retired to Rye Castle; he was now induced to rejoin them and resumed his seat on Feb. 26.



ed on the sword of the military, sunk from the experiment; and, to evade the demands of their opponents, appointed a committee to regulate the succession of parliaments and the election of members; a committee, which repeatedly met and deliberated, but never brought the question to any definitive conclusion. Still, when the new authorities looked around the house, and observed the empty benches, they were admonished of their own insignificance, and of the emptiness of their pretensions. They claimed the sovereign authority, as the representatives of the people; but the majority of those representatives had been excluded by successive acts of military violence; and the house had been reduced from more than five hundred members, to less than one-seventh of that number. For the credit and security of the government it was necessary both to supply the deficiency, and, at the same time, to oppose a bar to the introduction of men of opposite principles. With this view, they resolved to continue the exclusion of those who had on the 5th of December assented to the vote, that the king's concessions were a sufficient ground to proceed to a settlement;" but to open the house to all others who would previously enter on the journals their dissent from that resolution.<sup>1</sup> By this expedient, and by occasional writs for elections in those places where the influence of the party was irresistible, the number of members gradually rose to one hundred and fifty, though it was seldom that the attendance of one-half, or even of one-third, could be procured.

During the war, the dread of retaliation had taught the two parties to temper with moderation the license of victory. Little blood had been shed except in the field of battle. But

now that check was removed. The fanatics, not satisfied with the death of the king, demanded, with the Bible in their hands, additional victims; and the politicians deemed it prudent by the display of punishment to restrain the machinations of their enemies. Among the royalists in custody were the duke of Hamilton (who was also earl of Cambridge in England), the earl of Holland, Goring earl of Norwich, the Lord Capel, and Sir John Owen, all engaged in the last attempt for the restoration of Charles to the throne. By a resolution of the house of Commons in November, Hamilton had been adjudged to pay a fine of one hundred thousand pounds, and the other four to remain in perpetual imprisonment; but after the triumph of the Independents, this vote had been rescinded, and a high court of justice was now established to try the same persons on a charge of high treason. It was in vain that Hamilton pleaded the order of the Scottish parliament under which he had acted; that Capel demanded to be brought before his peers, or a jury of his countrymen, according to those fundamental laws which the parliament had promised to maintain; that all invoked the national faith in favour of that quarter which they had obtained at the time of their surrender. Bradshaw, the president, delivered the opinions of the court. To Hamilton, he replied that, as an English earl, he was amenable to the justice of the country; to Capel, that the court had been established by the parliament, the supreme authority to which all must submit; to each, that quarter given on the field of battle insured protection from the sword of the conqueror, but not from the vengeance of the law. All five were condemned to lose their heads; but the rigour of the judgment was softened by a reference to the mercy of parliament. The

<sup>1</sup> Journ. Feb. 1. Walker, part ii. 115. Whitelock, 376.

next day the wives of Holland and Capel, accompanied by a long train of females in mourning, appeared at the bar, to solicit the pardon of the condemned. Though their petitions were rejected, a respite for two days was granted. This favour awakened new hopes; recourse was had to flattery and entreaty; bribes were offered and accepted; and the following morning new petitions were presented. The fate of Holland occupied a debate of considerable interest. Among the Independents he had many personal friends, and the Presbyterians exerted all their influence in his favour. But the saints expatiated on his repeated apostasy from the cause; and, after a sharp contest, Cromwell and Ireton obtained the majority of a single voice for his death. The case of Goring was next considered. No man during the war had treated his opponents with more bitter contumely, no one had inflicted on them deeper injuries; and yet, on an equal division, his life was saved by the casting voice of the speaker. The sentences of Hamilton and Capel were affirmed by the unanimous vote of the house; but, to the surprise of all men, Owen, a stranger, without friends or interest, had the good fortune to escape. His forlorn condition moved the pity of Colonel Hutchinson; the efforts of Hutchinson were seconded by Ireton; and so powerful was their united influence, that they obtained a majority of five in his favour. Hamilton, Holland, and Capel died on the scaffold, the first

martyrs of loyalty after the establishment of the commonwealth.<sup>1</sup>

But, though the avowed enemies of the cause crouched before their conquerors, there was much in the internal state of the country to awaken apprehension in the breasts of Cromwell and his friends. There could be no doubt that the ancient royalists longed for the opportunity of avenging the blood of the king; or that the new royalists, the Presbyterians, who sought to re-establish the throne on the conditions stipulated by the treaty in the Isle of Wight, bore with impatience the superiority of their rivals. Throughout the kingdom the lower classes loudly complained of the burden of taxation; in several parts they suffered under the pressure of penury and famine. In Lancashire and Westmoreland numbers perished through want; and it was certified that the magistrates of Cumberland threatened thirty thousand families in that county "had neither seed nor bread corn nor the means of procuring either." But that which chiefly created alarm was the progress made among the military by the "Levellers," men of consistent principles and uncompromising conduct, under the guidance of Colonel John Lilburne, an officer distinguished by his talents, his eloquence, and his courage.<sup>3</sup> Lilburne with his friends, had long cherished a suspicion that Cromwell, Ireton, and Harrison sought only their private aggrandizement under the mantle of patriotism; and the recent changes had converted this suspicion into con-

<sup>1</sup> If the reader compares the detailed narrative of these proceedings by Clarendon (iii. 265—270), with the official account in the Journals (March 7, 8), he will be surprised at the numerous inaccuracies of the historian. See also the State Trials; England's Bloody Tribunal; Whitelock, 386; Burnet's Hamiltons, 385; Leicester's Journal, 70; Ludlow, i. 247; and Hutchinson, 310.

<sup>2</sup> Whitelock, 398, 399.

<sup>3</sup> Lilburne in his youth had been a partisan of Bastwick, and had printed one of

his tracts in Holland. Before the State chamber he refused to take the oath *officio*, or to answer interrogatories, and the consequence was condemned to stand in the pillory, was whipped from the Fleet Prison to Westminster, receiving five hundred lashes with knotted cords, and was imprisoned with double irons on his hands and legs. Three years later (1641), the house of Commons voted the punishment illegal, bloody, barbarous, and tyrannical.—Burnet's Diary, iii. 503, note.

tion. They observed that the men ruled without control in general council of officers, in the parliament, and in the council of state. They contended that every question should be first debated and settled in the council of officers, and that, if their determination was afterwards adopted in the house, it was only that it might go forth to the public under the pretended sanction of the representatives of the nation; that the council of state had been vested with powers more absolute and oppressive than had ever been exercised by the king; and that the High Court of Justice had been established by the king for the purpose of depriving their subjects of those remedies which would be afforded by the ordinary courts of law. In some of their publications they went further. They maintained that the council of state was employed as an experiment on the patience of the nation; that it was intended to rescue the nation from the tyranny of a few to the advantage of one; and that Oliver Cromwell was the man who aspired to that but dangerous pre-eminence.<sup>1</sup>

A plan of the intended constitution, entitled "the Agreement of the people," had been sanctioned by the council of officers, and presented by Fairfax to the house of Commons, but it might be transmitted to the several counties, and there receive the approbation of the inhabitants. As a sop to shut the mouth of the tribune, the sum of three thousand pounds, to be raised from the estates of delinquents in the county of Durham, had been voted to Lilburne; but the moment he returned from the north, he appeared at the bar of the house, and petitioned against the agreement," objecting in particular to one of the provisions by which the parliament was to sit but

six months every two years, and the government of the nation during the other eighteen months was to be intrusted to the council of state. His example was quickly followed; and the table was covered with a succession of petitions from officers and soldiers, and "the well-affected" in different counties, who demanded that a new parliament should be holden every year; that during the intervals the supreme power should be exercised by a committee of the house; that no member of the last should sit in the succeeding parliament; that the self-denying ordinance should be enforced; that no officer should retain his command in the army for more than a certain period; that the High Court of Justice should be abolished as contrary to law, and the council of state, as likely to become an engine of tyranny; that the proceedings in the courts should be in the English language, the number of lawyers diminished, and their fees reduced; that the excise and customs should be taken away, and the lands of delinquents sold for compensation to the well-affected; that religion should be "reformed according to the mind of God;" that no one should be molested or incapacitated on account of conscience; that tithes should be abolished; and that the income of each minister should be fixed at one hundred pounds per annum, to be raised by a rate on his parishioners.<sup>2</sup>

Aware of the necessity of crushing the spirit of opposition in the military, general orders were issued by Fairfax, prohibiting private meetings of officers or soldiers, "to the disturbance of the army;" and on the receipt of a letter of remonstrance from several regiments, four of the five troopers by whom it was signed were condemned by a court-martial

<sup>1</sup> See England's New Chains discovered, and the Hunting of the Foxes, passim; the King's Pamphlets, No. 411, xxi.; 414, xii. xvi.

<sup>2</sup> Walker, 133. Whitelock, 388, 393, 396, 398, 399. Carte, Letters, i. 229.

to ride the wooden horse with their faces to the tail, to have their swords broken over their heads, and to be afterwards cashiered. Lilburne, on the other hand, laboured to inflame the general discontent by a succession of pamphlets, entitled, "England's New Chains Discovered," "The Hunting of the Foxes from Newmarket and Triploe Heath to Whitehall by five small Beagles" (in allusion to the five troopers), and the second part of "England's New Chains." The last he read to a numerous assembly at Winchester House; by the parliament it was voted a seditious and traitorous libel, and the author, with his associates, Walwyn, Prince, and Overton, was committed, by order of the council, to close custody in the Tower.<sup>1</sup>

It had been determined to send to Ireland a division of twelve thousand men; and the regiments to be employed were selected by ballot, apparently in the fairest manner. The men, however, avowed a resolution not to march. It was not, they said, that they refused the service; but they believed the expedition to be a mere artifice to send the discontented out of the kingdom; and they asserted that by their engagement on Triploe Heath they could not conscientiously move a step till the liberties of the nation were settled on a permanent basis. The first act of mutiny occurred in Bishopsgate. A troop of horse refused to obey their colonel; and, instead of marching out of the city, took possession of the colours. Of these, five were condemned to be shot; but one only, by name Lockyer, suffered. At his burial a thousand men, in files, preceded the corpse, which was adorned with bunches of rosemary dipped

in blood; on each side rode ten trumpeters, and behind was led a trooper's horse, covered with mourning; some thousands of men and women followed with black and grey ribbons on their heads and breasts, and were received at the grave by a numerous crowd of the inhabitants of London and Westminster. This extraordinary funeral convinced the leaders how widely the discontent was spread, and urged them to the immediate adoption of the most decisive measures.<sup>2</sup>

The regiments of Scrope, Irwin, Harrison, Ingoldsby, Skippon, Reynolds, and Horton, though quartered in different places, had already elected their agents, and published their resolution to adhere to each other, and the house commissioned Fairfax to reduce the mutineers, ordered Skippon to secure the capital from surprise, and declared it treason for soldiers to conspire the death of a general or lieutenant-general, or for any person to endeavour to alter the government, or to affirm that either parliament or council of state either tyrannical or unlawful.<sup>3</sup> Banbury, in Oxfordshire, a Captain Thompson, at the head of two hundred men, published a manifesto entitled "England's Standard advanced," in which he declared that if Lilburne, or his fellow-prisoners were ill-treated, their sufferings should be avenged seventy times seven upon their persecutors. His object was to unite some of the discontented regiments; but Colonel Reynolds surprised him at Banbury, and prevailed on his followers to surrender without loss of blood.<sup>4</sup> Another party, consisting of ten troops of horse, more than a thousand strong, proceeded from Salisbury to Bur

<sup>1</sup> Whitelock, 385, 386, 392. Council Book in the State-paper Office, March 27, No. 17; March 29, No. 27. Carte, Letters, i. 273, 276.

<sup>2</sup> Walker, 161. Whitelock, 399.

<sup>3</sup> Journals, May 1, 14. Whitelock, i.

<sup>4</sup> Walker, ii. 168. Whitelock, 401.

augmenting their numbers as they advanced. Fairfax and Cromwell, after a march of more than forty miles during the day, arrived soon afterwards, and ordered their followers to take refreshment. White had been sent to the insurgents with an offer of pardon on their submission: whether it meant to deceive them or not, is uncertain; he represented the pause as the part of the general as time allowed them to consult and frame their demands; and at the hour of midnight, while they slept in security, Cromwell forced his way into the town, with two thousand men, at the entrance, while Colonel Reynolds, with a strong body, opposed their exit by the other. Four hundred of the mutineers were made prisoners, and the arms and horses of double that number were taken. One cornet and two corporals suffered death; the others, after a short imprisonment, were restored to their former regiments.<sup>1</sup>

This decisive advantage disconcerted all the plans of the mutineers. Some partial risings in the counties of Lancashire, Devon, and Somerset were quickly suppressed; and Thompson, who had escaped from Banbury and retired to Wellingborough, being deserted by his followers, refused quarter, and fell fighting singly against a host of enemies.<sup>2</sup> To express the national gratitude for this signal deliverance, the day of thanksgiving was appointed; the parliament, the council of state, and the council of the army assembled at Christ-church; and, after the religious service of the day, consisting of two long sermons and appropriate prayers, proceeded to Grocers' Hall, where they dined by invitation from the city. The speaker Lenthall, the organ of the supreme authority, like former kings, received the sword of

state from the mayor, and delivered it to him again. At table, he was seated at the head, supported on his right hand by the lord general, and on the left by Bradshaw, the president of the council; thus exhibiting to the guests the representatives of the three bodies by which the nation was actually governed. At the conclusion of the dinner, the lord mayor presented one thousand pounds in gold to Fairfax in a basin and ewer of the same metal, and five hundred pounds, with a complete service of plate, to Cromwell.<sup>3</sup>

The suppression of the mutiny afforded leisure to the council to direct its attention to the proceedings in Scotland and Ireland. In the first of these kingdoms, after the departure of Cromwell, the supreme authority had been exercised by Argyle and his party, who were supported, and at the same time controlled, by the paramount influence of the kirk. The forfeiture and excommunication of the "Engagers" left to their opponents the undisputed superiority in the parliament and all the great offices of the state. From the part which Argyle had formerly taken in the surrender of the king, his recent connection with Cromwell, and his hostility to the engagement, it was generally believed that he had acted in concert with the English Independents. But he was wary, and subtle, and flexible. At the approach of danger he could dissemble; and, whenever it suited his views, could change his measures without changing his object. At the beginning of January the fate with which Charles was menaced revived the languid affection of the Scots. A cry of indignation burst from every part of the country: he was their native king—would they suffer him to be arraigned as a crimi-

<sup>1</sup> King's Pamphlets, No. 421, xxii.; 422, i. Whitelock, 402.

<sup>2</sup> Whitelock, 403.

<sup>3</sup> Leicester's Journal, 74. Whitelock (406) places the guests in a different order.

nal before a foreign tribunal? By delivering him to his enemies, they had sullied the fair fame of the nation—would they confirm this disgrace by tamely acquiescing in his death? Argyle deemed it prudent to go with the current of national feeling;<sup>1</sup> he suffered a committee to be appointed in parliament, and the commissioners in London received instructions to protest against the trial and condemnation of the king. But these instructions disclosed the timid fluctuating policy of the man by whom they were dictated. It is vain to look in them for those warm and generous sentiments which the case demanded. They are framed with hesitation and caution; they betray a consciousness of weakness, a fear of provoking enmity, and an attention to private interest; and they show that the protestors, if they really sought to save the life of the monarch, were yet more anxious to avoid every act or word which might give offence to his adversaries.<sup>2</sup>

The commissioners delivered the paper, and the Scottish parliament, instead of an answer, received the news of the king's execution. The next day the chancellor, attended by the members, proceeded to the cross in Edinburgh, and proclaimed Charles, the son of the deceased prince, king of Scotland, England, France, and Ireland. But to this proclamation was appended a provision, that the young prince, before he could enter on the exercise of the royal authority, should satisfy the parliament of his adhesion both to the national covenant of Scotland, and to the solemn league and covenant between the two kingdoms.<sup>3</sup>

<sup>1</sup> Wariston had proposed (and Argyle had seconded him) to postpone the motion for interference in the king's behalf till the Lord had been sought by a solemn fast, but "Argyle, after he saw that it was carried by wottes in his contrarey, changed his first opinione with a faire apologye, and willed

At length, three weeks after death of the king, whose life it intended to save, the English parliament condescended to answer protestation of the Scots, but in tone of contemptuous indifference both as to the justice of their claim and the consequences of their answer. Scotland, it was replied, might perhaps have no right to bring its sovereign to a public trial, but this circumstance could not affect the rights of England. As the English parliament did not intend to trench on the liberties of others, it would not permit others to trench upon its own. The recollection of the evils inflicted on the nation by the misconduct of the king, and the consciousness that they had deserved the anger of God by their neglect to punish his offences, had induced them to bring him to justice, a course which they doubted God had already approved, and which would subsequently reward by the establishment of their liberties. The Scots had now the option of being freemen or slaves; the aid of England was offered for the vindication of their rights; if it were refused let them beware how they entailed themselves and their posterity the miseries of continual war with their nearest neighbour, and of slavery under the issue of a tyrant.<sup>4</sup>

The Scottish commissioners, in reply, hinted that the present was not a full parliament; objected to any alteration in the government by kings, lords, and commons; desired that no impediment should be opposed to the lawful succession of Charles II.; and ended by protesting that, if such things were done, the Scots would be free before God and man from

them then presently to enter on the business."—Balfour, iii. 386.

<sup>2</sup> See the instructions in Balfour, iii. 380 and Clarendon, iii. 280.

<sup>3</sup> Balfour, iii. 387. Clarendon, iii. 284.

<sup>4</sup> Journals, Feb. 17, 20. Clarendon, 282.

uilt, the blood, the calamities, which might cost the two kingdoms. Having delivered this paper, they hastened to Gravesend. Their object was to proceed to the United Provinces, and offer the Scottish crown on certain conditions to the young king. But the English leaders resolved to interrupt their mission. The answer which they had given was voted a scandalous libel, framed for the purpose of exciting sedition; the commissioners were apprehended at Gravesend as national offenders, and Captain Dolphin received orders to conduct them under a guard to the frontiers of Scotland.<sup>1</sup>

This insult, which, though keenly felt, was tamely borne, might retard, but could not prevent, the purposes of the Scottish parliament. The earl of Cassillis, with four new commissioners, was appointed to proceed to Holland, where Charles, under the protection of his brother-in-law, the prince of Orange, had resided since the death of his father.<sup>2</sup> His court consisted at first of the few individuals whom that monarch had placed around him, and whom he now swore of his privy council. It was soon augmented by the earl of Lanark, who, on the death of his brother, became duke of Hamilton, the earl of Lauderdale, and the earl of Callendar, the chiefs of the Scottish Engagers; these were followed by the ancient Scottish royalists, Montrose, Kinnoul, and Seaforth, and in a few days appeared Cassillis, with his colleagues, and three deputies from the church of Scotland, who brought with them news not likely

to insure them a gracious reception, that the parliament, at the petition of the kirk, had sent to the scaffold the old marquess of Huntly, forfeited for his adhesion to the royal cause in the year 1645. All professed to have in view the same object—the restoration of the young king; but all were divided and alienated from each other by civil and religious bigotry. By the commissioners, the Engagers, and by both, Montrose and his friends were shunned as traitors to their country, and sinners excommunicated by the kirk. Charles was perplexed by the conflicting opinions of these several advisers. Both the commissioners and Engagers, hostile as they were to each other, represented his taking of the covenant as an essential condition; while Montrose and his English counsellors contended that it would exasperate the Independents, offend the friends of episcopacy, and cut off all hope of aid from the Catholics, who could not be expected to hazard their lives in support of a prince sworn to extirpate their religion.<sup>3</sup>

While the question was yet in debate, an event happened to hasten the departure of Charles from the Hague. Dr. Dorislaus, a native of Holland, but formerly a professor of Gresham College, and recently employed to draw the charge against the king, arrived as envoy from the parliament to the States. That very evening, while he sat at supper in the inn, six gentlemen with drawn swords entered the room, dragged him from his chair, and murdered him on the floor.<sup>4</sup> Though the assassins were suf-

<sup>1</sup> Journals, Feb. 26, 28. Whitelock, 384. Balfour, iii. 388, 389. Carte, Letters, i. 233. Dolphin received a secret instruction not to dismiss Sir John Chiesley, but to keep him as a hostage, till he knew that Mr. Rowe, the English agent in Edinburgh, was not detained.—Council Book, March 2.

<sup>2</sup> Whatever may have been the policy of Argyle, he most certainly promoted this mission, and "overswayed the opposition to it by his reason, authority, and dili-

gence."—Baillie, ii. 353.

<sup>3</sup> Clar. iii. 287—292. Baillie, ii. 333. Carte, Letters, i. 233—263. In addition to the covenant, the commissioners required the banishment of Montrose, from which they were induced to recede, and the limitation of the king's followers to one hundred persons.—Carte, Letters, i. 264, 265, 266, 268, 271.

<sup>4</sup> Clarendon, iii. 293. Whitelock, 401. Journals, May 10. The parliament settled

ferred to escape, it was soon known that they were Scotsmen, most of them followers of Montrose; and Charles, anticipating the demand of justice from the English parliament, gave his final answer to the commissioners, that he was, and always had been, ready to provide for the security of their religion, the union between the kingdoms, and the internal peace and prosperity of Scotland; but that their other demands were irreconcilable with his conscience, his liberty, and his honour. They acknowledged that he was their king; it was, therefore, their duty to obey, maintain, and defend him; and the performance of this duty he should expect from the committee of estates, the assembly of the kirk, and the whole nation of Scotland. They departed with this unsatisfactory answer; and Charles, leaving the United Provinces, hastened to St. Germain in France, to visit the queen his mother, with the intention of repairing, after a short stay, to the army of the royalists in Ireland.<sup>1</sup>

That the reader may understand the state of Ireland, he must look back to the period when the despair or patriotism of Ormond surrendered to the parliament the capital of that kingdom. The nuncio, Rinuccini, had then seated himself in the chair of the president of the supreme council at Kilkenny; but his administration was soon marked by disasters, which

enabled his rivals to undermine and subvert his authority. The Catholic army of Leinster, under Preston, was defeated on Dungan Hill by John the governor of Dublin, and that of Munster, under the Viscount Taaffe at Clontarf, by the Lord Inchiquin. To Rinuccini himself these misfortunes appeared as benefits, for he trusted Preston and Taaffe on account of their attachment to Ormond; and their depression served to exalt his friend and protector, Owen Roe O'Neil, the leader of the men of Ulster. But from such beginnings the nation at large anticipated a succession of similar calamities; the adversaries obtained a majority in the general assembly; and the nuncio, after a declaration that he advanced no claim to temporal authority, prudently avoided a forced abdication by offering to resign his office. A new council, consisting of equal number, of men chosen out of the two parties, was appointed; and the marquess of Antrim, the Lord Muskerry, and Geoffrey Brown, were despatched to the queen mother, and her son Charles, to solicit assistance in money and arms, and to request that the prince would either come and reside in Ireland, or appoint a Catholic lieutenant in his place. A trim hoped to obtain this high office for himself; but his colleagues were instructed to oppose his pretensions.

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two hundred pounds per annum on the son, and gave five hundred pounds to each of the daughters of Dorislaus.—Ibid, May 16. Two hundred and fifty pounds was given towards his funeral.—Council Book, May 11.

<sup>1</sup> Balfour, iii. 405; and the Proceedings of the Commissioners of the Church and Kingdome of Scotland with his Majesty at the Hague. Edinburgh, printed by Evan Tyler, 1649.

<sup>2</sup> Rushworth, 823, 916. In the battle of Dungan Hill, at the first charge the commander of the Irish cavalry was slain; his men immediately fled; the infantry repelled several charges, and retired into a bog, where they offered to capitulate. Colonel

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Flower said he had no authority to grant quarter, but at the same time ordered the men to stand to their arms, and preserve the lives of the earl of Westmeath, Lieutenant-General Byrne, and several officers and soldiers who repaired to his colour. "In the mean time the Scotch colonel Tibburn, and Colonel Moor, of Bankha regiments, without mercy put the rest to the sword." They amounted to between three and four thousand men.—Bellin's History of the late Warre in Ireland, p. ii. 95. I mention this instance to show that Cromwell did not introduce the practice of massacre. He followed his predecessors, whose avowed object it was to terminate the natives.



and to acquiesce in the re-appointment of the marquess of Ormond.<sup>1</sup>

During the absence of these envoys, the Lord Inchiquin unexpectedly declared, with his army, in favour of the king against the parliament, and instantly proposed an armistice to the confederate Catholics, as friends to the royal cause. By some the overture was indignantly rejected. Inchiquin, they said, had been their most bitter enemy; he had made it his delight to shed the blood of Irishmen, and to pollute and destroy their altars. Besides, what pledge could be given for the fidelity of a man who, by repeatedly changing sides, had already shown that he would always accommodate his conscience to his interest? It were better to march against him now that he was without allies; and, when he should be subdued, Jones with the parliamentary army would necessarily fall. To this reasoning it was replied, that the expedition would require time and money; that provision for the free exercise of religion might be made in the articles; and that, at a moment when the Catholics solicited a reconciliation with the king, they could not in honour destroy those who drew the sword in his favour. In defiance of the remonstrances made by Rinuccini and eight of the bishops, the treaty proceeded; and the nuncio believing, or pretending to believe, that he was a prisoner in Kilkenny, escaped in the night over the wall of the city, and was received at Maryborough with open arms by his friend O'Neil. The council of the Catholics agreed to the armistice, and sought by repeated messages to remove the objec-

tions of the nuncio. But zeal or resentment urged him to exceed his powers. He condemned the treaty, excommunicated its abettors, and placed under an interdict the towns in which it should be admitted. But his spiritual weapons were of little avail. The council, with fourteen bishops, appealed from his censures; the forces under Taafe, Clanricard, and Preston, sent back his messengers; and, on the departure of O'Neil, he repaired to the town of Galway, where he was sure of the support of the people, though in opposition to the sense of the mayor and the merchants. As a last effort, he summoned a national synod at Galway; but the council protested against it; Clanricard surrounded the town with his army; and the inhabitants, opening the gates, made their submission.<sup>2</sup>

War was now openly declared between the two parties. On the one hand, Jones in Dublin, and Monk in Ulster, concluded truces with O'Neil, that he might be in a better condition to oppose the common enemy; on the other, Inchiquin joined with Preston to support the authority of the council against O'Neil. Inroads were reciprocally made; towns were taken and retaken; and large armies were repeatedly brought in face of each other. The council, however, began to assume a bolder tone: they proclaimed O'Neil a rebel and traitor; and, on the tardy arrival of Ormond with the commission of lord lieutenant, sent to Rinuccini himself an order to quit the kingdom, with the information that they had accused him to the pope of certain high crimes and misdemeanors.<sup>3</sup> But, he

<sup>1</sup> Philopater Irenæus, 50—60. Castlehaven, Memoirs, 83.

<sup>2</sup> See *Desiderata Cur. Hib.* ii. 511; *Carte*, ii. 20, 31—36; Belling, in his MS. *History of the late War in Ireland*, part iv. 1—40. He has inserted most of the papers which passed between the parties in this work. See also *Philopater Irenæus*, i. 60, 86;

ii. 90, 94; *Walsh, History and Vindication*, App. 33—40; *Ponce*, 90.

<sup>3</sup> The charge may be seen in *Philopater Iren.* i. 150—160; *Clarendon*, viii. 68. Oxford, 1726. It is evident that the conduct of Rinuccini in breaking the first peace was not only reprehensible in itself, but productive of the most calamitous consequences.

continued to issue his mandates in defiance of their orders and threats; nor was it till after the new pacification between Charles and the confederates had been published, and the execution of the king had fixed the public opinion on the pernicious result of his counsels, that shame and apprehension drove him from Ireland to France, whence, after a few months, he was recalled to Rome.

The negotiation between Ormond and the Catholics had continued for three months; in January the danger which threatened the royal person induced the latter to recede from their claims, and trust to the future gratitude and honour of their sovereign. They engaged to maintain at their own expense an army of seventeen thousand five hundred men, to be employed against the common enemy; and the king, on his part, consented that the free exercise of the Catholic worship should be permitted; that twelve commissioners of trust appointed by the assembly should aid the lord lieutenant in the internal administration; that the Court of Wards and several other grievances should be abolished; that a parliament should be called as soon as the majority of commissioners might deem it expedient, and in that

parliament the persecuting laws on the subject of religion, with others injurious to the trade and commerce of Ireland, should be repealed, and the independence of the Irish on the English parliament should be established.<sup>1</sup>

The royal interest was now predominant in Ireland. The fleet under Prince Rupert rode triumphant off the coast; the parliamentary commanders, Jones in Dublin, Monk in Belfast, and Coote in Londonderry, were almost confined within the limits of their respective garrisons; and Inchiquin in Munster, the Scottish regiments in Ulster, and the great body of the Catholics adhering to the supreme council, had proclaimed the king, and acknowledged the authority of his lieutenant. It was during this favourable state of things that Charles received and accepted the invitation of Ormond; but his voyage was necessarily delayed through want of money, and his ardour was repeatedly checked by the artful insinuation of some among his counsellors, who secretly feared that, if he were once at the head of a Catholic army, he would listen to the demands of the Catholics for the establishment of their religion.<sup>1</sup> On the contrary, to the leaders in Lon-

both to the cause of royalty and the civil and religious interests of the Irish Catholics. The following is the ground on which he attempts to justify himself. Laying it down as an undeniable truth that the Irish people had as good a right to the establishment of their religion in their native country, as the Covenanters in Scotland, or the Presbyterians in England, he maintains that it was his duty to make this the great object of his proceedings. When the peace was concluded, Charles was a prisoner in the hands of the Scots, who had solemnly sworn to abolish the Catholic religion; and the English royalists had been subdued by the parliament, which by repeated votes and declarations had bound itself to extirpate the Irish race, and parcel out the island among foreign adventurers. Now there was no human probability that Charles would ever be restored to his throne, but on such conditions as the parliament and the Scots should prescribe; and that, on their

demand, he would, after some struggle, sacrifice the Irish Catholics, was plain from what had passed in his different negotiations with the parliament, from his disavowal of Glamorgan's commission, and from the obstinacy with which his lieutenant, Ormond, had opposed the claims of the confederates. Hence he inferred that a peace, which left the establishment of religion to the subsequent determination of the king, afforded no security, but, on the contrary, was an abandonment of the cause for which the Catholics had associated; and that it therefore became him, holding the situation which he did, to oppose it by every means in his power.—MS. narrative of Rinuccini's proceedings, written to be delivered to the pope; and Ponce, 271.

<sup>1</sup> Phil. Iren. i. 166. Walsh, App. 43—64. Whitelock, 391. Charles approved and promised to observe this peace.—Carte's Letters, ii. 367.

<sup>1</sup> Carte, Letters, i. 258, 262.

don, the danger of losing Ireland became a source of the most perplexing solicitude. The office of lord lieutenant was offered to Cromwell. He affected to hesitate; at his request two officers from each corps received orders to meet him at Whitehall, and seek the Lord in prayer; and, after a delay of two weeks, he condescended to submit his shoulders to the burthen, because he had now learned that it was the will of Heaven.<sup>1</sup> His demands, however, were so numerous, the preparations to be made so extensive, that it was necessary to have recourse in the interval to other expedients for the preservation of the forces and places which still admitted the authority of the parliament. One of these was to allure to the cause of the Independents the Catholics of the two kingdoms; for which purpose, the sentiments of Sir Kenelm Digby and Sir John Winter were sounded, and conferences were held, through the agency of the Spanish ambassador, with O'Reilly and Quin, two Irish ecclesiastics. It was proposed that toleration should be granted for the exercise of the Catholic worship, without any penal disqualifications, and that the Catholics in return should disclaim the temporal pretensions of the pope, and maintain ten thousand men for the service of the commonwealth.

In aid of this project, Digby, Winter, and the Abbé Montague were suffered to come to England under the pretence of compounding for their estates; and the celebrated Thomas White, a secular clergyman, published a work entitled, "The Grounds of Obedience and Government," to show that the people may be released from their obedience to the civil magistrate by his misconduct; and

that, when he is once deposed (whether justly or unjustly makes no difference), it may be for the common interest to acquiesce in his removal, rather than attempt his restoration.

That this doctrine was satisfactory to the men in power, cannot be doubted; but they had so often reproached the late king with a coalition with the papists, that they dared not to make the experiment, and after some time, to blind perhaps the eyes of the people, severe votes were passed against Digby, Montague, and Winter, and orders were given for the apprehension of priests and Jesuits.<sup>2</sup>

In Ireland an attempt was made to fortify the parliamentary party with the friendly aid of O'Neil. That chieftain had received proposals from Ormond, but his jealousy of the commissioners of trusts, his former adversaries, provoked him to break off the treaty with the lord lieutenant, and to send a messenger of his own with a tender of his services to Charles. Immediately the earl of Castlehaven, by order of Ormond, attacked and reduced his garrisons of Maryborough and Athy; and O'Neil, in revenge, listened to the suggestions of Monk, who had retired before the superior force of the Scottish royalists from Belfast to Dundalk. A cessation of hostilities was concluded for three months; and the proposals of the Irish chieftain, modified by Monk, were transmitted to England for the ratification of parliament. By the "grandees" it was thought imprudent to submit them to an examination, which would make them public; but the answer returned satisfied the contracting parties: Monk supplied O'Neil with ammunition, and O'Neil undertook to intercept the commu-

<sup>1</sup> Journals, March 30. Whitelock, 389, 391, 392.

<sup>2</sup> On this obscure subject may be con-

sulted Walker, ii. 150; Carte's Collection of Letters, i. 216, 219, 221, 222, 224, 267, 272, 297; ii. 363, 364; and the Journals, Aug. 31.

nication between the Scottish regiments of the north and the grand army under Ormond in the heart of the kingdom.<sup>1</sup>

Though the parliament had appointed Cromwell lord lieutenant of Ireland, and vested the supreme authority, both civil and military, in his person for three years, he was still unwilling to hazard his reputation and his prospects in a dangerous expedition without the adequate means of success. Out of the standing army of forty-five thousand men, with whose aid England was now governed, he demanded a force of twelve thousand veterans, with a plentiful supply of provisions and military stores, and the round sum of one hundred thousand pounds in ready money.<sup>2</sup> On the day of his departure, his friends assembled at Whitehall; three ministers solemnly invoked the blessing of God on the arms of his saints; and three officers, Goff, Harrison, and the lord lieutenant himself, expounded the scriptures "excellently well, and pertinently to the occasion." After these outpourings of the spirit, Cromwell mounted his carriage, drawn by six horses. He was accompanied by the great officers of state and of the army; his life-guard, eighty young men, all of quality, and several holding commissions as majors and colo-

nels, delighted the spectators with their splendid uniforms and gallant bearing; and the streets of the metropolis resounded, as he drove towards Windsor, with the acclamations of the populace and the clangour of military music.<sup>3</sup> It had been fixed that the expedition should sail from Milford Haven; but the impatience of the general was checked by the reluctance and desertion of his men. The recent transaction between Monk and O'Neil had diffused a spirit of distrust through the army. It was pronounced an apostasy from the principles on which they had fought. The exaggerated horrors of the massacre in 1641 were recalled to mind; the repeated resolutions of parliament to extirpate the native Irish, and the solemn engagement of the army to revenge the blood which had been shed, were warmly discussed; and the invectives of the leaders against the late king, when he concluded a peace with the confederate Catholics, were contrasted with their present backsliding, when they had taken the men of Ulster for their associates and for their brethren in arms. To appease the growing discontent, parliament annulled the agreement. Monk, who had returned to England, was publicly assured that, if he escaped the punishment of his indiscretion,

<sup>1</sup> O'Neil demanded liberty of conscience for himself, his followers, and their posterity; the undisturbed possession of their lands, as long as they remained faithful to the parliament; and, in return for his services, the restoration of his ancestor's estate, or an equivalent. (See both his draft, and the corrected copy by Monk, in *Philop. Iren.* i. 191, and in *Walker*, ii. 233—238.) His agent, on his arrival in London, was asked by the grandees why he applied to them, and refused to treat with Ormond. He replied, because the late king had always made them fair promises; but, when they had done him service, and he could make better terms with their enemies, had always been ready to sacrifice them. Why then did not O'Neil apply to the parliament sooner? Because the men in power then had sworn to extirpate them; but those in

power now professed toleration and liberty of conscience.—*Ludlow*, i. 255. The agreement made with him by Monk was rejected (Aug. 10), because, if we believe *Ludlow*, the Ulster men had been the chief actors in the murder of the English, and liberty of religion would prove dangerous to public peace. But this rejection happened much later. It is plain that Jones, Monk, Coote, and O'Neil understood that the agreement would be ratified, though it was delayed.—*Walker*, ii. 198, 231, 245. See *King's Pamphlets*, 428, 435, 437.

<sup>2</sup> Cromwell received three thousand pounds for his outfit, ten pounds per day as general while he remained in England, and two thousand pounds per quarter in Ireland, besides his salary as lord lieutenant.—*Council Book*, July 12, No. 10.

<sup>3</sup> *Whitelock* 413, *Leicester's Journal*, 76.

was on account of his past services and good intentions. Peters from the pulpit employed his eloquence to remove the blame from the grandees; and, if we may judge from the sequel, promises were made, not only that the good cause should be supported, but that the duty of revenge should be amply discharged.<sup>1</sup>

While the army was thus detained in the neighbourhood of Milford Haven, Jones, in Dublin, reaped the laurels which Cromwell had destined for himself. The royal army advanced on both banks of the Liffy to the siege of that capital; and Ormond, from his quarters at Finglass, ordered certain works to be thrown up at a place called Bogotrath. His object was to exclude the horse of the garrison from the only pasturage in their possession; but by some mishap, the working party did not reach the spot till an hour before sunrise; and Jones, rallying from the walls, overpowered the guard, and raised an alarm in the camp. The confusion of the royalists encouraged him to follow up his success. Regiment after regiment was beaten: it was in vain that Ormond, aroused from his sleep, flew from post to post; the different corps acted without concert; a general panic ensued, and the whole army on the right bank fled in every direction. The artillery, tents, baggage, and ammunition fell into the hands of the conquerors, with two thousand prisoners, three hundred of whom were massacred in cold blood at the gate of the city. This was called the battle of Rathmines, a battle which destroyed the hopes of the Irish royalists and taught men to doubt the abilities of Ormond. At court,

his enemies ventured to hint suspicions of treason; but Charles, to silence their murmurs and assure him of the royal favour, sent him the order of the garter.<sup>2</sup>

The news of this important victory hastened the departure of Cromwell. He sailed from Milford with a single division; his son-in-law, Ireton, followed with the remainder of the army, and a fortnight was allowed to the soldiers to refresh themselves after their voyage. The campaign was opened with the siege of Drogheda. Ormond had thrown into the town a garrison of two thousand five hundred chosen men, under the command of Sir Arthur Aston, an officer who had earned a brilliant reputation by his services to the royal cause in England during the civil war. On the eighth day a sufficient breach had been effected in the wall: the assailants on the first attempt were driven back with immense loss. They returned a second, perhaps a third, time to the assault, and their perseverance was at last crowned with success. But strong works with ramparts and pallasades had been constructed within the breach, from which the royalists might have long maintained a sanguinary, and perhaps doubtful conflict. These intrenchments, however, whether the men were disheartened by a sudden panic, or deceived by offers of quarter—for both causes have been assigned—the enemy was suffered to occupy without resistance. Cromwell (at what particular moment is uncertain) gave orders that no one belonging to the garrison should be spared; and Aston, his officers and men, having been previously disarmed, were put to the sword. From thence

<sup>1</sup> Walker, ii. 230, 243. Whitelock, 416. Leicester's Journal, 82.

<sup>2</sup> King's Pamphlets, No. 434, xxi. Whitelock, 410, 1, 2, 4, 5, 7, 9. Clarendon, viii. 92, 93. Carte, Letters, ii. 394, 402, 408. Baillie, ii. 346. Ludlow, i. 257, 258. Ormond,

before his defeat, confidently predicted the fall of Dublin (Carte, Letters, ii. 383, 389, 391); after it, he repeatedly asserts that Jones, to magnify his own services, makes the royalists amount to eighteen, whereas, in reality, they were only eight, thousand men.—Ibid. 402, 413.

the conquerors, stimulated by revenge and fanaticism, directed their fury against the townsmen, and on the next morning one thousand unresisting victims were immolated together within the walls of the great church, whither they had fled for protection.<sup>1</sup> From Drogheda the conqueror led his men, flushed with slaughter, to the siege of Wexford. The mayor and governor offered to capitulate; but whilst their commissioners were treating with Cromwell, an officer perfidiously opened the castle to the enemy; the adjacent wall was immediately scaled; and, after a stubborn but unavailing resistance in the market-place, Wexford was abandoned to the mercy of the assailants. The tragedy, so recently acted at Drogheda, was renewed. No distinction was made between the defenceless inhabitant and the armed soldier; nor could the shrieks and prayers of three hundred females, who had gathered round the great cross, preserve them from the swords of these ruthless barbarians. By Cromwell himself, the number of the slain is reduced to two, by some writers it has been swelled to five thousand.<sup>2</sup>

Ormond, unable to interrupt the bloody career of his adversary, waited with impatience for the determination of O'Neil. Hitherto that chieftain had faithfully performed his engagements with the parliamentary commanders. He had thrown impediments in the way of the royalists; he had compelled Montgomery to raise the siege of Londonderry, and had rescued Coote and his small

army, the last hope of the parliament in Ulster, from the fate which seemed to await them. At first the leader in London had hesitated, now after the victory of Rathmines they publicly refused to ratify the treaty made with him by their officer. Stung with indignation, O'Neil accepted the offers of Ormond, and marched from Londonderry to join the royal army; but his progress was retarded by sickness, and he died at Clocknaacter in Cavan. His officer, however, fulfilled his intentions; the arrival of the men of Ulster revived the courage of their associates; and the English general was successively foiled in his attempts upon Drogheda, Cannon and Waterford. His forces already began to suffer from the inclemency of the season, when Lord Broghill, who had lately returned from England, debauched the fidelity of the regiments under Lord Inchiquin. The garrisons of Cork, Youghandon, and Kinsale, declared for the parliament, and Cromwell seized the opportunity to close the campaign and place his followers in winter quarters.<sup>4</sup>

But inactivity suited not his policy or inclination. After seven weeks of repose he again summoned them into the field; and at the head of twenty thousand men, well appointed and disciplined, confidently anticipated the entire conquest of Ireland. The royalists were destitute of money, arms, and ammunition; a pestilential disease, introduced with the cargo of a ship from Spain, ravaged their quarters; in the north, Charlemont alone acknowledged the royal authority;

<sup>1</sup> See Carte's Ormond, ii. 84; Carte, Letters, iv. 412; Philop. Iren. i. 120; White-lock, 428; Ludlow, i. 261; Lynch, Cambrensis Eversus, in fine; King's Pamph. 441, 447; Ormond in Carte's Letters, ii. 412; and Cromwell in Carlyle's Letters and Speeches, i. 457. <sup>2</sup> See Appendix, 888.

<sup>3</sup> Council Book, Aug. 6, No. 67, 68, 69, 70. Journ. Aug. 10, 24. Walker, ii. 245-248. King's Pamphlets, No. 435 xi.; 437, xxxiii.

The reader must not confound this Owen Roe O'Neil with another of the same name, one of the regicides, who claimed a debt of five thousand and sixty-five pounds seventeen shillings and sixpence of the parliament and obtained an order for it to be paid out of the forfeited lands in Ireland.—Journ. 1653, Sept. 9.

<sup>4</sup> Phil. Iren. i. 231. Carte's Ormond, 102. Desid. Curios. Hib. ii. 521.

Leinster and Munster, almost every place of importance had been wrested from them by force or perfidy; and even in Connaught, their last refuge, internal dissension prevented that union which alone could save them from utter destruction. Their misfortunes called into action the factions which had lain dormant since the departure of the nuncio. The recent treachery of Inchiquin's forces had engendered feelings of jealousy and suspicion; and many contended that it was better to submit at once to the conqueror than to depend on the doubtful fidelity of the lord lieutenant. Cromwell met with little resistance: wherever he came, he held out the promise of life and liberty of conscience;<sup>1</sup> but the rejection of the offer, though it were afterwards accepted, was punished with the blood of the officers, and, if the place were taken by force, with indiscriminate slaughter.<sup>2</sup> Proceeding on this plan, one day granting quarter, another putting the leaders only to the sword, and on the next immolating the whole garrison, hundreds of human beings at a time, he quickly reduced most of the towns and castles in the three counties of Limerick, Tipperary, and Kilkenny. But this bloody policy at length recoiled upon its author. Men, with no alternative but victory or death, learned to fight with the energy of despair. At the siege of Kilkenny the assailants, though twice repulsed from the breach, were, by

the timidity of some of the inhabitants, admitted within the walls; yet, so obstinate was the resistance of the garrison, that to spare his own men, the general consented to grant them honourable terms. From Kilkenny he proceeded to the town of Clonmel, where Hugh, the son of the deceased O'Neil, commanded with one thousand two hundred of the best troops of Ulster. The duration of the siege exhausted his patience; the breach was stormed a second time; and, after a conflict of four hours, the English were driven back with considerable loss. The garrison, however, had expended their ammunition; they took advantage of the confusion of the enemy to depart during the darkness of the night; and the townsmen the next morning, keeping the secret, obtained from Cromwell a favourable capitulation.<sup>3</sup> This was his last exploit in Ireland. From Clonmel he was recalled to England, to undertake a service of greater importance and difficulty, to which the reader must now direct his attention.

The young king, it will be remembered, had left the Hague on his circuitous route to Ireland, whither he had been called by the advice of Ormond and the wishes of the royalists. He was detained three months at St. Germain by the charms of a mistress or the intrigues of his courtiers, nor did he reach the island of Jersey till long after the disastrous battle of

<sup>1</sup> Liberty of conscience he explained to mean liberty of internal belief, not of external worship.—See his letter in *Phil. Iren.* . 270.

<sup>2</sup> The Irish commanders disdained to imitate the cruelty of their enemies. "I took," says Lord Castlehaven, "Athy by storm, with all the garrison (seven hundred men) prisoners. I made a present of them to Cromwell, desiring him by letter that he would do the like with me, as any of mine should fall in his power. But he little valued my civility. For, in a few days after, he besieged Gowran; and the soldiers mutinying, and giving up the place with their

officers, he caused the governor, Hammond, and some other officers, to be put to death."—*Castlehaven*, 107. Ormond also says, in one of his letters, "the next day Rathfarnham was taken by storm, and all that were in it made prisoners; and though five hundred soldiers entered the castle before any officer of note, yet not one creature was killed; which I tell you by the way, to observe the difference betwixt our and the rebels making use of a victory."—*Carte*, *Letters*, ii. 408.

<sup>3</sup> *Whitelock*, 449, 456. *Castlehaven*, 108. *Ludlow*, i. 265. *Perfect Politician*, 70.

Rathmines. That event made his further progress a matter of serious discussion; and the difficulty was increased by the arrival of Wynram of Libberton, with addresses from the parliament and the kirk of Scotland. The first offered, on his acknowledgment of their authority as a parliament, to treat with him respecting the conditions proposed by their former commissioners; but the latter, in language unceremonious and insulting, laid before him the sins of his youth; his refusal to allow the Son of God to reign over him in the pure ordinances of church government and worship; his cleaving to counsellors who never had the glory of God or the good of his people before their eyes; his admission to his person of that "fugacious man and excommunicate rebel, James Graham," and, above all, "his giving the royal power and strength to the beast," by concluding a peace "with the Irish papists, the murderers of so many Protestants." They bade him remember the iniquities of his father's house, and be assured that, unless he laid aside the "service-book, so stuffed with Romish corruptions, for the reformation of doctrine and worship agreed upon by the divines at Westminster," and approved of the covenant in his three kingdoms, without which the people could have no security for their religion or liberty, he would find that the Lord's anger was not turned away, but that his hand was still stretched against the royal person and his family.<sup>1</sup>

This coarse and intemperate lecture was not calculated to make a convert of a young and spirited prince. Instead of giving an answer, he waited to ascertain the opinion of Ormond; and at last, though inclina-

tion prompted him to throw himself into the arms of his Irish adherents, he reluctantly submitted to the authority of that officer, who declared that the only way to preserve Ireland was by provoking a war between England and Scotland.<sup>2</sup> Charles never condescended to give to the convention the title of estates of parliament; he appointed Breda, a small town, the private patrimony of the prince of Orange, for the place of treaty; and met there the new commissioners, the earls of Cassillis and Lothian, with two barons, two burgesses, and three ministers. Their present scarcely differed from their former demand, nor were they less unpalatable to the king. To consent to them appeared to him an apostasy from the principle for which his father fought and died; an abandonment of the Scottish friends of his family to the mercy of his other enemies. On the other hand, the prince of Orange importuned him to acquiesce; many of his counsellors suggested that, if he were once on the throne, he might soften or subdue the obstinacy of the Scottish parliament and his mother, by her letters, exhorted him not to sacrifice to his feelings this his last resource, the only remaining expedient for the recovery of his three kingdoms. But the king had still another resource; he sought no delays; his eyes were fixed on the efforts of his friends in the north of Scotland; and he continued to indulge a hope of being replaced without conditions on the ancient throne of his ancestors.<sup>3</sup>

Before the king left St. Germain he had given to Montrose a commission to raise the royal standard in Scotland. The fame of that nobleman secured to him a gracious reception from the northern sovereigns; he

<sup>1</sup> Clar. State Papers, iii. App. 89—92. Carte's Letters, i. 323. Whitelock, 429. The address of the kirk was composed by Mr. Wood, and disapproved by the more

moderate.—Baillie, ii. 339, 345.

<sup>2</sup> Carte's Letters, i. 333, 340.

<sup>3</sup> Carte's Letters, i. 338, 355. Whitelock 430. Clarendon, iii. 343.



ed each court in succession; and I obtained permission to levy men, received aid either in money or in many stores. In autumn he de- parted the first expedition of twelve hundred men from Gottenburg under Lord Kinnoul; but the winds and seas fought against the royalists; several sail were lost among the rocks; when Kinnoul landed at Kirkcubright, in the Orkneys, he could muster only eighty officers and one hundred men soldiers out of the whole number. But Montrose was not to be appalled by ordinary difficulties. Having received from the new king the order of the garter, he followed with only a hundred men, mostly foreigners; he led them to the wreck of the first expedition, and to the new levies, and he found himself at the head of a force of more than one thousand men. His banner, on which was depicted a representation of the late king decapitated, with this motto, "Judge and avenge my cause, O Lord," was intrusted to young Menzies of Glendochess, and a declaration was circulated through the Highlands, calling upon all true Scotsmen to aid in punishing their king upon the scaffold, and in saving him from the treachery of those who, if they had been in their power, would sell him as they had sold his father, to English soldiers. Having transported his whole army from Holm Sound to the northern extremity of Caithness, he traversed that and the neighbouring county of Sutherland, calling on the natives to join the standard of their sovereign. But his name had now lost that magic influence which success had once thrown around it: and several clans shunned his approach through fear, or watched his progress with eyes. In the mean time his declaration had been solemnly burnt by the magistrates in the capital; the pulpits were poured out denunciations against "rebel and apostate Montrose, the

viperous brood of Satan, and the accursed of God and the kirk;" and a force of four thousand regulars had been collected on Brechin Moor under the command of General Leslie, who was careful to cut off every source of information from the royalists. Montrose had reached the borders of Ross-shire, when Colonel Strachan, who had been sent forward to watch his motions, learned in Corbiesdale that the royalists, unsuspecting of danger, lay at the short distance of only two miles. Calling his men around him under the cover of the long broom on the moor, he prayed, sang a psalm, and declared that he had consulted the Almighty, and knew as assuredly as there was a God in Heaven, that the enemies of Christ were delivered into their hands. Then dividing his small force of about four hundred men into several bodies, he showed at first a single troop of horse, whom the royalists prepared to receive with their cavalry; but after a short interval, appeared a second, then a third, then a fourth; and Montrose believing that Leslie's entire army was advancing, ordered the infantry to take shelter among the brushwood and stunted trees on a neighbouring eminence. But before this movement could be executed, his horse were broken, and his whole force lay at the mercy of the enemy. The standard-bearer with several officers and most of the natives were slain; the mercenaries made a show of resistance, and obtained a quarter; and Montrose, whose horse had been killed under him, accompanied by Kinnoul, wandered on foot, without a guide, up the valley of the Kyle, and over the mountains of Sutherland. Kinnoul, unable to bear the hunger and fatigue, was left and perished; Montrose, on the third day, obtained refreshment at the hut of a shepherd; and, being afterwards discovered, claimed the protection of Macleod of Assynt, who had formerly

served under him in the royal army. But the fidelity of the laird was not proof against temptation; he sold the king's lieutenant for four hundred bolls of meal; and Argyle and his associates, almost frantic with joy, passed an act to regulate the ignominious treatment to which their captive should be subjected, the form of the judgment to be pronounced, and the manner of his subsequent execution. When Montrose reached the capital, he found the magistrates in their robes waiting to receive him. First the royal officers, twenty-three in number, were ranged in two files, and ordered to walk forward manacled and bareheaded; next came the hangman with his bonnet on his head, dressed in the livery of his office, and mounted on his horse that drew a vehicle of new form devised for the occasion; and then on this vehicle was seen Montrose himself, seated on a lofty form, and pinioned, and uncovered. The procession paraded slowly through the city from the Watergate to the common gaol, whilst the streets resounded with shouts of triumph, and with every expression of hatred which religious or political fanaticism could inspire.<sup>1</sup>

From his enemies Montrose could expect no mercy; but his death was hastened, that the king might not have time to intercede in his favour. The following day, a Sunday, was indeed given to prayer; but on the next the work of vengeance was resumed, and the captive was summoned before the parliament. His features, pale and haggard, showed the fatigue and privations which he had endured; but his dress was splendid, his mien fearless, his language calm, firm, and dignified. To the chancellor, who, in

a tone of bitterness and reprobation enumerated the offences with which he was charged, he replied, that the king had condescended to treat with them as estates, it became his subject to dispute their authority; but that the apostasy and rebellion with which they reproached him were, in his estimation, acts of necessity. Whatever he had done, either in the last or present reign, had been done with the sanction of the sovereign. If he had formerly taken up arms, it had been to divert his country from the impious war which was waged against the royal authority in England; if now, his object was to accelerate the existing negotiations between them and their new sovereign. As a Christian, he had always disapproved that cause which his conscience approved; as a subject, he had fought in support of his prince; as a neighbour, he had frequently preserved the lives of those who had forfeited them against him in battle. The chancellor, in return, declared him a murderer of his fellow-subjects, an enemy to the covenant and peace of the kingdom, and an agitator whose ambition had helped to destroy the father, and was now employed in the destruction of the son. Judgment, which had been passed in parliament some days before, was pronounced by the dempster, that James Graham should be hanged in the space of three hours on a gibbet thirty feet high, that his head should be fixed on a spike in Edinburgh, his arms on the gates of Perth or Glasgow, his legs on those of Glasgow or Aberdeen, and his body be interred by the hangman on the burrown, unless he were previously released from excommunication by the

<sup>1</sup> Carte's Letters, i. 345. Balfour, iii. 432, 439; iv. 8—13. Whitelock, 435, 452, 453, 454, 455. Clarendon, iii. 348—353. Laing, iii. 443. The neighbouring clans ravaged the lands of Assynt to revenge the

fate of Montrose, and the parliament granted in return to Macleod twenty thousand pounds Scots out of the fines to be levied on the royalists in Caithness and Orkney. Balf. iv. 52, 56.

ing this trying scene, his eyes eagerly watched his demeanour. If we may believe report, he heard to sigh, and his eyes occasionally wandered along the cornice of the hall. But he stood before them calm and collected; no symptom of perturbation marked his countenance, no expression of complaint or impatience escaped his lips; he viewed himself superior to insult, and undisturbed at the menaces of death.

The same high tone of feeling supported the unfortunate victim to the scaffold. When the ministers advised him that his punishment in this world was but a shadow of that which awaited him in the next, he significantly replied, that he gloried in his fate, and only lamented that he had not limbs sufficient to furnish every city in Christendom with proofs of his loyalty. On the scaffold, he maintained the uprightness of his conduct, praised the character of the present king, and appealed from the measures of the kirk to the justice of heaven. As a last disgrace, the executioner hung round his neck his late declaration, with the history of his former exploits. He smiled at the malice of his enemies, and said that they had given him a more brilliant coronation than the garter with which he had been honoured by his sovereign. Montrose, by his death, won more proselytes to the royal cause than he had ever made by his victories. He was in his thirty-eighth year.<sup>1</sup>

Long before this the commissioners from both parties had met at Breda; and, on the very day of the opening of the conferences, Charles had despatched an order to Montrose to proceed according to his instructions, and to bear in mind that the success of the negotiation at Breda depended on the success of his arms in Scotland.<sup>2</sup> A month afterwards he commended in strong terms the loyalty of Lord Napier, and urged him to repair without delay to the aid of his lieutenant.<sup>3</sup> It is impossible after this to doubt of his approbation of the attempt; but, when the news arrived of the action at Corbiesdale, his eyes were opened to the danger which threatened him; the estates, in the insolence of victory, might pass an act to exclude him at once from the succession to the Scottish throne. Acting, therefore, after the unworthy precedent set by his father respecting the powers given to Glamorgan, he wrote to the parliament, protesting that the invasion made by Montrose had been expressly forbidden by him, and begging that they "would do him the justice to believe that he had not been accessory to it in the least degree;" in confirmation of which the secretary at the same time assured Argyle that the king felt no regret for the defeat of a man who had presumed to draw the sword "without and contrary to the royal command."<sup>4</sup> These letters arrived too late to be of injury to the

<sup>1</sup> Balfour, iv. 13, 15, 16, 19—22. Wishart, p. 9. Clar. iii. 353—356. Whitelock, 456. Colonel Hurry, whom the reader has seen successively serving under the king and the parliament in the civil war; Spotswood, the grandson of the archbishop of that name; Sir W. Hay, who had been fortified as a Catholic in 1647; Sibbald, the confidential envoy of Montrose, and several others, were beheaded. Of the common soldiers, some were given to different lords to be fishermen or miners, and the rest enrolled in regiments in the French service.

<sup>2</sup> Balfour, iv. 18, 27, 28, 32, 33, 44.

<sup>3</sup> Carte, iv. 626.

<sup>3</sup> Napier's Montrose, ii. 528. Yet on May 5th the king signed an article, stipulating that Montrose should lay down his arms, receiving a full indemnity for all that was past.—Carte, iv. 630. This article reached Edinburgh before the execution of Montrose, and was kept secret. I see not, however, what benefit he could claim from it. He had not laid down arms in obedience to it; for he had been defeated a week before it was signed.

<sup>4</sup> Balfour, iv. 24, 25. Yet on May 15th Charles wrote to Montrose to act according to the article in the last note.—Ibid.

unfortunate victim, whose limbs were already bleaching on the gates of the principal towns in Scotland; but the falsehood so confidently put forth must cover with infamy the prince who could thus, to screen himself from the anger of his enemies, calumniate the most devoted of his followers, one who had so often perilled, and at length forfeited, his life in defence of the throne.

Charles had now no resource but to submit with the best grace to the demands of the Scots. He signed the treaty, binding himself to take the Scottish covenant and the solemn league and covenant; to disavow and declare null the peace with the Irish, and never to permit the free exercise of the Catholic religion in Ireland, or any other part of his dominions; to acknowledge the authority of all parliaments held since the commencement of the late war; and to govern, in civil matters, by advice of the parliament, in religious, by that of the kirk.<sup>1</sup> These preliminaries being settled, he embarked on board a small squadron furnished by the prince of Orange, and, after a perilous navigation of three weeks, during which he had to contend with the stormy weather, and to elude the pursuit of the parliamentary cruisers, he arrived in safety in the Frith of Cromarty. The king was received with the honours due to his dignity; a court with proper officers was prepared for him at Falkland, and the sum of one hundred thousand pounds Scots, or nine thousand pounds English, was voted for the monthly expense of his household. But the parliament had previously passed an act banishing from Scotland several of the royal favourites by name, and excluding the "engagers" from the verge of the court, and all employment in the

state. After repeated applications the duke of Buckingham, the Earl of Wilmot, and a few English servants who took the covenant, obtained permission to remain with the king; many of the Scottish exiles embraced the opportunity to withdraw from notice into the western isles, or more distant parts of the country.

It was the negotiation between the Scots and their nominal king that arrested Cromwell in the career of victory, and called him away from the completion of his conquest. The rulers of the commonwealth were aware of the intimate connection which the solemn league and covenant had produced between the English Presbyterians and the kirk of Scotland, whence they naturally inferred that, if the pretender to the English throne were once seated on the Scottish throne, their own power would be placed on a very precarious footing. From the first they watched with jealousy the unfriendly proceedings of the Scottish parliament. Advice and persuasion had been tried, and had failed. They remained the resource of war; in war, it was hoped, would either compel the Scots to abandon the claim of Charles, or reduce Scotland to a province of the commonwealth. Fairfax, indeed (he was supposed to be under the influence of a Presbyterian wife and of the Presbyterian ministers), disapproved of the design;<sup>2</sup> but his disapprobation, though lamented in public, was privately hailed as a benefit by those who were acquainted with the aspiring designs of Cromwell, and built on his election the flattering hope of their greatness. By their means, as soon as the lord lieutenant had put his troops into winter quarters, an armistice was obtained from parliament for 1

<sup>1</sup> Thurloe, i. 147.

<sup>2</sup> Balfour, iv. 41, 60, 61, 64, 65, 67, 73, 77,

78. Whitelock, 62. Clarendon, iii. 356, 357.

<sup>3</sup> Whitelock, 42

attend his duty in the house; but resumed his military operations, and two months were suffered to pass before he noticed the command of the supreme authority, and condescended to make an unmeaning apology for his disobedience. On the renewal of the order, he left the command in Ireland to Ireton, and, returning to England, appeared in his seat. He was received with acclamations; the palace of St. James's was voted for his residence, and a valuable grant of lands was voted as a reward for his eminent services. In a few days followed the appointment of Fairfax to the office of commander-in-chief, and of Cromwell to that of lieutenant-general of the army destined to be employed in Scotland. Each signified his "readiness to obey the orders of the house;" but Fairfax at the same time revealed his secret and conscientious objections to the council of state. A deputation of the members, Cromwell, Lambert, Harrison, Whitelock, and St. John, waited on him at his house; the conference was opened by a solemn invocation of the Holy Spirit, and the three officers prayed in succession with the most edifying fervour. Then Fairfax said that, to his mind, the invasion of Scotland appeared a violation of the solemn league and covenant which he had sworn to serve. It was replied, that the Scots themselves had broken the league by the invasion of England under the duke of Hamilton; and that it was always lawful to prevent the hostile designs of another power. He answered that the Scottish parliament had given satisfaction by the punishment of the guilty; that the probability of hostile designs ought

indeed to lead to measures of precaution, but that certainty was required to justify actual invasion. No impression was made on his mind; and, though Cromwell and his brother officers earnestly solicited him to comply, "there was cause enough," says one of the deputation, "to believe that they did not overmuch desire it."<sup>1</sup> The next day another attempt ended with as little success; the lord general, alleging the plea of infirm health and misboding conscience, sent back the last commission, and at the request of the house, the former also; and the chief command of all the forces raised, or to be raised by order of parliament, was conferred on Oliver Cromwell. Thus this adventurer obtained at the same time the praise of moderation and the object of his ambition. Immediately he left the capital for Scotland; and Fairfax retired to his estate in Yorkshire, where he lived with the privacy of a country gentleman, till he once more drew the sword, not in support of the commonwealth, but in favour of the king.<sup>2</sup>

To a spectator who considered the preparations of the two kingdoms, there could be little doubt of the result. Cromwell passed the Tweed at the head of sixteen thousand men, most of them veterans, all habituated to military discipline, before the raw levies of the Scots had quitted their respective shires. By order of the Scottish parliament, the army had been fixed at thirty thousand men; the nominal command had been given to the earl of Leven, the real, on account of the age and infirmities of that officer, to his relative, David Leslie, and instructions had been issued that the country between Ber-

<sup>1</sup> Whitelock, 460, 462. Ludlow says, "he did his part so to the life, that I really thought him in earnest; but the consequence made it sufficiently evident that he had no such intention" (i. 272). Hutchin-

son, who was present on one of these occasions, thought him sincere.—Hutchinson, 315.

<sup>2</sup> Whitelock, 438, 450, 457. Journals, Jan. 8, Feb. 25, March 30, April 15, May 2, 7, 30, June 4, 12, 14, 25, 26.

wick and the capital should be laid waste, that the cattle and provisions should be removed or destroyed, and that the inhabitants should abandon their homes under the penalties of infamy, confiscation, and death. In aid of this measure, reports were industriously circulated of the cruelties exercised by Cromwell in Ireland; that, wherever he came, he gave orders to put all the males between sixteen and sixty to death, to deprive all the boys between six and sixteen of their right hands, and to bore the breasts of the females with red-hot irons. The English were surprised at the silence and desolation which reigned around them; for the only human beings whom they met on their march through this wilderness, were a few old women and children, who on their knees solicited mercy. But Cromwell conducted them by the sea-coast; the fleet daily supplied them with provisions, and their good conduct gradually dispelled the apprehensions of the natives.<sup>1</sup> They found the Scottish levies posted behind a deep intrenchment, running from Edinburgh to Leith, fortified with numerous batteries, and flanked by the cannon of the castle at one extremity, and of the harbour at the other. Cromwell employed all his art to provoke, Leslie to avoid, an engagement. It was in vain that for more than a month the former marched and countermarched; that he threatened general, and made partial attacks. Leslie remained fixed within his lines; or, if he occasionally moved, watched the motions of the enemy from the nearest mountains, or interposed a river or morass between the two armies. The

English began to be exhausted with fatigue; sickness thinned their ranks; the arrival of provisions depended on the winds and waves; and Cromwell was taught to fear, not the valour of the enemy, but the prudence of the general.<sup>2</sup>

The reader will already have served how much at this period exercises of religion were mixed with the concerns of state and the operations of war. Both parties equally believed that the result of the expedition depended on the will of the Almighty, and that it was therefore, their duty to propitiate his anger by fasting and humiliations. In the English army the officers prayed and preached: they "sanctified the camp," and exhorted the men to unity of mind and godliness of life. Among the Scots this duty was discharged by the ministers; so fervent was their piety, so merciful their zeal, that, in addition to their prayers, they occasionally compelled the young king to listen to six lectures or sermons on the same day, during which he assumed an air of gravity and displayed feelings of devotion which ill-accorded with his real position. But the English had no national crime to deplore; by punishing the late king, *they* had atoned for the evils of the civil war; the Scots on the contrary, had adopted his version, and therefore feared that they might draw down on the country the punishment due to his sins and those of his family. It happened that Charles, by the advice of the Duke of Eglinton, presumed to visit the army on the Links of Leith. He was received with shouts of enthu-

<sup>1</sup> Whitelock, 465, 466, 468. Perfect Diurnal, No. 324. See the three declarations: that of the parliament on the marching of the army; of the army itself, addressed "to all that are saints and partakers of the faith of God's elect in Scot-

land;" and, the third, from Cromwell, dated at Berwick, in the Parliamentary History, xix. 276, 298, 310; King's Letters, p. 473.

<sup>2</sup> Balfour, iv. 87, 88, 90. Whitelock, 468.

asm by the soldiers, who, on their knees, pledged the health of their young sovereign; but the committee of the kirk complained that his presence led to ebriety and profaneness, and he received a request, equivalent to a command, to quit the camp. The next day a declaration was made, that the company of malignants, engagers, and enemies to the covenant, could not fail of multiplying the judgments of God upon the land; an inquiry was instituted into the characters of numerous individuals; and mighty officers, with many of their men, were cashiered, that they might not contaminate by their presence the army of the saints.<sup>1</sup> Still it was for Charles Stuart, the chief of the malignants, that they were to fight, and therefore from him, to appease the anger of the Almighty, an expiatory declaration was required in the name of the parliament and the kirk.

In this instrument he was called upon to lament, in the language of penitence and self-abasement, his father's opposition to the work of God and to the solemn league and covenant, which had caused the blood of the Lord's people to be shed, and the idolatry of his mother, the toleration of which in the king's house could not fail to be a high provocation against him who is a jealous God, visiting the sins of the fathers upon the children; to declare that he had subscribed the covenant with sincerity of heart, and would have no friends nor enemies but those who were friends or enemies to it; to acknowledge the sinfulness of the treaty with the bloody rebels in Ireland, which he was made to pronounce null and void; to detest popery and prelacy, idolatry and heresy, schism and profaneness; and

to promise that he would accord to a free parliament in England the propositions of the two kingdoms, and reform the church of England according to the plan devised by the assembly of divines at Westminster.<sup>2</sup>

When first this declaration, so humbling to his pride, so offensive to his feelings, was presented to Charles for his signature, he returned an indignant refusal; a little reflection induced him to solicit the advice of the council, and the opinion of the principal ministers. But the godly refused to wait; the two committees of the kirk and kingdom protested that they disowned the quarrel and interest of every malignant party, disclaimed the guilt of the king and his house, and would never prosecute his interest without his acknowledgment of the sins of his family and of his former ways, and his promise of giving satisfaction to God's people in both kingdoms. This protestation was printed and furtively sent to the English camp; the officers of the army presented to the committee of estates a remonstrance and supplication expressive of their adhesion; and the ministers maintained from their pulpits that the king was the root of malignancy, and a hypocrite, who had taken the covenant without an intention of keeping it. Charles, yielding to his own fears and the advice of his friends, at the end of three days subscribed, with tears, the obnoxious instrument. If it were folly in the Scots to propose to the young prince a declaration so repugnant to his feelings and opinions, it was greater folly still to believe that professions of repentance extorted with so much violence could be sincere or satisfactory; yet his subscription was received with expressions of joy and gratitude; both the army and

<sup>1</sup> Balfour, iv. 86, 89.

<sup>2</sup> Balfour, iv. 92. Whitelock, 469. "A

declaration by the king's majesty to his subjects of the kingdoms of Scotland, England, and Ireland." Printed 1650.

the city observed a solemn fast for the sins of the two kings, the father and the son; and the ministers, now that the anger of Heaven had been appeased, assured their hearers of an easy victory over a "blaspheming general and a sectarian army."<sup>1</sup>

If their predictions were not verified, the fault was undoubtedly their own. The caution and vigilance of Leslie had triumphed over the skill and activity of "the blasphemer." Cromwell saw no alternative but victory or retreat: of the first he had no doubt, if he could come in contact with the enemy; the second was a perilous attempt, when the passes before him were pre-occupied, and a more numerous force was hanging on his rear. At Musselburgh, having sent the sick on board the fleet (they suffered both from the "disease of the country," and from fevers caused by exposure on the Pentland hills), he ordered the army to march the next morning to Haddington, and thence to Dunbar; and the same night a meteor, which the imagination of the beholders likened to a sword of fire, was seen to pass over Edinburgh in a south-easterly direction, an evident presage, in the opinion of the Scots, that the flames of war would be transferred to the remotest extremity of England.<sup>2</sup> At Dunbar, Cromwell posted his men in the vicinity of Broxmouth House; Leslie with the Scots moving along the heights of Lammermuir, occupied a position on the Doon Hill, about two miles to the south of the invaders; and the

advanced posts of the armies were separated only by a ravine of the depth and breadth of about thirty feet. Cromwell was not ignorant of the danger of his situation; he had even thought of putting the infantry on board the fleet, and of attempting to escape with the cavalry by the one outlet, the high road to Berwick; but the next moment he condemned that thought as "a weakness of the flesh," a distrust in the power of the Almighty;" and ordered the army "to seek the Lord, who would assuredly find a way of deliverance for his faithful servants." On the other side the committees of the kirk and estates exulted in the prospect of executing the vengeance of God upon "the sectaries;" and afraid that the enemy should escape, compelled their general to depart from his usual caution, and to make preparation for battle. Cromwell, with his officers, had spent part of the day in calling upon the Lord while he prayed, the enthusiast for an enlargement of the heart, a buoyancy of spirit, which he took for an infallible presage of victory; and beholding through his glass the motion in the Scottish camp, he exclaimed, "They are coming down the Lord hath delivered them into our hands."<sup>3</sup> During the night, Cromwell advanced the army to the edge of the ravine; and at an early hour in the morning the Scots attempted to seize the pass on the road from Dunbar to Berwick. After a sharp contest, the Scottish lancers, aided by their artillery, charged down the hill, drove the

<sup>1</sup> Balfour, iv. 91, 92, 95. The English parliament in their answer exclaim: "What a blessed and hopeful change is wrought in a moment in this young king! How hearty is he become to the cause of God and the work of reformation. How readily doth he swallow down these bitter pills, which are prepared for and urged upon him, as necessary to effect that desperate cure under which his affairs lie! But who sees not the gross hypocrisy of this whole transaction, and the sandy and rotten foundation

of all the resolutions flowing hereupon — See Parliamentary History, xix. 359—3

<sup>2</sup> Balfour, iv. 94.

<sup>3</sup> Sagredo, the Venetian ambassador, in his relation to the senate, says that Cromwell pretended to have been assured of victory by a supernatural voice. *Prima venne alla battaglia, diede cuore ai soldati con assicurargli la vittoria predettagli Dio, con una voce, che lo aveva a me notte riscosso dal sonno.* MS. copy in possession.



brigade of English cavalry from its position, and broke through the infantry, which had advanced to the support of the horse. At that moment the sun made its appearance above the horizon; and Cromwell, turning to his own regiment of foot, exclaimed, "Let the Lord arise, and scatter his enemies." They instantly moved forward with their pikes leveled; the horse rallied; and the enemy's ranks hesitated, broke, and fled. At that moment the mist dispersed, and the first spectacle which struck the eyes of the Scots, was the route of their cavalry. A sudden panic instantly spread from the right to the left of their line; at the approach of the English they threw down their arms and ran. Cromwell's regiment halted to sing the 117th Psalm; but the pursuit was continued for more than eight miles; the dead bodies of three thousand Scots strewed their native soil; and ten thousand prisoners, with the artillery, ammunition, and baggage, became the reward of the conquerors.<sup>1</sup>

Cromwell now thought no more of his retreat. He marched back to the capital; the hope of resistance was abandoned; Edinburgh and Leith opened their gates, and the whole country to the Forth submitted to the will of the English general. Still the presumption of the six ministers who formed the committee of the kirk was not humbled. Though their predictions had been falsified, they were still the depositaries of the secrets of the Deity; and, in a "Short Declaration and Warning," they announced to their countrymen the thirteen causes of this national calamity, the reasons why "God had

veiled for a time his face from the sons of Jacob." It was by the general profaneness of the land, by the manifest provocations of the king and the king's house, by the crooked and precipitant ways of statesmen in the treaty of Breda, by the toleration of malignants in the king's household, by suffering his guard to join in the battle without a previous purgation, by the diffidence of some officers who refused to profit by advantages furnished to them by God, by the presumption of others who promised victory to themselves without eyeing of God, by the rapacity and oppression exercised by the soldiery, and by the carnal self-seeking of men in power, that God had been provoked to visit his people with so direful and yet so merited a chastisement.<sup>2</sup>

To the young king the defeat at Dunbar was a subject of real and ill-dissembled joy. Hitherto he had been a mere puppet in the hands of Argyle and his party; now their power was broken, and it was not impossible for him to gain the ascendancy. He entered into a negotiation with Murray, Huntly, Athol, and the numerous royalists in the Highlands; but the secret, without the particulars, was betrayed to Argyle, probably by Buckingham, who disapproved of the project; and all the cavaliers but three received an order to leave the court in twenty-four hours—the kingdom in twenty days. The vigilance of the guards prevented the execution of the plan which had been laid; but one afternoon, under pretence of hawking, Charles escaped from Perth, and riding forty-two miles, passed the night in a miserable hovel, called Clova, in the braes of

<sup>1</sup> Carte's Letters, i. 381. Whitelock, 470, 471. Ludlow, i. 283. Balfour, iv. 97. Several proceedings, No. 50. Parl. Hist. xix. 343—352, 478. Cromwelliana, 89. Of the prisoners, five thousand one hundred, something more than one-half, being wounded, were dismissed to their homes, the other

half were driven "like turkies" into England. Of these, one thousand six hundred died of a pestilential disease, and five hundred were actually sick on Oct. 31.—Whitelock, 471. Old Parl. Hist. xix. 417.

<sup>2</sup> Balfour, iv. 98—107.

Angus. At break of day he was overtaken by Colonel Montgomery, who advised him to return, while the Viscount Dudhope urged him to proceed to the mountains, where he would be joined by seven thousand armed men. Charles wavered: but Montgomery directed his attention to two regiments of horse that waited at a distance to intercept his progress, and the royal fugitive consented to return to his former residence in Perth.<sup>1</sup>

The Start (so this adventure was called) proved, however, a warning to the committee of estates. They prudently admitted the apology of the king, who attributed his flight to information that he was that day to have been delivered to Cromwell; they allowed him, for the first time, to preside at their deliberations; and they employed his authority to pacify the royalists in the Highlands, who had taken arms in his name under Huntly, Athol, Seaforth, and Middleton. These, after a long negotiation, accepted an act of indemnity, and disbanded their forces.<sup>2</sup>

In the mean while Cromwell in his quarters at Edinburgh laboured to unite the character of the saint with that of the conqueror; and, surrounded as he was with the splendour of victory, to surprise the world by a display of modesty and self-abasement. To his friends and flatterers, who fed his vanity by warning him to be on his guard against its suggestions, he replied, that he "had been a dry bone," and was "still an unpro-

fitable servant," a mere instrument in the hands of Almighty power; God had risen in his wrath, if he bare his arm and avenged his cause to him, and to him alone, belonged the glory.<sup>3</sup> Assuming the office of missionary, he exhorted his officers in daily sermons to love one another, to repent from dead works, and to pray and mourn for the blindness of their Scottish adversaries; and, pretending to avail himself of his present leisure, he provoked a theological controversy with the ministers in the castle of Edinburgh, reproaching them with pride in arrogating to themselves the right of expounding the true sense of the solemn league and covenant, and vindicating the claim of laymen to preach the gospel and exhibit their spiritual gifts for the edification of their brethren; and maintaining that after the solemn fasts observed by both nations, after their many and earnest appeals to the God of armies, the victory gained at Dunbar must be admitted an evident manifestation of the divine will in favour of the English commonwealth. Finding that he made no proselytes of his opponents, he published his arguments for the instruction of the Scottish people; but his zeal did not escape suspicion, and the more discerning believed that under the cover of a religious controversy, he was in reality tampering with the fidelity of the governor.<sup>4</sup>

In a short time his attention was withdrawn to a more important controversy, which ultimately spread the flames of religious discord throughout

<sup>1</sup> Balfour, iv. 109, 113, 114. Baillie, ii. 356. Whitelock, 476. *Miscellanea Aulica*, 152. It seems probable from some letters published in the correspondence of Mr. Secretary Nicholas, that Charles had planned his escape from the "villany and hypocrisy" of the party, as early as the day of the battle of Dunbar.—Evelyn's Mem. vi. 181—186, octavo.

<sup>2</sup> Balfour, iv. 118, 123, 129—135, 160. Baillie, ii. 356. A minister, James Guthrie, in defiance of the committee of estates, ex-

communicated Middleton; and such was the power of the kirk, that even when the king's party was superior, Middleton was compelled to do penance in sackcloth in the church of Dundee, before he could obtain absolution, preparatory to his taking a command in the army.—Baillie, 357. Balfour 240.

<sup>3</sup> See a number of letters in *Milton's State Papers*, 18—35.

<sup>4</sup> Thurloe i. 158—163.

the nation. There had all along existed a number of Scots who approved of the execution of the late king, and condemned even the nominal authority given to his son. Of these men, formidable by their talents, still more formidable by their fanaticism, the leaders were Wariston, the clerk register in the parliament, and Gillespie and Guthrie, two ministers in the kirk. In parliament the party, though too weak to control, was sufficiently strong to embarrass, and occasionally to influence, the proceedings; in the kirk it formed indeed the minority, but a minority too bold and too numerous to be rashly irritated or incautiously despised.<sup>1</sup> After the defeat at Dunbar, permission was cheerfully granted by the committee of estates for a levy of troops in the associated counties of Renfrew, Ayr, Galloway, Wigton, and Dumfries, that part of Scotland where fanaticism had long fermented, and the most rigid notions prevailed. The crusade was preached by Gillespie; his efforts were successfully seconded by the other ministers, and in a short time four regiments of horse, amounting almost to five thousand men, were raised under Strachan, Kerr, and two other colonels. The real design now began to unfold itself. First, the officers refused to serve under Leslie; and the parliament consented to exempt them from his authority. Next, they hinted doubts of the lawfulness of the war in which they were engaged; and Cromwell, in whose army Strachan had fought at Preston, immediately opened correspondence with him.<sup>2</sup> Then came the accident of "the Start," which embittered and emboldened the zeal of the fanatics; and in a long remonstrance, subscribed by ministers and elders, by officers and

soldiers, and presented in their name to Charles and the committee of estates, they pronounced the treaty with the king unlawful and sinful, disowned his interest in the quarrel with the enemy, and charged the leading men in the nation with the guilt of the war, which they had provoked by their intention of invading England. The intemperate tone and disloyal tendency of this paper, whilst it provoked irritation and alarm at Perth, induced Cromwell to advance with his army from Edinburgh to Glasgow and Hamilton. But the western forces (so they were called) withdrew to Dumfries, where a meeting was held with Wariston, and a new draught of the remonstrance, in language still more energetic and vituperative, was adopted. On the return of Cromwell to the capital, his negotiation with the officers was resumed, while Argyle and his friends laboured on the opposite side to mollify the obstinacy of the fanatics. But reasoning was found useless; the parliament condemned the remonstrance as a scandalous and seditious libel; and, since Strachan had resigned his commission, ordered Montgomery with three new regiments to take the command of the whole force. Kerr, however, before his arrival, had led the western levy to attack Lambert in his quarters at Hamilton; he was taken prisoner, designedly if we may believe report, and his whole army was dispersed. Soon afterwards Strachan, with sixty troopers, passed over to Lambert, and the associated counties, left without defence, submitted to the enemy. Still the framers and advocates of the remonstrance, though they knew that it had been condemned by the state and the kirk, though they had no longer an army to draw the sword in its support,

<sup>1</sup> Baillie, ii. 353.

<sup>2</sup> Baillie, ii. 350 — 352. Strachan was willing to give assurance not to molest Eng-

land in the king's quarrel. Cromwell insisted that Charles should be banished by act of parliament, or imprisoned for life.—Ib. 352.

adhered pertinaciously to its principles; the unity of the Scottish church was rent in twain, and the separation was afterwards widened by a resolution of the assembly, that in such a crisis all Scotsmen might be employed in the service of the country.<sup>1</sup> Even their common misfortunes failed to reconcile these exasperated spirits; and after the subjugation of their country, and under the yoke of civil servitude, the two parties still continued to persecute each other with all the obstinacy and bitterness of religious warfare. The royalists obtained the name of Public Resolutioners; their opponents, of Protestors or Remonstrants.<sup>2</sup>

Though it cost the young prince many an internal struggle, yet experience had taught him that he must soothe the religious prejudices of the kirk, if he hoped ever to acquire the preponderance in the state. On the first day of the new year, he rode in procession to the church of Scone, where his ancestors had been accustomed to receive the Scottish crown: there on his knees, with his arm upraised, he swore by the Eternal and Almighty God to observe the two covenants; to establish the presbyterial government in Scotland and in his family; to give his assent to acts for establishing it in his other dominions; to rule according to the law of God and the lovable laws of the land; to abolish and withstand all false religions; and to root out all heretics and enemies of the true worship of God, convicted by the true church of God. Argyle then placed the crown upon his head, and seated him on the throne, and both nobility and people swore allegiance to him "according to

the national covenant, and the solemn league and covenant." At the commencement, during the ceremony and after the conclusion, Douglas, the minister, addressed the king, reminding him that he was king by compact with his people; that his authority was limited by the law of God, the laws of the people, and the association of the estates with him in the government; that, though every breach did not dissolve the compact yet every abuse of power to the subversion of religion, law, or liberty justified opposition in the people that it was for him, by his observance of the covenant, to silence those who doubted his sincerity; that the evil which had afflicted his family arose out of the apostasy of his father and grandfather; and that, if he imitated them, he would find that the controversy between him and God was not ended, but would be productive of additional calamities. The reader may imagine what were the feelings of Charles while he listened to the admonitions of the preacher, and when he swore to perform conditions which his soul abhorred, and which he knew that on the first opportunity he should break or elude.<sup>3</sup> But he passed with credit through the ceremony; the coronation exalted him in the eyes of the people; and each day brought to him fresh accessions of influence and authority. The kirk delivered Strachan as a traitor and apostate to the devil and the parliament forefaulted his associates, of whom several hastened to make their peace by a solemn recantation. Deprived of their support the Campbells gradually yielded to the superior influence of the Hamiltons. Vexation, indeed, urged them

<sup>1</sup> With the exception of persons "excommunicated, forfeited, notoriously profane, or flagitious, and professed enemies and opposers of the covenant and cause of God."—Wodrow, *Introd.* iii.

<sup>2</sup> Baillie, ii. 348, 354—364. Balfour, iv. 136, 141—160, 173—178, 187, 189. White-

lock, 475, 476, 477, 484. Sydney Papers, ii. 679. Burnet's *Hamiltons*, 425.

<sup>3</sup> See "The Forme and Order of the Coronation of Charles II., as it was acted and done at Scone, the first day of January, 1651." Aberdene, 1651.

to reproach the king with incon-  
tancy and ingratitude; but Charles,  
while he employed every art to lull  
the jealousy of Argyle, steadily pur-  
sued his purpose; his friends, by sub-  
mitting to the humbling ceremony of  
public penance, satisfied the severity  
of the kirk; and by the repeal of the  
act of classes, they were released from  
all previous forfeitures and disqua-  
fications. In April the king, with  
Leslie and Middleton as his lieute-  
nants, took the command of the army,  
which had been raised by new levies  
of twenty thousand men, and having  
fortified the passages of the Forth,  
waited on the left bank the motions  
of the enemy.<sup>1</sup>

In the mean while Cromwell had  
obtained possession of the castle of  
Edinburgh, through the perfidy or  
the timidity of the governor. Tan-  
nallon had been taken by storm, and  
Dunbarton had been attempted, but  
its defences were too strong to be  
carried by force, and its garrison too  
honest to be corrupted with money.<sup>2</sup>  
In February the lord general was  
afflicted with an ague, so ruinous to  
his health, and so obstinate in its  
duration, that in May he obtained  
permission to return to England, with  
the power of disposing according to  
his judgment of the chief command.<sup>3</sup>  
A rapid and unexpected improvement  
induced him to remain; and in July  
he marched with his army towards

Stirling. The Scots faced him in  
their intrenched camp at Torwood;  
he turned aside to Glasgow; they  
took a position at Kilsyth; he  
marched back to Falkirk; and they  
resumed their position at Torwood.  
While by these movements the Eng-  
lish general occupied the attention  
of his opponents, a fleet of boats had  
been silently prepared and brought  
to the Queensferry; a body of men  
crossed the frith, and fortified a hill  
near Inverkeithing; and Lambert  
immediately followed with a more  
numerous division. The Scots de-  
spatched Holburn with orders to drive  
the enemy into the sea; he was himself  
charged by Lambert with a superior  
force, and the flight of his men gave  
to the English possession of the fertile  
and populous county of Fife. Crom-  
well hastened to transport his army  
to the left bank of the river, and  
advance on the rear of the Scots.  
They retired: Perth, the seat of  
government, was besieged; and in a  
few days the colours of the common-  
wealth floated on its walls.<sup>4</sup>

In the Scottish leaders the progress  
of the English excited the most fear-  
ful anticipations; to Charles it sug-  
gested the execution of what had long  
been his favourite object. The country  
to the south was clear of the enemy;  
and a proclamation to the army an-  
nounced his resolve of marching into  
England, accompanied by such of his

<sup>1</sup> Carte, Letters, ii. 26, 27. Balfour, iv. 40, 268, 281, 301. It appears from this writer that a great number of the colonels of regiments were royalists or engagers (p. 210, 213). The six brigades of horse seem to have been divided equally between the Covenanters and royalists. The seventh was not given to any general, but would be commanded by Hamilton, as the eldest colonel.—Ibid. 299—301. It is therefore plain that with the king for commander-in-chief, the royalists had the complete ascendancy.

<sup>2</sup> Balfour, iv. 229, 249, 296. Baillie, ii. 68.

<sup>3</sup> The council had sent two physicians to attend him. His answer to Bradshaw of March 24th runs in his usual style. "Indeed,

my lord, your service needs not me. I am a poor creature, and have been a dry bone, and am still an unprofitable servant to my master and to you."—New Parl. Hist. iii. 1363.

<sup>4</sup> Balfour, 313. Journals, May 27. Leicester's Journal, 109. Whitelock, 490, 494, 497, 498, 499. Heath, 392, 393. According to Balfour, the loss on each side was "almost alyke," about eight hundred men killed; according to Lambert, the Scots lost two thousand killed, and fourteen hundred taken prisoners; the English had only eight men slain; "so easy did the Lord grant them that mercy."—Whitelock, 501. I observe that in all the despatches of the commanders for the commonwealth their loss is miraculously trifling.

Scottish subjects as were willing to share the fortunes and the perils of their sovereign. The boldness of the attempt dazzled the judgment of some; and the confidence of the young king dispelled the apprehensions of others. Their knowledge that, in case of failure, he must expect to meet with the same fate as his father, justified a persuasion that he possessed secret assurances of a powerful co-operation from the royalists and the Presbyterians of England. Argyle (nor was it surprising after the decline of his influence at court) solicited and obtained permission to retire to his own home; a few other chieftains followed his example; the rest expressed their readiness to stake their lives on the issue of the attempt, and the next morning eleven, some say fourteen, thousand men began their march from Stirling, in the direction of Carlisle.<sup>1</sup>

Cromwell was surprised and embarrassed. The Scots had gained three days' march in advance, and his army was unprepared to follow them at a moment's notice. He wrote to the parliament to rely on his industry and despatch; he sent Lambert from Fifeshire with three thousand cavalry to hang on the rear, and ordered Harrison with an equal number from Newcastle, to press on the flank of the enemy; and on the seventh day led his army of ten thousand men by the eastern coast, in the direction of York. The reduction of Scotland, a more easy task after the departure of the royal forces, was left to the activity of Monk, who had five thousand infantry and cavalry under his command.<sup>2</sup>

So rapid was the advance of Charles, that he traversed the lowlands of Scotland, and the northern counties in

England, without meeting a single foe. Lambert had joined Harrison near Warrington; their united force amounted to nine thousand men; and their object was to prevent the passage of the Mersey. But they arrived too late to break down the bridge, and, after a few charges, formed in battle array on Knutsford Heath. The king, leaving them on the left, pushed forward till he reached Worcester, where he was solemnly proclaimed by the mayor, amidst the loud acclamations of the gentlemen of the county, who, under a suspicion of their loyalty, had been confined in that city by order of the council.<sup>3</sup>

At the first news of the royal march the leaders at Westminster abandoned themselves to despair. They believed that Cromwell had come to a private understanding with the king; that the Scots would meet with no opposition in their progress; and that the Cavaliers would rise simultaneously in every part of the kingdom.<sup>4</sup> From these terrors they were relieved by the arrival of despatches from the general, and by the indecision of the royalists, who, unprepared for the event, had hitherto made no movement; and with the revival of their hopes the council assumed a tone of defiance, which was supported by measures the most active and energetic. The declaration of Charles containing a general pardon to all his subjects, with the exception of Cromwell, Bradshaw, and Cook, was burnt in London by the hands of the hangman; and a counter proclamation was published, pronouncing Charles Stuart, his aiders and abettors guilty of high treason. All correspondence with him was forbidden under the penalty of death; it was ordered that all persons known o

<sup>1</sup> Leicester's Journal, 110. Whitelock, 501. Clarendon, iii. 397.

<sup>2</sup> Leicester's Journal, iii. 117. Balfour, iv. 314.

<sup>3</sup> Leicester's Journal, 113, 114. Whitelock, 502, 503. Clarendon, iii. 402.

<sup>4</sup> Hutchinson, 326.

suspected of attachment to his cause could be placed in custody, or confined to their own houses; and the militia of several counties, "tried and boldy people," were called forth, and marched towards the expected scene of action.<sup>1</sup> But Charles had to contend, not only with the activity of his enemies, but with the fanaticism of his followers. The Presbyterians of Lancashire had promised to rise, and Massey, a distinguished officer of great persuasion, was sent before to organize the levy; but the committee of the kirk forbade him to employ any man who had not taken the covenant; and, though Charles annulled their order, the English ministers insisted that it should be obeyed. Massey remained after the army had passed, and was joined by the earl of Derby, with sixty horse and two hundred and sixty foot, from the Isle of Man. A conference was held at Wigan; but reasoning and treaty were employed in vain; the ministers insisted that all the Catholics who had been enrolled should be dismissed; and that the salvation of the kingdom should be intrusted to the elect of God, who had taken the covenant. In the mean while Cromwell had despatched Colonel Lilburne, with his regiment of horse, into the county, and ordered reinforcements to join him from Yorkshire and Cheshire. Derby, with the concurrence of the royalists in Manchester, undertook to surprise Lilburne in his quarters near that town, but was himself surprised by Lilburne, who marched on the same day to observe the earl's motions. They met unexpectedly in the lane leading from Chorley to Wigan. The heads of the opposite columns repeatedly charged

each other; but the desperate courage of the Cavaliers was foiled by the steadiness and discipline of their opponents; the Lord Widdrington, Sir Thomas Tildesly, Colonel Throckmorton, Boynton, Trollop, and about sixty of their followers were slain, and above three hundred privates made prisoners. The earl himself, who had received several slight wounds on the arms and shoulders, fled to Wigan, with the enemy at his heels. Observing a house open, he flung himself from his horse, and sprung into the passage. A female barred the door behind him; the pursuers were checked for an instant; and when they began to search the house, he had already escaped through the garden. Weak with fatigue and the loss of blood, he wandered in a southerly direction, concealing himself by day, and travelling by night, till he found a secure asylum in a retired mansion, called Boscobel House, situate between Brewood and Tong Castle, and the property of Mrs. Cotton, a Catholic recusant and royalist. There he was received and secreted by William Penderell and his wife, the servants intrusted with the care of the mansion; and having recovered his strength, was conducted by the former to the royal army at Worcester.<sup>2</sup>

The occurrences of each day added to the disappointment of Charles and the confidence of his enemies. He had summoned by proclamation all his male subjects between the age of sixteen and sixty to join his standard at the general muster of his forces, on the 26th of August, in the Pitchcroft, the meadows between the city and the river. A few of the neighbouring gentlemen with their tenants, not

<sup>1</sup> Journals, Aug. 12.

<sup>2</sup> Whitelock, 503, 504. Clarendon, iii. 99, 403. Memoirs of the Stanleys, 112—

114. Journals, Aug. 29. Leicester's Journal, 116. Boscobel, 6—8. Boscobel afterwards belonged to Bas. Fitzherbert, Mrs. Cotton's son-in-law.

two hundred in number, obeyed the call;<sup>1</sup> and it was found that the whole amount of his force did not exceed twelve (or according to Cromwell, sixteen)<sup>2</sup> thousand men, of whom one-sixth part only was composed of Englishmen. But while a few straggling royalists thus stole into his quarters, as if it were to display by their paucity the hopelessness of his cause, the daily arrival of hostile reinforcements swelled the army in the neighbourhood to more than thirty thousand men. At length Cromwell arrived, and was received with enthusiasm. The royalists had broken down an arch of the bridge over the Severn at Upton; but a few soldiers passed on a beam in the night; the breach was repaired, and Lambert crossed with ten thousand men to the right bank. A succession of partial but obstinate actions alternately raised and depressed the hopes of the two parties; the grand attempt was reserved by the lord general for his auspicious day, the 3rd of September, on which twelve months before he had defeated the Scots at Dunbar. On that morning Fleetwood, who had advanced from Upton to Powick, was ordered to force the passage of the Team, while Cromwell, to preserve the communication, should throw a bridge of boats across the Severn at Bunshill, near the confluence of the two rivers. About one in the afternoon, while Charles with his staff observed from the tower of the cathedral the positions of the enemy, his attention was drawn by a discharge of musketry near Powick. He descended immediately, rode to the scene of action, and ordered Montgomery with a brigade of horse

and foot to defend the line of the Team and oppose the formation of the bridge. After a long and sanguinary struggle, Fleetwood effected a passage just at the moment when Cromwell, having completed the movement of four regiments to his assistance, The Scots, though urged by superior numbers, maintained the most obstinate resistance; they disputed every field and hedge, repeatedly charged with the pike to check the advance of the enemy, and, animated by the shouts of the combatants on the opposite bank, sought to protract the contest with the vain hope that, by occupying the forces of Fleetwood they might insure the victory to their friends, who were engaged with Cromwell.

That commander, as soon as he had secured the communication across the river, ordered a battery of heavy guns to play upon Fort Royal, a work lately raised to cover the Sidbury gate of the city, and led his troops in two divisions to Perrywood and Red-hill. To Charles this seemed a favourable opportunity of defeating one half of the hostile force, while the other half was separated from by the Severn. Leading out the whole of his disposable infantry, with the duke of Hamilton's troop of horse, and the English volunteers, he marched to attack the enemy in their position and fought at the head of the Highlanders with a spirit worthy of a prince who staked his life for the acquisition of a crown. Fortune favoured his first efforts. The military regiments shrunk from the shock and the guns of the enemy became the prize of the assailants. But Cromwell had placed some veteran

<sup>1</sup> They were Lord Talbot, son to the earl of Shrewsbury, "with about sixty horse; Mr. Mervin Touchet, Sir John Paekington, Sir Walter Blount, Sir Ralph Clare, Mr. Ralph Sheldon, of Beoly, Mr. John Washburn, of Wichinford, with forty horse; Mr.

Thomas Hornyhold, of Blackmore-park, with forty horse; Mr. Thomas Acton, Mr. Robert Blount, of Kenswick, Mr. Robert Wigmore, of Lucton, Mr. F. Knotsford, Mr. Peter Blount, and divers others." Boscobel, 10. <sup>2</sup> Cary's Memorials, ii. 31



ons in reserve. They restored the  
le; and the royalists, in their turn,  
an to retreat. Still they remained  
roken, availing themselves of every  
antage of the ground to check the  
ny, and anxiously expecting the  
of their cavalry, which, under the  
mand of Leslie, had remained in  
city. From what cause it hap-  
ed is unknown; but that officer  
not appear on the field till the  
le was lost, and the infantry,  
ble to resist the superior pressure  
he enemy, was fleeing in confusion  
he gate under the shelter of the  
. The fugitives rallied in Friar-  
et, and Charles, riding among  
n, endeavoured by his words and  
ures to re-animate their courage.  
ead of a reply, they hung down  
ar heads, or threw away their  
as. "Then shoot me dead," ex-  
med the distressed prince, "rather  
a let me live to see the sad con-  
quences of this day." But his despair  
as unavailing as had been his en-  
ties; and his friends admonished  
to provide for his safety, for the  
ny had already penetrated within  
walls.

Ve left Fleetwood on the right  
k pushing the Scots slowly before  
a. At length they resigned the  
e of resistance; their flight opened  
him the way to St. John's, and its  
id commander yielded at the first  
mons. On the other bank, Crom-  
l stormed the Fort Royal, put its  
enders, fifteen hundred men, to  
sword, and turned the guns upon  
city. Within the walls irremedia-

ble confusion prevailed, and the enemy  
began to pour in by the quay, the  
castle hill, and the Sidbury gate.  
Charles had not a moment to spare.  
Placing himself in the midst of the  
Scottish cavalry, he took the northern  
road by the gate of St. Martin's,  
while a few devoted spirits, with such  
troopers as dared to follow them,  
charged down Sidbury-street in the  
contrary direction.<sup>1</sup> They accom-  
plished their purpose. The royal  
party cleared the walls, while *they*  
arrested the advance, and distracted  
the attention of the enemy. It was  
past the hour of sunset; and before  
dark all resistance ceased. Colonel  
Drummond surrendered the castle hill  
on conditions; the infantry in the  
street were killed or led prisoners to  
the cathedral; and the city was aban-  
doned during the obscurity of the  
night to the licentious passions of the  
victors.<sup>2</sup>

In this disastrous battle the slain  
on the part of the royalists amounted  
to three thousand men, the taken to  
a still greater number. The cavalry  
escaped in separate bodies; but so  
depressed was their courage, so be-  
wilderred were their counsels, that  
they successively surrendered to  
smaller parties of their pursuers.  
Many officers of distinction attempted,  
single and disguised, to steal their  
way through the country; but of  
these the Scots were universally be-  
trayed, by their accent, whilst the  
English, for the most part, effected  
their escape.<sup>3</sup> The duke of Hamilton  
had been mortally wounded on the

These were the earl of Cleveland, Sir  
James Hamilton, Colonel Careless, and  
Captains Hornychold, Giffard, and Kemble.  
Boscobel, 20.

See Blount, Boscobel, 14—22; White-  
head, 507, 508; Bates, part ii. 221; Parl.  
Hist. t. xx. 40, 44—55; Ludlow, i. 314. Nothing  
can be more incorrect than Clarendon's  
account of this battle, iii. 409. Even Crom-  
well owns that "it was as stiff a contest  
for four or five hours as ever he had seen."  
Clarendon's Memorials, ii. 356.

<sup>3</sup> Thus the duke of Buckingham was con-  
ducted by one Mathews, a carpenter, to  
Bilbrop, and thence to Brooksby, the seat  
of Lady Villiers, in Leicestershire; Lord  
Talbot reached his father's house at Long-  
ford in time to conceal himself in a close  
place in one of the outhouses. His pur-  
suers found his horse yet saddled, and  
searched for him during four or five days in  
vain. May was hidden twenty-one days in  
a hay-mow belonging to Bold, a husband-  
man, at Chessardine, during all which time

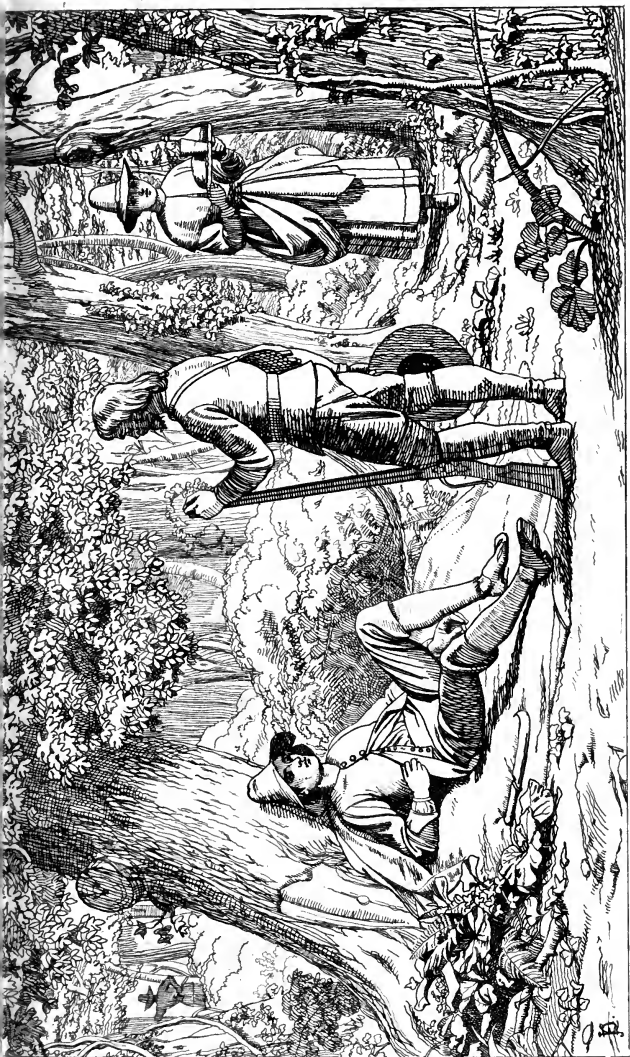
field of battle; the earls of Derby, Rothes, Cleveland, Kelly, and Lauderdale; the lords Sinclair, Kenmure, and Grandison; and the generals Leslie, Massey, Middleton, and Montgomery, were made prisoners, at different times and in separate places. But the most interesting inquiry regarded the fortune of the young king. Though the parliament offered a reward of one thousand pounds for his person, and denounced the penalties of treason against those who should afford him shelter; though parties of horse and foot scoured the adjacent counties in search of so valuable a prize; though the magistrates received orders to arrest every unknown person, and to keep a strict watch on the sea-ports in their neighbourhood, yet no trace of his flight, no clue to his retreat, could be discovered. Week after week passed away; of almost every other individual of note the fate was ascertained; that of Charles Stuart remained an impenetrable mystery. At last, when a belief prevailed, both among his friends and foes, that he had met with death from the peasantry, ignorant of his person and quality, the intelligence arrived, that on the 17th of October, forty-four days after the battle, he had landed in safety at Fecamp, on the coast of Normandy.

The narrative of his adventures during this period of suspense and distress exhibits striking instances of hair-breadth escapes on the part of the king, and of unshaken fidelity on that of his adherents. During the night after the battle he found himself in the midst of the Scottish

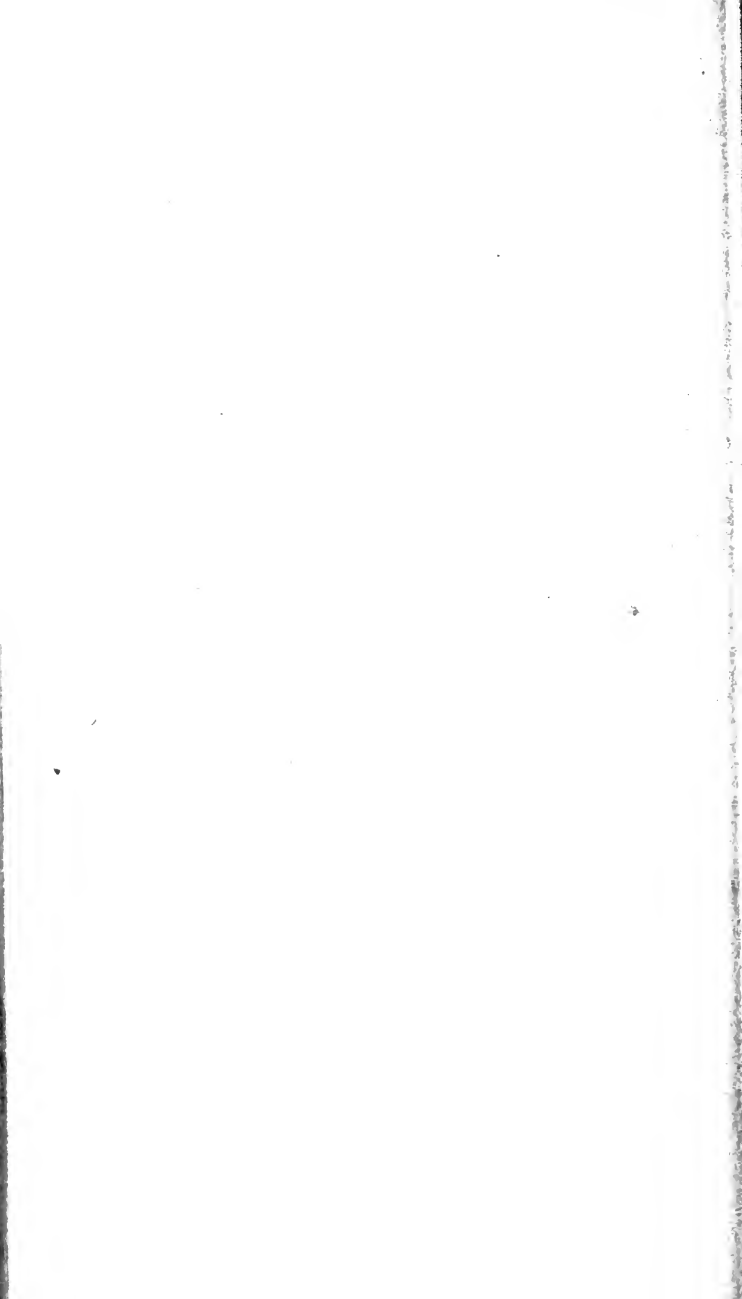
cavalry, a body of men too numerous to elude pursuit, and too dispirited to repel an enemy. Under cover of darkness, he separated from them with about sixty horse; the earl of Derby recommended to him, from his own experience, the house of Boscobel as a secure retreat; a Charles Giffard undertook, with the aid of his servant Yates, to conduct him to Whiteladies, another house belonging to Mrs. Cotton, and not so distant from Boscobel. At an early hour in the morning, after a ride of five-and-twenty miles, they reached Whiteladies; and while the others enjoyed a short repose from their fatigue, the king withdrew to his inner apartment, to prepare himself for the character which he had been advised to assume. His hair was cut close to the head, his hands and face were discoloured, his clothes were exchanged for the coarse and threadbare garments of a labourer, and a heavy wood-bill in his hand announced his pretended employment. At sunrise the few admitted to the secret took their leave of him with tears, and, summoning their companions horseback, rode away, they scarce knew whither, but with the cheerful hope that they should draw the attention of the enemy from the retreat of the king to the pursuit of themselves. In less than an hour a troop of horse from Cotsal, under the command of Colonel Ashenhurst, arrived at Whiteladies; but the king was already gone; a fruitless search only provoked their impatience, and they hastily followed the track of the other fugitives.

a party of soldiers was quartered in the house.—Boscobel, 35—37. Of the prisoners, eight suffered death, by judgment of a court-martial sitting at Chester. One of these was the gallant earl of Derby, who pleaded that quarter had been granted to him by Captain Edge, and quarter ought to be respected by a court-martial. It was answered that quarter could be granted to enemies only, not to traitors. He offered

to surrender his Isle of Man in exchange for his life, and petitioned for "his grace the lord general's, and the parliament's mercy." But his petition was not delivered by Lenthall before it was too late. It was read in the house on the eve of his execution, which took place at Bolton, in Leicestershire, Oct. 15, 1651.—State Trials, v. 2, Heath, 302. Leicester's Journal, 1651, Journals, Oct. 14.



ESCAPE OF CHARLES II. AFTER THE BATTLE OF WORCESTER.



Charles was now in the hands, and rely at the mercy, of four brothers (John, the fifth, had taken charge of the Lord Wilmot), labourmen, of the name of Penderell, of Yates, his former guide, who married a sister of the Penderells. He could not conceal from himself that their poverty might make them more accessible to temptation; but Derby and Giffard had injured him to dismiss such thoughts; they were men of tried fidelity, who, born in the domain, and bred in the principles of a loyal and pious family, had long been successfully employed in screening priests and Cavaliers from the searches of the civil magistrates and military officers.<sup>1</sup> One of them, surnamed the trusty hard, he was led into the thickest part of the adjoining wood, while the others posted themselves at convenient stations, to descry and announce the approach of the enemy. The day was wet and stormy; and Richard, attentive to the accommodation of his charge, who appeared sinking under fatigue, caused by his efforts in the flight and the anxiety of his flight, laid a blanket for him under one of the largest trees, and ordered the wife of Yates to bring him the best refreshment which her house could afford. Charles was alarmed at the sight of this unexpected visitant. Recovering himself, he said, "Good woman, will you be faithful to a distressed cavalier?"—"Yes, sir," she replied,

"and I will die sooner than betray you." He was afterwards visited by Jane, the mother of the Penderells. The old woman kissed his hands, fell on her knees, and blessed God that he had chosen *her* sons to preserve, as she was confident they would, the life of their sovereign.

It had been agreed between the king and Wilmot, that each should make the best of his way to London, and inquire for the other by the name of Ashburnham, at the Three Cranes in the Vintry. By conversation with his guardian, Charles was induced to adopt a different plan, and to seek an asylum among the Cavaliers in Wales, till a ship could be procured for his transportation to France. About nine in the evening they left the wood together for the house of Mr. Wolf, a Catholic recusant at Madeley, not far from the Severn; but an accidental alarm lengthened their road, and added to the fatigue of the royal wanderer.<sup>2</sup> They reached Madeley at midnight; Wolf was roused from his bed, and the strangers obtained admission. But their host felt no small alarm for their safety. Troops were frequently quartered upon him; two companies of militia actually kept watch in the village, and the places of concealment in his house had been recently discovered. As the approach of daylight made it equally dangerous to proceed or turn back, he secreted them behind the hay in an adjoining barn, and despatched messengers to

<sup>1</sup> The Penderells, whom this event has introduced to the notice of the reader, were originally six brothers, born at Hobbal Grange, in the parish of Tong. John, George, and Thomas served in the armies of Charles I. Thomas was killed at Stowe; the other two survived the war, and were employed as woodwards at Boscobel. Of the remaining three, William took care of the house; Humphrey worked at the mill, and Richard rented part of Hobbal Grange. After the Restoration, the five brothers fled on the king at Whitehall on the 13th of June, 1660, and were graciously received, and dismissed with a princely reward. A

pension was also granted to them and their posterity. In virtue of which grant two of their descendants, Calvin Beaumont Winstanley and John Lloyd, were placed on the pension list on 6th of July, 1846, for the sum of twenty-five pounds to each.

<sup>2</sup> The mill at Evelyn was filled with fugitives from the battle: the miller, espying Charles and his guide, and afraid of a discovery, called out "rogues;" and they, supposing him an enemy, turned up a miry lane, running at their utmost speed.—Boscobel, 47. Account from the Pepys MS. p. 16.

examine the passages of the river. Their report that all the bridges were guarded; and all the boats secured, compelled the unfortunate prince to abandon his design. On the return of darkness he placed himself again under the care of his trusty guide, and with a heavy and misboding heart, retraced his steps towards his original destination, the house at Boscobel.

At Boscobel he found Colonel Careless, one of those devoted adherents who, to aid his escape from Worcester, had charged the enemy at the opposite gate. Careless had often provoked, and as often eluded, the resentment of the Roundheads; and experience had made him acquainted with every loyal man, and every place of concealment, in the country. By his persuasion Charles consented to pass the day with him amidst the branches of an old and lofty oak.<sup>1</sup> This celebrated tree, which was afterwards destroyed to satisfy the veneration of the Cavaliers, grew near to the common path in a meadow-field, which lay in the centre of the wood. It had been partially lopped a few years before, and the new shoots had thrown round it a thick and luxuriant foliage. Within this cover the king and his companion passed the day. Invisible themselves, they occasionally caught a glimpse of the redcoats (so the soldiers were called) passing among the trees, and sometimes saw them looking into the meadow. Their friends, William Penderell and his wife, whom Charles

called my dame Joan, stationed themselves near, to give warning of danger, he pretending to be employed in duty as woodward, and she in the labour of gathering sticks for fuel. But there arose no cause of immediate alarm; the darkness of the night relieved them from their anxious and irksome confinement; Charles, having on his return to the house examined the hiding-place, resolved to trust to it for his security.<sup>2</sup>

The next day, Sunday, he remained within doors or in the garden. But thoughts brooded over his forlorn desperate condition; and the gloom on his countenance betrayed the uneasiness of his mind. Fortunately in the afternoon he received by Penderell a welcome message from Lord Wilmot, to meet him that evening at the house of Mr. Whitgreave, a recusant at Moseley. The king's legs were so swollen and blistered from a recent walk to and from Moseley that he gladly accepted the offer of Humphrey's horse from the mill. He did not like the appearance of the monster, a disgrace that of the steed. He wore a coat and breeches of coarse cloth, both so threadbare that in some places they appeared white, and the latter "so long that they came to the garter;" his doublet was of leather, old and soiled; his shoes were heavy and slashed for the ease of his feet: his stockings of green yarn had been much worn, were darned at the knees, and without feet; and a grey steeple-crowned hat, which

<sup>1</sup> This day Humphrey Penderell, the miller, went to Skefnal to pay taxes, but in reality to learn news. He was taken before a military officer, who knew that Charles had been at Whiteladies, and tempted, with threats and promises, to discover where the king was; but nothing could be extracted from him, and he was allowed to return.—Boscobel, 55. This, I suspect, to be the true story; but Charles himself, when he mentions the proposal made to Humphrey, attributes it to a man, at whose house he

had changed his clothes.—Account from Pepys MS. p. 9.

<sup>2</sup> Careless found means to reach London and cross the sea to Holland, where he carried the first news of the king's escape to the princess of Orange. Charles gave for his coat of arms, by the name of Charles, an oak in a field, or, with a fesse, charged with three royal crowns, and his crest a crown of oak leaves, with a sword and sceptre, crossed saltierwise.—Boscobel, 85.

and or lining, with a crooked thorn  
 k, completed the royal habiliments.  
 e six brothers attended him with  
 ns; two kept in advance, two fol-  
 red behind, and one walked on each  
 e. He had not gone far before he  
 plained to Humphrey of the heavy  
 ing pace of the horse. "My liege,"  
 lied the miller, "you do not recol-  
 t that he carries the weight of three  
 gdoms on his back."

At Moseley, cheered by the com-  
 y of Wilmot, and the attention of  
 hitgreave and his chaplain, Mr.  
 ddulestone,<sup>1</sup> he recovered his spirits,  
 ight the battle of Worcester over  
 in, and declared that, if he could  
 d a few thousand men who had the  
 urage to stand by him, he would not  
 sitate to meet his enemies a second  
 e in the field. A new plan of  
 ape was now submitted to his ap-  
 obation. The daughter of Colonel  
 ne, of Bentley, had obtained from  
 e governor of Stafford a pass to visit  
 es. Norton, a relation near Bristol.  
 Charles consented to assume the char-  
 eter of her servant, and Wilmot  
 parted on the following night to  
 ke arrangements for his reception.  
 the mean time, to guard against a  
 rprise, Huddleston constantly at-  
 tended the king; Whitgreave occa-  
 sionally left the house to observe what  
 ssed in the street; and Sir John  
 reston, and two other boys, the pu-  
 ts of Huddleston, were stationed as  
 ntinels at the garret windows.<sup>2</sup> But  
 e danger of discovery increased  
 ery hour. The confession of a cor-  
 t, who had accompanied him, and  
 as afterwards made prisoner, dis-  
 igled the fact that Charles had been  
 ft at Whiteladies; and the hope of  
 ward stimulated the parliamentary

officers to new and more active exer-  
 tions. The house at Boscobel, on the  
 day after the king's departure, was  
 successively visited by two parties of  
 the enemy; the next morning a second  
 and more rigorous search was made at  
 Whiteladies; and in the afternoon the  
 arrival of a troop of horse alarmed the  
 inhabitants of Moseley. As Charles,  
 Whitgreave, and Huddleston, were  
 standing near a window, they observed  
 a neighbour run hastily into the house,  
 and in an instant heard the shout of  
 "Soldiers, soldiers!" from the foot of  
 the staircase. The king was imme-  
 diately shut up in the secret place;  
 all the other doors were thrown open,  
 and Whitgreave descending, met the  
 troopers in front of his house. They  
 seized him as a fugitive cavalier from  
 Worcester; but he convinced them  
 by the testimony of his neighbours,  
 that for several weeks he had not  
 quitted Moseley, and with much diffi-  
 culty prevailed on them to depart  
 without searching the house.

That night Charles proceeded to  
 Bentley. It took but little time to  
 transform the woodcutter into a do-  
 mestic servant, and to exchange his  
 dress of green jump for a more decent  
 suit of grey cloth. He departed on  
 horseback with his supposed mistress  
 behind him, accompanied by her  
 cousin, Mr. Lassells; and, after a  
 journey of three days, reached Ab-  
 botsleigh, Mr. Norton's house, with-  
 out interruption or danger. Wilmot  
 stopped at Sir John Winter's, a place  
 in the neighbourhood. On the road  
 he had occasionally joined the royal  
 party, as if it were by accident; more  
 generally he preceded or followed them  
 at a short distance. He rode with a  
 hawk on his fist, and dogs by his side :

<sup>1</sup> Mr. Whitgreave had served as lieutenant,  
 ddulestone as gentleman volunteer in the  
 mies of Charles I. The latter was of  
 e family at Hutton John, in Cumberland.  
 eaving the service, he took orders, and  
 as at this time a secular priest, living with  
 r. Whitgreave. He afterwards became a

Benedictine monk, and was appointed one  
 of the queen's chaplains.

<sup>2</sup> Though ignorant of the quality of the  
 stranger, the boys amused the king by  
 calling themselves his life-guard.—Boscobel,  
 78.

and the boldness of his manner as effectually screened him from discovery as the most skilful disguise.

The king, on his arrival, was indulged with a separate chamber, under pretence of indisposition; but the next morning he found himself in the company of two persons, of whom one had been a private in his regiment of guards at Worcester, the other a servant in the palace at Richmond, when Charles lived there several years before. The first did not recognize him, though he pretended to give a description of his person; the other, the moment the king uncovered, recollected the features of the prince, and communicated his suspicions to Lassells. Charles, with great judgment sent for him, discovered himself to him as an old acquaintance, and required his assistance. The man (he was butler to the family) felt himself honoured by the royal confidence, and endeavoured to repay it by his services. He removed to a distance from the king two individuals in the house of known republican principles; he inquired, though without success, for a ship at Bristol to carry him to France or Spain; and he introduced Lord Wilmot to his chamber at the hour of midnight. There they sat in council, and resolved that the king should remove the next day to the house of Colonel Windham, a Cavalier whom he knew, at Trent, near Sherburn; that a messenger should be despatched to prepare the family for his arrival; and that to account for the sudden departure of Miss Lane, a counterfeit letter should be delivered to her, stating that her father was lying at the point of death. The plan succeeded; she was suffered to depart, and in two days the prince reached his destination. The following morning Miss Lane took her leave, and hastened back with Lassells to Bentley.<sup>1</sup>

<sup>1</sup> This lady received a reward of one thousand pounds for her services, by order

In his retirement at Trent, Charles began to indulge the hope of a speedy liberation from danger. A ship was hired at Lyme to convey a nobleman and his servant (Wilmot and the king) to the coast of France; the hour and the place of embarkation were fixed; and a widow, who kept a small inn at Charmouth, consented to furnish a temporary asylum to a gentleman in disguise, and a young female who had just escaped from the custody of a harsh and unfeeling guardian. The next evening Charles appeared in a servant's dress, with Juliana Conings riding behind him, and accompanied by Wilmot and Windham. The hostess received the supposed lovers with a hearty welcome; but their patience was soon put to the severest trial; the night passed away, no boat entered the creek, no ship could be descried in the offing; and the disappointment gave birth to a thousand jealous and apprehensions. At dawn of the whole party separated; Wilmot, with a servant, going to Lyme to enquire after the master of the vessel; Charles, with his companions, proceeding to Bridport to wait the return of Wilmot. In Bridport he found fifteen hundred soldiers preparing to embark on an expedition against Jersey; but, unwilling to create any alarm by seeking to eschew an imagined danger, he boldly pushed forward to the inn, and led the horses through the crowd with a rudeness which provoked complaint. But a new danger awaited him at the stable. The hostess challenged him as an old acquaintance, pretending to have known him in the service of Mr. Potter, at Exeter. The fact was that, during the civil war, Charles had lodged at that gentleman's house. He turned aside to conceal his alarm; but had sufficient presence of mind to avail himself of the paragon's mistake of the hostler, and to re-

of the two houses.—C. Journals, December 19, 21.



True, I once lived a servant with Mr. Potter; but as I have no leisure now, we will renew our acquaintance on my return to London over a pot of beer."

After dinner, the royal party joined Wilmot out of the town. The master of the ship had been detained at home by the fears and remonstrances of his wife, and no promises could induce him to renew his engagement. Confounded and dispirited, Charles retraced his steps to Trent; new plans were followed by new disappointments; a second ship, provided by Colonel Philips at Southampton, was seized for the transportation of troops to Jersey; and mysterious rumours in the neighbourhood rendered unsafe the king's continuance at Colonel Windham's.<sup>1</sup> At Heale, the residence of the widow Hyde, near Salisbury, he found a more secure retreat in a hiding-place for five days, during which Colonel Gunter, through the agency of Mansel, a loyal merchant, engaged a collier, lying at New Shoreham. Charles hastened through Hambleton to Brighton, where he sat down to supper with Philips, Gunter, Mansel, and Tattershall, the master of the vessel. At table, Tattershall kept his eyes fixed on the king; after supper, he called Mansel aside and complained of fraud. The person in grey was the king; he knew him well, having been detained by him in the river, when, as prince of Wales, he commanded the royal fleet in 1648. This information was speedily communicated to Charles, who took no notice of it to Tattershall; but, to make sure of his man, contrived to keep the party drinking and smoking round the table during the rest of the night.

Before his departure, while he was standing alone in a room, the landlord entered, and, going behind him, kissed his hand, which rested on the back of

a chair, saying at the same time, "I have no doubt that, if I live, I shall be a lord, and my wife a lady." Charles laughed, to show that he understood his meaning, and joined the company in the other apartment. At four in the morning they all proceeded to Shoreham; on the beach his other attendants took their leave, Wilmot accompanied him into the bark. There Tattershall, falling on his knee, solemnly assured him, that whatever might be the consequence, he would put him safely on the coast of France. The ship floated with the tide, and stood with easy sail towards the Isle of Wight, as if she were on her way to Deal, to which port she was bound. But at five in the afternoon, Charles, as he had previously concerted with Tattershall, addressed the crew. He told them that he and his companion were merchants in distress, flying from their creditors; desired them to join him in requesting the master to run for the French coast; and, as a further argument, gave them twenty shillings to drink. Tattershall made many objections; but, at last, with apparent reluctance, took the helm, and steered across the Channel. At daybreak they saw before them the small town of Fecamp, at the distance of two miles; but the tide ebbing, they cast anchor, and soon afterwards descried to leeward a suspicious sail, which, by her manner of working, the king feared, and the master believed, to be a privateer from Ostend. She afterwards proved to be a French hoy; but Charles waited not to ascertain the fact; the boat was instantly lowered, and the two adventurers were rowed safely into the harbour.<sup>2</sup>

The king's deliverance was a subject of joy to the nations of Europe, among whom the horror excited by the death of the father had given popularity to

<sup>1</sup> A reward of one thousand pounds was afterwards given to Windham.—C. Journals, Dec. 17, 1660.

<sup>2</sup> For the history of the king's escape,

see Blount's *Boscobel*, with *Clastrum Regale reseratum*; the *Whitgreave manuscript*, printed in the *Retrospective Review*, xiv. 26. Father *Huddleston's* relation; the

the exertions of the son. In his expedition into England they had followed him with wishes for his success; after his defeat at Worcester they were agitated with apprehensions for his safety. He had now eluded the hunters of his life; he appeared before them with fresh claims on their sympathy, from the spirit which he had displayed in the field, and the address with which he had extricated himself from danger. His adventures were listened to with interest; and his conduct was made the theme of general praise. That he should be the heir to the British crowns, was the mere accident of birth; that he was worthy to wear them, he owed to the resources and energies of his own mind. In a few months, however, the delusion vanished. Charles had borne the blossoms of promise; they were blasted under the withering influence of pleasure and dissipation.

But from the fugitive prince we must now turn back to the victorious general, who proceeded from the field of battle in triumph to London. The parliament seemed at a loss to express its gratitude to the man to whose splendid services the commonwealth owed its preservation. At Ailesbury Cromwell was met by a deputation of the two commissioners of the great seal, the lord chief justice, and Sir Gilbert Pickering; to each of whom, in token of his satisfaction, he made a present of a horse, and of two Scotsmen selected from his prisoners. At

Acton he was received by the speaker and the lord president, attended by members of parliament and of the council, and by the lord mayor with the aldermen and sheriffs; and heard from the recorder, in an address of congratulation, that he was destined "to bind kings in chains, and the nobles in fetters of iron." He entered the capital in the state carriage, was greeted with the acclamations of the people as the procession passed through the city, and repaired to the palace of Hampton Court, where apartments had been fitted up for him and his family at the public expense. In parliament it was proposed that the 3rd of September should be kept a holiday for ever in memory of his victory; a day was appointed for a general thanksgiving; and in addition to a former grant of lands to the amount of two thousand five hundred pounds per annum on other lands of the value of four thousand pounds were settled on him in proof of the national gratitude. Cromwell received these honours with an air of profound humility. He was aware of the necessity of covering the workings of ambition within his breast with the veil of exterior self-abasement; and therefore professed to take no merit to himself, and to see nothing in what he had done, but the hand of the Almighty fighting in behalf of his faithful servants.<sup>1</sup>

True Narrative and Relation in the Harleian Miscellany, iv. 441, an account of his majesty's escape from Worcester, dictated to Mr. Pepys by the king himself, and the narrative given by Bates in the second part of his Elenchus. In addition to these, we have a narrative by Clarendon, who professes to have derived his information from Charles and the other actors in the transaction, and asserts that "it is exactly true; that there is nothing in it, the verity whereof can justly be suspected" (Car. Hist. iii. 427, 428); yet, whoever will compare it with the other accounts will see that much of great interest has been omitted, and much so disguised as to bear little resemblance to the truth. It must be that the

historian, writing in banishment, and at a great distance of time, trusted to his imagination to supply the defect of his memoir.—See Appendix, TTT. See also Gunter's narrative in Cary, ii. 430.

<sup>1</sup> Whitelock, 509. Ludlow, i. 372. Heath 301. Journals, Sept. 6, 9, 11, 19. "Next day, 13th, the common prisoners were brought through Westminster to Tuft fields—a sadder spectacle was never seen except the miserable place of their defeat and there sold to several merchants, a sent to the Barbadoes."—Heath, 301. Fifteen hundred were granted as slaves to the Guinea merchants, and transported to the Gold Coast, in Africa.—Parl. Hist. iii. 137.

## CHAPTER V.

VIGILANCE OF THE GOVERNMENT—II. SUBJUGATION OF IRELAND—III. OF SCOTLAND—IV. NEGOTIATION WITH PORTUGAL—V. WITH SPAIN—VI. WITH THE UNITED PROVINCES—NAVAL WAR—AMBITION OF CROMWELL—EXPULSION OF PARLIAMENT—CHARACTER OF ITS LEADING MEMBERS—SOME OF ITS ENACTMENTS.

IN the preceding chapter we have followed the fortunes of Charles Stuart, from his landing in Scotland to his defeat at Worcester and his escape to the continent; we may now look back and direct our attention to some of the more important events which occurred during the same period in England and Ireland.

1. The reader is aware that the form of government established in England was an oligarchy. A few individuals, under the cover of a nominal parliament, ruled the kingdom with the power of the sword. Could the sense of the nation have been collected, there cannot be a doubt that the old royalists of the cavalier, and the new royalists of the Presbyterian party, would have formed a decided majority; but they were awed into silence and submission by the presence of a standing army of forty-five thousand men; and the maxim that "power gives weight" was held out as a sufficient reason why they should swear fidelity to the commonwealth.<sup>1</sup> This numerous army, the real source of their security, proved, however, a cause of constant solicitude to the leaders. The pay of the officers and men was always in arrear; the debentures which they received could be seldom exchanged

for money without the loss of fifty, sixty, or seventy per cent.; and the plea of necessity was accepted as an excuse for the illegal claim of free quarters which they frequently exercised. To supply their wants, recourse was therefore had to additional taxation, with occasional grants from the excise, and large sales of forfeited property;<sup>2</sup> and, to appease the discontent of the people, promises were repeatedly made, that a considerable portion of the armed force should be disbanded, and the practice of free quarter be abolished. But of these promises, the first proved a mere delusion; for, though some partial reductions were made, on the whole the amount of the army continued to increase; the second was fulfilled; but in return, the burthen of taxation was augmented; for the monthly assessment on the counties gradually swelled from sixty to ninety, to one hundred and twenty, and in conclusion to one hundred and sixty thousand pounds.<sup>3</sup>

Another subject of disquietude sprung out of those principles of liberty which, even after the suppression of the late mutiny, were secretly cherished, and occasionally avowed, by the soldiery. Many, indeed, confided in the patriotism, and

<sup>1</sup> See Marchmont Needham's "Case of the Commonwealth Stated." 4to. London, 1650.

<sup>2</sup> Journals, 1649, April 18, Oct. 4; 1650, March 30; 1651, Sept. 2, Dec. 17; 1652,

April 7.

<sup>3</sup> Journals, 1649, April 7, Aug. 1, Dec. 7; 1650, May 21, Nov. 26; 1651, April 15, Sept. 1, Dec. 19; 1652, Dec. 10; 1653, Nov. 24.

submitted to the judgment, of their officers; but there were also many who condemned the existing government as a desertion of the good cause in which they had originally embarked. By the latter Lilburne was revered as an apostle and a martyr; they read with avidity the publications which repeatedly issued from his cell; and they condemned as persecutors and tyrants the men who had immured him and his companions in the Tower. Preparations had been made to bring them to trial as the authors of the late mutiny; but, on more mature deliberation, the project was abandoned, and an act was passed making it treason to assert that the government was tyrannical, usurped, or unlawful. No enactments, however, could check the hostility of Lilburne; and a new pamphlet from his pen, in vindication of "The Legal Fundamental Liberties of the People," put to the test the resolution of his opponents. They shrunk from the struggle; it was judged more prudent to forgive, or more dignified to despise, his efforts; and on his petition for leave to visit his sick family, he obtained his discharge.<sup>1</sup>

But this lenity made no impression on his mind. In the course of six weeks he published two more offensive tracts, and distributed them among the soldiery. A new mutiny broke out at Oxford; its speedy suppression emboldened the council; the demagogue was reconducted to his cell in the Tower; and Keble, with forty other commissioners, was appointed to try him for his last offence on the recent statute of treasons. It may, perhaps, be deemed a weakness in Lilburne that he now offered on certain conditions to transport himself to America; but he

redeemed his character as soon as was placed at the bar. He repelled with scorn the charges of the prosecutors and the taunts of the court, electrified the audience by frequent appeals to Magna Charta and the liberties of Englishmen, and stoutly maintained the doctrine that the jury had a right to judge of the law as well as of the fact. In vain though the court pronounced this opinion "the most damnable heresy ever broached in the land," and that the government employed all its influence to win or intimidate the jury; after a trial of three days, Lilburne obtained a verdict of acquittal.<sup>2</sup>

Whether after his liberation a secret compromise took place, is uncertain. He subscribed the engagement, and, though he openly explained it in a sense conformable to his own principles, yet the parliament made to him out of the forfeited lands of the deans and chapters the grant of a valuable estate, as compensation for the cruel treatment which he had formerly suffered from the court of the Star-chamber. Their bounty, however, wrought no change in his character. He was still the indomitable denouncer of oppression wherever he found it, and before the end of the next year he drew upon himself the vengeance of the men in power, by the distribution of a pamphlet which charged Sir Arth Hazlerig and the commissioners of Haberdashers'-hall with injustice and tyranny. This by the house was voted a breach of privilege, and the offender was condemned in a fine of seven thousand pounds with banishment for life. Probably the court of Star-chamber never pronounced judgment in which the punishment was more disproportionate to the offence. But his former enemies soug

<sup>1</sup> Journals, 1649, April 11, May 12, July 18. Council Book, May 2. Whitelock, 414.

<sup>2</sup> Journals, 1649, Sept. 11, Oct. 30. Whitelock, 424, 425. State Trials, ii. 151.

<sup>3</sup> Whitelock, 436. Journ. 1650, July 16,

not justice on the culprit, but security to themselves. They seized the opportunity of freeing the government from the presence of a man whom they had so long feared; and, as he refused to kneel at the bar while judgment was pronounced, they embodied the vote in an act of parliament. To save his life Lilburne submitted; but his residence on the continent was short: the reader will soon meet with him again in England.<sup>1</sup>

The Levellers had boldly avowed their object; the royalists worked in the dark and by stealth; yet the council by its vigilance and promptitude proved a match for the open hostility of the one and the secret machinations of the other. A doubt may, indeed, be raised of the policy of the "engagement," a promise of fidelity to the commonwealth without king or house of lords. As long as it was confined to those who held office under the government, it remained a mere question of choice; but when it was exacted from all Englishmen above seventeen years of age, under the penalty of incapacity to maintain an action in any court of law, it became to numbers a matter of necessity, and served rather to irritate than to produce security.<sup>2</sup> A more efficient measure was the permanent establishment of a high court of justice to inquire into offences against the state, to which was added the organization of a system of espionage by Captain Bishop, under the direction of Scot, a member of the council. The friends of monarchy, encouraged by the clamour of the Levellers and the professions of the Scots, had begun to hold meetings, sometimes under the pretence of religious worship, some-

times under that of country amusements: in a short time they divided the kingdom into districts called associations, in each of which it was supposed that a certain number of armed men might be raised; and blank commissions with the royal signature were obtained, to be used in appointing colonels, captains, and lieutenants, for the command of these forces. Then followed an active correspondence both with Charles soon after his arrival in Scotland, and with the earl of Newcastle, the Lord Hopton, and a council of exiles, first at Utrecht, and afterwards at the Hague. By the plan ultimately adopted, it was proposed that Charles himself or Massey, leaving a sufficient force to occupy the English army in Scotland, should, with a strong corps of cavalry, cross the borders between the kingdoms; that at the same time the royalists in the several associations should rise in arms, and that the exiles in Holland, with five thousand English and German adventurers, should land in Kent, surprise Dover, and hasten to join their Presbyterian associates, in the capital.<sup>3</sup> But, to arrange, and insure the co-operation of all the parties concerned required the employment of numerous agents, of whom, if several were actuated by principle, many were of doubtful faith and desperate fortunes. Some of these betrayed their trust; some undertook to serve both parties, and deceived each; and it is a curious fact that, while the letters of the agents for the royalists often passed through the hands of Bishop himself, his secret papers belonging to the council of state were copied and forwarded to the king.<sup>4</sup> This consequence however followed, that the

<sup>1</sup> Journals, 1651, Dec. 23; 1652, Jan. 15, 20, 30. Whitelock, 520. State Trials, v. 407—415. <sup>2</sup> Leicester's Journal, 97—101.

<sup>3</sup> Milton's State Papers, 35, 37, 39, 47, 49, 50. Baillie, ii. 348. Carte's Letters, i. 414.

<sup>4</sup> State Trials, v. 4. Milton's State Papers,

39, 47, 50, 57. One of these agents employed by both parties was a Mrs. Walters, alias Hamlin, on whose services Bishop placed great reliance. She was to introduce herself to Cromwell by pronouncing the word "prosperity."—Ibid.

plans of the royalists were always discovered, and by that means defeated by the precautions of the council. While the king was on his way to Scotland, a number of blank commissions had been seized in the possession of Dr. Lewen, a civilian, who suffered the penalty of death. Soon afterwards Sir John Gell, Colonel Eusebius Andrews, and Captain Benson, were arraigned on the charge of conspiring the destruction of the government established by law. They opposed three objections to the jurisdiction of the court: it was contrary to Magna Charta, which gave to every freeman the right of being tried by his peers; contrary to the petition of right, by which courts-martial (and the present court was most certainly a court-martial) had been forbidden; and contrary to the many declarations of parliament, that the laws, the rights of the people, and the courts of justice, should be maintained. But the court repelled the objections; Andrews and Benson suffered death, and Gell, who had not been an accomplice, but only cognizant of the plot, was condemned to perpetual imprisonment, with the forfeiture of his property.<sup>1</sup>

These executions did not repress the eagerness of the royalists, nor relax the vigilance of the council. In the beginning of December the friends of Charles took up arms in Norfolk, but the rising was premature; a body of Roundheads dispersed the insurgents; and twenty of the latter atoned for their temerity with their lives. Still the failure of one plot did not prevent the formation of another;

<sup>1</sup> Whitelock, 464, 468, 473, 474. Heath, 269, 270. See mention of several discoveries in Carte's Letters, i. 443, 464, 472.

<sup>2</sup> "It is plaine unto mee that they doe not judge us a lawfull magistracy, nor esteeme anything treason that is acted by them to destroy us, in order to bring the king of Scots as heed of the covenant."—Vane to Cromwell, of "Love and his Brethren." Milton's State Papers, 84.

as long as Charles Stuart was in Scotland, the ancient friends of his family secretly prepared for his reception in England; and many of the Presbyterians, through enmity to the principles of the Independents, devoted themselves to the interests of the prince.<sup>2</sup> This party the council resolved to attack in their chief bulwark, the city; and Love, one of the most celebrated of the ministers, was apprehended with several of his associates. At his trial, he sought to save his life by an evasive protestation which he uttered with the most imposing solemnity in the presence of the Almighty. But it was clearly proved against him that the meeting had been held in his house, the money collected for the royalists had been placed on his table, and the letters received, and the answers to be returned had been read in his hearing. After judgment, both he and his friend presented petitions in his favour respite after respite was obtained and the parliament, as if it had feared to decide without instructions, referred the case to Cromwell in Scotland. That general was instantly assailed with letters from both the friends and the foes of Love; he was silent; a longer time was granted by the house; but he returned no answer; and the unfortunate minister lost his head on Tower-hill with the constancy and serenity of a martyr. Of his associates, only one Gibbons, a citizen, shared his fate.<sup>3</sup>

2. To Charles it had been whispered by his secret advisers that the war between the parliament and the Scots would, by withdrawing the attentio

<sup>3</sup> Milton's State Papers, 50, 54, 66, 75, 77. Whitelock, 492, 493, 495, 500. State Trial v. 43—294. Heath, 288, 290. Leicester Journal, 107, 115, 123. A report, probably unfounded, was spread that Cromwell granted him his life, but the despatch was waylaid, and detained, or destroyed by the Cavaliers, who bore in remembrance Love's former hostility to the royal cause.—Kenne 185.

of the council from Ireland, allow the royal party to resume the ascendancy in that kingdom. But this hope quickly vanished. The resources of the commonwealth were seen to multiply with its wants; and its army in Ireland was daily augmented by recruits in the island, and by reinforcements from England. Ireton, to whom Cromwell, with the title of lord deputy, had left the chief command, pursued with little interruption the career of his victorious predecessor. Sir Charles Coote met the men of Ulster at Letterkenny; after a long and sanguinary action they were defeated; and the next day their leader, MacMahon, the warrior bishop of Clogher, was made prisoner by a fresh corps of troops from Inniskilling.<sup>1</sup> Lady Fitzgerald, a name as illustrious in the military annals of Ireland as that of Lady Derby in those of England, defended the fortress of Trecoghan, but neither the efforts of Sir Robert Talbot within, nor the gallant attempt of Lord Castlehaven without, could prevent its surrender.<sup>2</sup> Waterford, Carlow, and Charlemont accepted honourable conditions, and the garrison of Duncannon, reduced to a handful of men by the ravages of the plague, opened its gates to the enemy.<sup>3</sup> Ormond, instead of facing the conquerors in the field, had been engaged in a long and irritating controversy with those of the Catholic leaders who distrusted his integrity, and with the townsmen of Limerick and Galway, who refused to admit his troops within their walls. Misfortune had put an end to his authority; his enemies remarked that, whether he were a real friend or a secret foe, the cause of the confede-

rates had never prospered under his guidance; and the bishops conjured him, now that the very existence of the nation was at stake, to adopt measures which might heal the public dissensions and unite all true Irishmen in the common defence. Since the loss of Munster by the defection of Inchiquin's forces, they had entertained an incurable distrust of their English allies; and to appease their jealousy, he dismissed the few Englishmen who yet remained in the service. Finding them rise in their demands, he called a general assembly at Loughrea, announced his intention, or pretended intention, of quitting the kingdom; and then, at the general request, and after some demur, consented to remain. Hitherto the Irish had cherished the expectation that the young monarch would, as he had repeatedly promised, come to Ireland, and take the reins of government into his hands; they now, to their disappointment, learned that he had accepted the invitation of the Scots, their sworn and inveterate enemies. In a short time, the conditions to which he had subscribed began to transpire; that he had engaged to annul the late pacification between Ormond and the Catholics, and had bound himself by oath, not only not to permit the exercise of the Catholic worship, but to root out the Catholic religion wherever it existed in any of his dominions. A general gloom and despondency prevailed; ten bishops and ten clergymen assembled at James-town, and their first resolve was to depute two of their number to the lord lieutenant, to request that he would put in execution his former design of quitting

<sup>1</sup> Though he had quarter given and life promised, Coote ordered him to be hanged. Yet it was by MacMahon's persuasion that O'Neil in the preceding year had saved Coote by raising the siege of Londonderry. —Clarendon, *Short View*, &c., in vol. viii. 145—149. But Coote conducted the war

like a savage. See several instances at the end of Lynch's *Cambrensis Eversus*.

<sup>2</sup> See Castlehaven's *Memoirs*, 120—124; and Carte's *Ormond*, ii. 116.

<sup>3</sup> Heath, 267, 270. Whitelock, 457, 459, 463, 464, 469.

the kingdom, and would leave his authority in the hands of a Catholic deputy possessing the confidence of the nation. Without, however, waiting for his answer, they proceeded to frame a declaration, in which they charged Ormond with negligence, incapacity, and perfidy; protested that, though they were compelled by the great duty of self-preservation to withdraw from the government of the king's lieutenant, they had no intention to derogate from the royal authority; and pronounced that, in the existing circumstances, the Irish people were no longer bound by the articles of the pacification, but by the oath under which they had formerly associated for their common protection. To this, the next day they appended a form of excommunication equally affecting all persons who should abet either Ormond or Ireton, in opposition to the real interests of the Catholic confederacy.<sup>1</sup>

The lord lieutenant, however, found that he was supported by some of the prelates, and by most of the aristocracy. He replied to the synod at James-town, that nothing short of necessity should induce him to quit Ireland without the order of the king; and the commissioners of trust expostulated with the bishops on their imprudence and presumption. But at this moment arrived copies of the declaration which Charles had been compelled to publish at Dunfermline,

in Scotland. The whole population was in a ferment. Their suspicions they exclaimed, were now verified; their fears and predictions accomplished. The king had pronounced them a race of "bloody rebels;" he had disowned them for his subjects he had annulled the articles of pacification, and had declared to the whole world that he would exterminate their religion. In this excited temper of mind, the committee appointed by the bishops published both the declaration and the excommunication. A single night intervened; their passions had leisure to cool; they repented of their precipitancy; and, by the advice of the prelates in the town of Galway they published a third paper, suspending the effect of the other two.

Ormond's first expedient was to pronounce the Dunfermline declaration a forgery; for the king from Breda, previously to his voyage to Scotland, had solemnly assured him that he would never, for any earthly consideration, violate the pacification. A second message informed him that it was genuine, but ought to be considered of no force, as far as it concerned Ireland, because it had been issued without the advice of the Irish privy council.<sup>2</sup> This communication encouraged the lord lieutenant to assume a bolder tone. He professed himself ready to assert, that both the king and his officers on one part, and the Catholic population on the other

<sup>1</sup> Ponce, *Vindiciæ Eversæ*, 236 — 257. Clarendon, viii. 151, 154, 156. *Hibernia Dominicana*, 691. Carte, ii. 118, 120, 123.

<sup>2</sup> Carte's Letters, i. 391. Charles's counsellors at Breda had instilled into him principles which he seems afterwards to have cherished through life: "that honour and conscience were bugbears, and that the king ought to govern himself rather by the rules of prudence and necessity."—*Ibid.* Nicholas to Ormond, 435. At first Charles agreed to find some way "how he might with honour and justice break the peace with the Irish, if a free parliament in Scotland should think it fitting" afterwards "to

break it, but on condition that it should not be published till he had acquainted Ormond and his friends, secured them, and been instructed how with honour and justice he might break it in regard of the breach of their part" (p. 396, 397). Yet a little before he had resolutely declared that no consideration should induce him to violate the same peace (p. 374, 379). On his application afterwards for aid to the pope, he excused it, saying, "*fuisse vim manifestam jam enim statuerant Sæoti presbyteran personam suam parlamento Anglicano tradere, si illam declarationem ab ipsi factam non approbasset.*" *Ex originali penes me.*



re bound by the provisions of the act; but he previously required that the commissioners of trust should condemn the proceedings of the synod at James-town, and join with him in wishing such of its members as would persist in their disobedience. They made proposals to the prelates, and received for answer, that protection and obedience were correlative; and, therefore, since the king had publicly excluded them, under the designation of "bloody rebels," from protection, they could not understand how any officer acting by his authority could lay claim to their obedience.<sup>1</sup>

This answer convinced Ormond that it was time for him to leave Ireland; but, before his departure, he called a general assembly, and selected the marquess of Clanricarde, a Catholic nobleman, to command as deputy. To Clanricarde, whose health was infirm, and whose habits were domestic, nothing could be more welcome than such an appointment. Wherever he cast his eyes he was appalled by the prospect before him. He saw three-fourths of Ireland in the possession of a restless and voracious enemy; Connaught and Ulster, which alone remained to the royalists, were depopulated by famine and pestilence; and political and religious dissension divided the leaders and their followers, while one party attributed the national disasters to the temerity of the men who presumed to govern under the curse of excommunication; and the other charged their opponents with condoning disloyal and interested views under the mantle of patriotism and religion. Every prospect of successful assistance was gone; the Shannon, their present protection from the foe, would become fordable in the spring;

and then the last asylum of Irish independence must be overrun.<sup>2</sup> Under these discouraging circumstances it required all the authority of Ormond and Castlehaven to induce him to accept an office which opened no prospect of emolument or glory, but promised a plentiful harvest of contradiction, hardship, and danger.

In the assembly which was held at Loughrea, the majority of the members disapproved of the conduct of the synod, but sought rather to heal by conciliation than to perpetuate dissension. Ormond, having written a vindication of his conduct, and received an answer consoling, if not perfectly satisfactory to his feelings, sailed from Galway; but Clanricarde obstinately refused to enter on the exercise of his office, till reparation had been made to the royal authority for the insult offered to it by the James-town declaration. He required an acknowledgment, that it was not in the power of any body of men to discharge the people from their obedience to the lord deputy, as long as the royal authority was vested in him; and at length obtained a declaration to that effect, but with a protestation, that by it "the confederates did not waive their right to the faithful observance of the articles of pacification, nor bind themselves to obey every chief governor who might be unduly nominated by the king, during his unfree condition among the Scots."<sup>3</sup>

Aware of the benefit which the royalists in Scotland derived from the duration of hostilities in Ireland, the parliamentary leaders sought to put an end to the protracted and sanguinary struggle. Scarcely had Clanricarde assumed the government, when Grace and Bryan, two Catholic officers, presented themselves to the assembly

Ponce, 257—261.

See Clanricarde's *State of the Nation*, in *Memoirs*, part ii. p. 24.

<sup>3</sup> Carte, ii. 137—140. Walsh, App. 75—137. Belling in Poncium, 26.

with a message from Axtel, the governor of Kilkenny, the bearers of a proposal for a treaty of submission. By many the overture was hailed with transport. They maintained that nothing but a general negotiation could put an end to those private treaties which daily thinned their numbers, and exposed the more resolute to inevitable ruin; that the conditions held out were better than they had reason to expect *now*, infinitely better than they could expect hereafter. Let them put the sincerity of their enemies to the test. If the treaty should succeed, the nation would be saved; if it did not, the failure would unite all true Irishmen in the common cause, who, if they must fall, would not fall unrevenged. There was much force in this reasoning; and it was strengthened by the testimony of officers from several quarters, who represented that, to negotiate with the parliament was the only expedient for the preservation of the people. But Clanricarde treated the proposal with contempt. To entertain it was an insult to him, an act of treason against the king; and he was seconded by the eloquence and authority of Castlehaven, who affected to despise the power of the enemy, and attributed his success to their own divisions. Had the assembly known the motives which really actuated these noblemen; that they had been secretly instructed by Charles to continue the contest at every risk, as the best means of enabling him to make head against Cromwell; that this, probably the last opportunity of saving the lives and properties of the confederates, was to be sacrificed to the mere chance of gaining a victory for the Scots, their bitter and implacable enemies,<sup>1</sup> many of the calamities

which Ireland was yet doomed to suffer would, perhaps, have been averted. But the majority allowed themselves to be persuaded; the resolution to negotiate with the parliament was rejected, and the penalties of treason were denounced by the assembly, the sentence of excommunication by the bishops, against all who should conclude any private treaty with the enemy. Limerick and Castlehaven, the two bulwarks of the confederacy, disapproved of this vote, and obstinately refused to admit garrisons within their walls, that they might not be overawed by the military, and remain arbiters of their own fate.

The lord deputy was no sooner relieved from this difficulty, than he found himself entangled in a negotiation of unusual delicacy and complexity. About the close of the summer, Ormond had despatched Lord Taafe to Brussels, with instructions, both in his own name and in the name of the supreme council,<sup>2</sup> to solicit the aid of the duke of Lorraine, a prince of the most restless and intriguing disposition, who was accustomed to sell at a high price the services of his army to the neighbouring powers. The duke received him graciously, made him a present of five thousand pounds, and promised an additional aid of men and money, but on condition that he should be declared protector royal of Ireland with all the rights belonging to that office—rights as undefined as the office itself was hitherto unknown. Lord Taafe hesitated, but was encouraged to proceed by the queen mother, the duke of York, and De Vic, the king's resident at Brussels. They argued that, without aid to the Irish, the king must succumb in Scotland; that the duke of Lorraine was the only prince in Europe that could afford

<sup>1</sup> Castlehaven's Memoirs, 116, 119, 120.

<sup>2</sup> Compare the papers in the second part

of Clanricarde's Memoirs, 17, 18, 27 (ff. London, 1757), with Carte's Ormond, ii.

em succour; and that whatever might be his secret projects, they could never be so prejudicial to the royal interests as the subjugation of Ireland by the parliament.<sup>1</sup> Taafe, however, took a middle way, and persuaded the duke to send De Henin as an envoy to the supreme council, with powers to conclude the treaty of Ireland.

The assembly had just been dissolved when this envoy arrived. By the people, the clergy, and the nobility, he was received as an angel sent from heaven. The supply of arms and ammunition which he brought, united to his promise of more efficient succour in a short time, roused them from their despondency, and encouraged them to indulge the hope of making a stand against the pressure of the enemy. Clanricarde, left without instructions, knew not how to act. He dared not refuse the aid highly prized by the people; he dared not accede to demands so prejudicial to the king's authority. But the title of protector royal sounded gratefully in his ears, it was heard with very different feelings by the confederates, who had reason to conclude that, if the contest between Cromwell and the Scots should terminate in favour of the latter, the Irish Catholics would still have need of a protector to preserve their religion from the exterminating fanaticism of the kirk. Clanricarde was,

however, inexorable, and his resolution finally triumphed over the eagerness of his countrymen and the obstinacy of the envoy. From the latter he obtained an additional sum of fifteen thousand pounds, on the easy condition of naming agents to conduct the negotiation at Brussels, according to such instructions as they should receive from the queen dowager, the duke of York, and the duke of Ormond. The lord deputy rejoiced that he had shifted the burthen from his shoulders. De Henin was satisfied, because he knew the secret sentiments of those to whose judgment the point in question had been referred.<sup>2</sup>

Taafe, having received his instructions in Paris (but verbal, not written instructions, as Clanricarde had required), joined his colleagues, Sir Nicholas Plunket, and Geoffrey Brown, in Brussels, and, after a long but ineffectual struggle, subscribed to the demands of the duke of Lorraine.<sup>3</sup> That prince, by the treaty, engaged to furnish for the protection of Ireland, all such supplies of arms, money, ammunition, shipping, and provisions, as the necessity of the case might require; and in return the agents, in the name of the people and kingdom of Ireland, conferred on him, his heirs and successors, the title of protector royal, together with the chief civil authority and the command of the forces, but under the

<sup>1</sup> Clanricarde, 4, 5, 17, 27. Ormond was so of the same opinion. He writes to Taafe that "nothing was done that were to be wished undone;" that the supreme council were the best judges of their own condition; that they had received permission from the king, for their own preservation, "even to receive conditions from the enemy, which must be much more contrary to his interests, than to receive helps from any other to resist them, almost upon any terms."—Clanric. 33, 34. There is in the collection of letters by Carte, one from Ormond to Clanricarde written after the battle of Worcester, in which that nobleman says that it will be without scruple his

advice, that "fitting ministers be sent to the pope, and apt inducements proposed to him for his interposition, not only with all princes and states." The rest of the letter is lost, or Carte did not choose to publish it; but it is plain from the first part that he thought the only chance for the restoration of the royal authority was in the aid to be obtained from the pope and the Catholic powers.—Carte's Letters, i. 461.

<sup>2</sup> Clanricarde, 1—16.

<sup>3</sup> Id. 31, 53. It is certain from Clanricarde's papers that the treaty was not concluded till after the return of Taafe from Paris (p. 53).

obligation of restoring both, on the payment of his expenses, to Charles Stuart, the rightful sovereign.<sup>1</sup> There cannot be a doubt that each party sought to overreach the other.

Clanricarde was surprised that he heard nothing from his agents, nothing from the queen or the duke of Ormond. After a silence of several months, a copy of the treaty arrived. He read it with indignation; he asserted that the envoys had transgressed their instructions; he threatened to declare them traitors by proclamation. But Charles had now arrived in Paris after the defeat at Worcester, and was made acquainted with the whole intrigue. He praised the loyalty of the deputy, but sought to mitigate his displeasure against the three agents, exhorted him to receive them again into his confidence, and advised him to employ their services, as if the treaty had never existed. To the duke of Lorraine he despatched the earl of Norwich, to object to the articles which bore most on the royal authority, and to re-commence the negotiation.<sup>2</sup> But the unsuccessful termination of the Scottish war taught that prince to look upon the project as hopeless; while he hesitated, the court of Brussels obtained proofs that he was intriguing with the French minister; and, to the surprise of Europe, he was suddenly arrested in Brussels, and conducted a prisoner to Toledo in Spain.<sup>3</sup>

Clanricarde, hostile as he was to the pretensions of the duke of Lorraine, had availed himself of the money received from that prince to organize a new force, and oppose every obstacle in his power to the progress of the enemy. Ireton, who anticipated nothing less than the entire reduction of the island, opened the campaign with the siege of Limerick. The con-

ditions which he offered were refused by the inhabitants, and, at the request, Hugh O'Neil, with three thousand men, undertook the defence of the city, but with an understanding that the keys of the gates and government of the place should remain in the possession of the mayor. Both parties displayed a valour and obstinacy worthy of the prize which they fought. Though Lord Broghill defeated Lord Muskerry, Catholic commander in Munster, though Coote, in defiance of Clanricarde, penetrated from the northern extremity of Connaught, as far as Athenree and Portumna; though Ireton, after several fruitless attempts, deceived the vigilance of Castlehaven and established himself on the right bank of the Shannon; and though the party within the walls laboured to represent their parliamentary enemies as the advocates of universal toleration; nothing could shake the constancy of the citizens and the garrison. They harassed the besiegers by repeated sorties; they repelled every assault; and on one occasion they destroyed the whole corps, which had been landed on "the island." Even after the fatal battle of Worcester, a second summons they returned with spirited refusal. But in October a reinforcement of three thousand men from England arrived in the canal, a battery was formed of the heavy cannon landed from the shipping in the harbour; and a wide breach in the wall admonished the inhabitants to prepare for an assault. In that moment of suspense, with the dreadful example of Drogheda and Worcester before their eyes, they met at the town-hall. It was in vain that O'Neil remonstrated; that the bishops of Limerick and Emly entreated and threatened, Stretch, the mayor, ge-

<sup>1</sup> Clanricarde, 34.

<sup>2</sup> Id. 36—41, 47, 50—54 58. Also Ponce,

111—124.

<sup>3</sup> Thurloe, ii. 90, 115, 127, 136, 611.

the keys to Colonel Fanning, who seized St. John's gate, turned the cannon on the city, and admitted two hundred of the besiegers. A treaty was now concluded; and if the garrison and inhabitants preserved their lives and property, it was by abandoning twenty-two individuals to the mercy of the conqueror. Of these some made their escape: Terence O'Brien, bishop of Emly, Wallis, a Franciscan friar, Major-General Purcell, Sir Godfrey Galway, Baron, a member of the council, Stretch, the mayor of the city, with Fanning himself, and Higgin, were immolated as a atonement for the obstinate resistance of the besiegers.<sup>1</sup> By Ireton O'Neil was also doomed to die, but the officers who formed the court, in admiration of his gallantry, sought to save his life. Twice they condemned him in obedience to the commander-in-chief, who pronounced his spirited defence of Clonmel an unpardonable crime against the state; but the third time the deputy was persuaded to save them to the exercise of their own judgment; and they pronounced in favour of their brave but unfortunate captive. Ireton himself did not long survive. When he condemned the bishop of Emly to die, that prelate had exclaimed, "I appeal to the tribunal of God, and summon thee to meet me at that bar." By many these words were deemed prophetic; for in less than a month the victorious general fell a victim to the pestilential disease which ravaged the west of Ireland. His death proved a severe loss to the commonwealth, not only on account of his abi-

lities as an officer and a statesman, but because it removed the principal check to the inordinate ambition of Cromwell.<sup>2</sup>

During the next winter the confederates had leisure to reflect on their forlorn condition. Charles, indeed, a second time an exile, solicited them to persevere;<sup>3</sup> but it was difficult to persuade men to hazard their lives and fortunes without the remotest prospect of benefit to themselves or to the royal cause; and in the month of March Colonel Fitzpatrick, a celebrated chieftain in the county of Meath, laid down his arms, and obtained in return the possession of his lands. The example alarmed the confederates; and Clanricarde, in their name, proposed a general capitulation: it was refused by the stern policy of Ludlow, who assumed the command on the death of Ireton; a succession of surrenders followed; and O'Dwyer, the town of Galway, Thurlogh O'Neil, and the earl of Westmeath, accepted the terms dictated by the enemy; which were safety for their persons and personal property, the restoration of part of their landed estates, according to the qualifications to be determined by parliament, and permission to reside within the commonwealth, or to enter with a certain number of followers into the service of any foreign prince in amity with England. The benefit of these articles did not extend to persons who had taken up arms in the first year of the contest, or had belonged to the first general assembly, or had committed murder, or had taken orders in the church of Rome.

See the account of their execution in . 100, 101 of the *Descriptio Regni Hiberie per Antonium Prodinum, Romæ, 1721*, a work made up of extracts from the original work of Bruodin, *Propugnaculum Catholicæ Veritatis, Præge, 1669*. The extract referred to in this note is taken from l. iv. xv. of the original work.

<sup>1</sup> Ludlow, i. 293, 296, 298, 299, 300, 307,

310, 316—324. Heath, 304, 305. Ireton's letter, printed by Field, 1651. Carte, ii. 154. The parliament ordered Ireton's body to be interred at the public expense. It was conveyed from Ireland to Bristol, and thence to London, lay in state in Somerset House, and on February 6th was buried in Henry the Seventh's chapel.—Heath, 305.

<sup>3</sup> Clanricarde, 51.

There were, however, several who, in obedience to the instructions received from Charles, resolved to continue hostilities to the last extremity. Lord Muskerry collected five thousand men on the borders of Cork and Kerry, but was obliged to retire before his opponents: his strong fortress of Ross opened its gates; and, after some hesitation, he made his submission. In the north, Clanricarde reduced Ballyshannon and Donegal; but there his career ended; and Coote drove him into the isle of Carrick, where he was compelled to accept the usual conditions. The last chieftain of note who braved the arms of the commonwealth, was Colonel Richard Grace; he beat up the enemy's quarters; but was afterwards driven across the Shannon with the loss of eight hundred of his followers. Colonel Sanchey pursued him to his favourite retreat: his castle of Inchlough surrendered, and Grace capitulated with twelve hundred and fifty men.<sup>1</sup> There still remained a few straggling parties on the mountains and amidst the morasses, under McHugh, and Byrne, and O'Brian, and Cavanagh: these, however, were subdued in the course of the winter; the Isle of Inisbouffin received a garrison, and a new force, which appeared in Ulster, under the Lord Inniskilling, obtained, what was

chiefly sought, the usual articles of transportation. The subjugation of Ireland was completed.<sup>2</sup>

3. Here, to prevent subsequent interruption, I may be allowed to describe the state of this unhappy country, while it remained under the sway of the commonwealth.

On the death of Ireton, Lambert had been appointed lord deputy; but by means of a female intrigue he was set aside in favour of Fleetwood, who had married Ireton's widow.<sup>3</sup> Fleetwood was assigned the command of the forces without a colleague; but in the civil administration was joined with him four other commissioners, Ludlow, Corbett, Jones, and Weaver. By their instructions they were commanded and authorized to observe, as far as it was possible, the laws of England in the exercise of government and the administration of justice; to "endeavour the promulgation of the gospel, and the power of true religion and holiness to remove all disaffected or suspected persons from office; to allow no papist or delinquent to hold a place of trust, to practise as barrister or solicitor, or to keep school for the education of youth; to impose money assessments not exceeding forty thousand pounds in amount for the payment of the forces, and to impi-

<sup>1</sup> On this gallant and honourable officer, who on several subsequent occasions displayed the most devoted attachment to the house of Stuart, see a very interesting article in Mr. Sheffield Grace's "Memoirs of the family of Grace," p. 27.

<sup>2</sup> Ludlow, i. 341, 344, 347, 352, 354, 357, 359, 360. Heath, 310, 312, 324, 333, 344. Journals, April 8, 21; May 18, 25; Aug. 18.

<sup>3</sup> Journals, Jan. 30, June 15, July 9. Lambert's wife and Ireton's widow met in the park. The first, as her husband was in possession, claimed the precedence, and the latter complained of the grievance to Cromwell, her father, whose patent of lord- lieutenant was on the point of expiring. He refused to have it renewed; and, as there could be no deputy where there was no principal, Lambert's appointment of deputy was in consequence revoked. But Mrs.

Ireton was not content with this triumph over her rival. She married Fleetwood, obtained for him, through her father's interest, the chief command in place of Lambert, and returned with him to her former station in Ireland. Cromwell, however, paid for the gratification of his daughter's vanity. That he might not forfeit the friendship of Lambert, whose aid was necessary for his ulterior designs, he presented him with a considerable sum to defray charges of the preparations which he made for his intended voyage to Ireland. Ludlow, i. 355, 360. Hutchinson, 196. Lambert, however, afterwards discovered that Cromwell had secretly instigated Vane and Hazlerig to oppose his going to Ireland, in revenge, joined with them to depose Richard Cromwell for the sin of his father.—Thurloe, vii. 660.

to discharge any person, or remove him from his dwelling into any other place or country, or permit him to return to his dwelling, as they should see cause for the advantage of the Commonwealth.<sup>1</sup>

I. One of the first cares of the commissioners was to satisfy the claims of vengeance. In the year 1644 the Catholic nobility had petitioned the king that an inquiry might be made into the murders alleged to have been perpetrated on each side in Ireland, and that justice might be executed on the offenders without distinction of country or religion. To the conquerors it appeared more expedient to confine the inquiry to one party; and a high court of justice was established to try Catholics charged with having shed the blood of any Protestant out of battle since the commencement of the rebellion in 1641. Donnellan, a native, was appointed president, with commissary-general Reynolds, and Cook, who had acted as solicitor at the trial of Charles I., for his assessors. The court sat in great state at Kilkenny, and thence made its circuit through the island by Waterford, Cork, Dublin, and other places. Of the justice of its proceedings we have not the means of forming a satisfactory notion; but the cry for blood was so violent, the passions of men were so much excited, and the forms of proceeding too summary to allow the judges to weigh with cool and cautious discrimination the different cases which came before them. Lords Muskerry and Clanmalier, with Macrthy Reagh, whether they owed it to their innocence or to the influence of friends, had the good fortune to be acquitted; the mother of Colonel Fitzpatrick was burnt; Lord Mayo, Colonels Tool, Bagnal, and about two

hundred more, suffered death by the axe or by the halter. It was, however, remarkable, that the greatest deficiency of proof occurred in the province where the principal massacres were said to have been committed. Of the men of Ulster, Sir Phelim O'Neil is the only one whose conviction and execution have been recorded.<sup>2</sup>

II. Cromwell had not been long in the island before he discovered that it was impossible to accomplish the original design of extirpating the Catholic population; and he therefore adopted the expedient of allowing their leaders to expatriate themselves with a portion of their countrymen, by entering into the service of foreign powers. This plan was followed by his successors in the war, and was perfected by an act of parliament, banishing all the Catholic officers. Each chieftain, when he surrendered, stipulated for a certain number of men; every facility was furnished him to complete his levy; and the exiles hastened to risk their lives in the service of the Catholic powers who hired them; many in that of Spain, others of France, others of Austria, and some of the republic of Venice. Thus the obnoxious population was reduced by the number of thirty, perhaps forty thousand able-bodied men; but it soon became a question how to dispose of their wives and families, of the wives and families of those who had perished by the ravages of disease and the casualties of war, and of the multitudes who, chased from their homes and employments, were reduced to a state of utter destitution. These at different times, to the amount of several thousands, were collected in bodies, driven on shipboard, and conveyed to the West Indies.<sup>3</sup> Yet with all these drains on the one party, and

<sup>1</sup> Journals, Aug. 24.

<sup>2</sup> Ludlow, ii. 2, 5, 8—11. Heath, 332, 333.

<sup>3</sup> According to Petty (p. 187), six thousand boys and women were sent away.

Lynch (Cambrensis Eversus, in fine) says that they were sold for slaves. Bruodin, in his Propugnaculum (Pragæ, anno 1669), numbers the exiles at one hundred thousand.

the continual accession of English and Scottish colonists on the other, the Catholic was found to exceed the Protestant population in the proportion of eight to one.<sup>1</sup> Cromwell, when he had reached the zenith of his power, had recourse to a new expedient. He repeatedly solicited the fugitives, who, in the reign of the late king, had settled in New England, to abandon their plantations and accept of lands in Ireland. On their refusal, he made the same offer to the Vaudois, the Protestants of Piedmont, but was equally unsuccessful. They preferred their native valleys, though under the government of a Catholic sovereign, whose enmity they had provoked, to the green fields of Erin, and all the benefits which they might derive from the fostering care and religious creed of the protector.<sup>2</sup>

III. By an act, entitled an act for the settlement of Ireland, the parliament divided the royalists and Catholics into different classes, and allotted to each class an appropriate degree of punishment. Forfeiture of life and estate was pronounced against all the great proprietors of lands, banishment against those who had accepted commissions; the forfeiture of two-thirds of their estates against all who had borne arms under the confederates of

the king's lieutenant, and the forfeiture of one-third against all per whomsoever who had not been in actual service of parliament, or not displayed their constant affection to the commonwealth of England. This was the doom of sons of property; to all others, w estates, real and personal, did amount to the value of ten pound full and free pardon was graciously offered.<sup>3</sup>

Care, however, was taken that third parts, which by this act were restored to the original proprietors, were not to be allotted to them on their former estates, but "in such places as the parliament, for the more effectual settlement of the peace of the nation, should think fit to point." When the first plan of extermination had failed, another project was adopted of confining the Catholic landholders to Connaught and County beyond the river Shannon, and of dividing the remainder of the island of Leinster, Munster, and Ulster, among Protestant colonists. This, it was thought would prevent the quarrels which must otherwise arise between the planters and the ancient owners; would render rebellion more difficult and less formidable; and it would break the hereditary influence of

Ultra centum millia omnis sexus et ætatis, e quibus aliquot millia in diversas Americæ tabaccarias insulas relegata sunt (p. 692). In a letter in my possession, written in 1656, it is said: Catholicos pauperes plenis navibus mittunt in Barbados et insulas Americæ. Credo jam sexaginta millia abivisse. Expulsis enim ab initio in Hispaniam et Belgium maritis, jam uxores et proles in Americam destinantur.—After the conquest of Jamaica in 1655, the protector, that he might people it, resolved to transport a thousand Irish boys and a thousand Irish girls to the island. At first, the young women only were demanded; to which it is replied: "Although we must use force in taking them up, yet, it being so much for their own good, and likely to be of so great advantage to the public, it is not in the least doubted that you may have such number of them as you shall think fit."—Thurloe, iv. 23. In the next letter H. Cromwell

says: "I think it might be of like advantage to your affairs there, and ours here, if I should think fit to send one thousand hundred or two thousand young boys twelve or fourteen years of age to the island aforementioned. We could well spare it and they would be of use to you; and I know, but it may be a means to make more Englishmen, I mean rather Christians (p. 40). Thurloe answers: "The members of the council have voted one thousand girls, and as many youths, to be taken for that purpose" (p. 75).

<sup>1</sup> Petty, Polit. Arithmetic, 29.

<sup>2</sup> Hutchinson, Hist. of Massachusetts, Thurloe, iii. 459.

<sup>3</sup> Journals, Aug. 12, 1652. Scoble 197. Ludlow, i. 370. In the Appendix have copied this act correctly from the original in the possession of Thomas L. Esq. See Appendix UUU.



chiefs over their septs, and of the landlords over their tenants. Accordingly the little parliament, called by Cromwell and his officers, passed a second act, which assigned to all persons, claiming under the qualifications described in the former, a proportionate quantity of land on the right bank of the Shannon; set aside the counties of Limerick, Tipperary, and Waterford in Munster, of King's County, Queen's County, West Meath, and East Meath in Leinster, and of Down, Antrim, and Armagh in Ulster, to satisfy in equal shares the English adventurers who had subscribed money in the beginning of the contest, and the arrears of the army that had served in Ireland since Cromwell took the command; reserved for the future disposal of the government the forfeitures in the counties of Dublin, Cork, Kildare, and Carlow; and charged those in the remaining counties with the deficiency, if there should be any in the first ten, with the liquidation of several public debts, and with the arrears of the Irish army contracted previously to the battle of Rathmines.

To carry this act into execution, the commissioners, by successive proclamations, ordered all persons who claimed under qualifications, and in addition, all who had borne arms against the parliament, to "remove and transplant" themselves into Connaught and Clare before the first of May, 1654.<sup>1</sup> How many were prevailed upon to obey, is unknown; but that they amounted to a considerable number is plain from the fact that the lands allotted to them in lieu of their third portions extended to more than eight hundred thousand English

acres. Many, however, refused. Retiring into bogs and fastnesses, they formed bodies of armed men, and supported themselves and their followers by the depredations which they committed on the occupiers of their estates. They were called Rapparees and Tories;<sup>2</sup> and so formidable did they become to the new settlers, that in certain districts, the sum of two hundred pounds was offered for the head of the leader of the band, and that of forty pounds for the head of any one of the privates.<sup>3</sup>

To maintain this system of spoliation, and to coerce the vindictive passions of the natives, it became necessary to establish martial law, and to enforce regulations the most arbitrary and oppressive. No Catholic was permitted to reside within any garrison or market town, or to remove more than one mile from his own dwelling without a passport describing his person, age, and occupation; every meeting of four persons besides the family was pronounced an illegal and treasonable assembly; to carry arms, or to have arms at home, was made a capital offence; and any transplanted Irishman, who was found on the left bank of the Shannon, might be put to death by the first person who met him, without the order of a magistrate. Seldom has any nation been reduced to a state of bondage more galling and oppressive. Under the pretence of the violation of these laws, their feelings were outraged, and their blood was shed with impunity. They held their property, their liberty, and their lives, at the will of the petty despots around them, foreign planters, and the commanders of military posts, who were stimulated by revenge and in-

<sup>1</sup> See on this question, "The Great Subject of Transplantation in Ireland discussed," 1654. Laurence, "The Interest of England in the Irish Transplantation stated," 1654; and the answer to Laurence by Vincent Gookin, the author of the first tract.

<sup>2</sup> This celebrated party name, "Tory," is derived from "toruighim," to pursue for the sake of plunder.—O'Connor, Bib. Stowensis, ii. 460.

<sup>3</sup> Burton's Diary, ii. 210.

terest to depress and exterminate the native population.<sup>1</sup>

IV. The religion of the Irish proved an additional source of solicitude to their fanatical conquerors. By one of the articles concluded with Lord Westmeath, it was stipulated that all the inhabitants of Ireland should enjoy the benefit of an act lately passed in England "to relieve peaceable persons from the rigours of former acts in matters of religion;" and that no Irish recusant should be compelled to assist at any form of service contrary to his conscience. When the treaty was presented for ratification, this concession shocked and scandalized the piety of the saints. The first part was instantly negatived; and, if the second was carried by a small majority through the efforts of Martin and Vane, it was with a proviso that "the article should not give any the least allowance, or countenance, or toleration, to the exercise of the Catholic worship in any manner whatsoever."<sup>2</sup>

In the spirit of these votes, the civil commissioners ordered by proclamation all Catholic clergymen to quit Ireland within twenty days, under the penalties of high treason, and forbade all other persons to harbour any such clergymen under the pain of death. Additional provisions tending to the same object followed in succession. Whoever knew of the concealment of a priest, and did not reveal it to the proper authorities, was made liable to the punishment of a public whipping and the amputation of his ears; to be absent on a Sunday from the service at the parish church, subjected the offender to a fine of thirty pence; and the magistrates were authorized to take away the children of Catholics

and send them to England for education, and to tender the oath of abjuration to all persons of the age of one and twenty years, the refusal of which subjected them to imprisonment during pleasure, and to the forfeiture of two-thirds of their estates real and personal.<sup>3</sup>

During this period the Catholic clergy were exposed to a persecution far more severe than had ever been previously experienced in the island. In former times the chief governor dared not execute with severity the laws against the Catholic priesthood and the fugitives easily found security on the estates of the great landed proprietors. But now the Irish people lay prostrate at the feet of their conquerors; the military were distributed in small bodies over the country; their vigilance was sharpened by religious antipathy and the hope of reward; and the means of detection were facilitated by the prohibition of travelling without a licence from the magistrates. Of the many priests who still remained in the country several were discovered, and forfeited their lives on the gallows; those who escaped detection concealed themselves in the caverns of the mountain or in lonely hovels raised in the midst of the morasses, whence they issued during the night to carry the consolations of religion to the huts of the oppressed and suffering countrymen.

3. In Scotland the power of the commonwealth was as firmly established as in Ireland. When Cromwell hastened in pursuit of the king to Worcester, he left Monk with eight thousand men to complete the conquest of the kingdom. Monk invested Stirling; and the Highlanders

<sup>1</sup> Bruodin, 693. *Hibernia Dominicana*, 706.

<sup>2</sup> Journals, 1652, June 1.

<sup>3</sup> *Hibernia Dominicana*, 707. Bruodin, 696. Porter, *Compendium Annalium Ecclesiasticorum* (Romæ, 1691), p. 292.

<sup>4</sup> MS. letters in my possession. Bruodin,

696. A proclamation was also issued ordering all nuns to marry or leave Ireland. They were successively transported to Belgium, France, and Spain, where they were happily received in the convents of the respective orders.

who composed the garrison, alarmed by the explosion of the shells from the batteries, compelled the governor to capitulate. The maiden castle, which had never been violated by the presence of a conqueror,<sup>1</sup> submitted to the English "sectaries;" and, what was still more humbling to the pride of the nation, the royal robes, part of the regalia, and the national records, were irreverently torn from their repositories, and sent to London as the trophies of victory. Thence the English general marched forward to Dundee, where he received a proud defiance from Lumsden, the governor. During the preparations for the assault, he learned that the Scottish lords, whom Charles had intrusted with the government in his absence, were holding a meeting on the moor at Ellet, in Angus. By his order, six hundred horse, under the colonels Alured and Morgan, aided, as it was believed, by treachery, surprised them at an early hour in the morning. Three hundred prisoners were made, including the two committees of the estates and the kirk, several peers, and all the gentry of the neighbourhood; and these, with such other individuals as the general deemed hostile and dangerous to the commonwealth, followed the regalia and records of their country to the English capital. At Dundee a breach was soon made in the wall; the defenders shrunk from the charge of the assailants; and the governor and garrison were massacred. I must

leave it to the imagination of the reader to supply the sufferings of the inhabitants from the violence, the lust, and the rapacity of their victorious enemy. In Dundee, on account of its superior strength, many had deposited their most valuable effects; and all these, with sixty ships and their cargoes in the harbour, became the reward of the conquerors.<sup>2</sup>

Warned by this awful example, St. Andrews, Aberdeen, and Montrose opened their gates; the earl of Huntly and Lord Balcarras submitted: the few remaining fortresses capitulated in succession; and if Argyle, in the midst of his clan, maintained a precarious and temporary independence, it was not that he cherished the expectation of evading the yoke, but that he sought to draw from the parliament the acknowledgment of a debt which he claimed of the English government.<sup>3</sup> To destroy the prospect, by showing the hopelessness of resistance, the army was successively augmented to the amount of twenty thousand men;<sup>4</sup> citadels were marked out to be built of stone at Ayr, Leith, Perth, and Inverness; and a long chain of military stations drawn across the Highlands served to curb, if it did not tame, the fierce and indignant spirit of the natives. The parliament declared the lands and goods of the crown public property, and confiscated the estates of all who had joined the king or the duke of Hamilton in their invasions of England, unless they

<sup>1</sup> "Hæc nobis invicta tulerunt centum sex proavi, 1617," was the boasting inscription which King James had engraved on the wall. — Clarke's official account to the Speaker, in Cary, ii. 327. Echard, 697.

<sup>2</sup> Heath, 301, 302. Whitelock, 508. Journals, Aug. 27. Milton's S. Pap. 79. Balfour, iv. 314, 315. "Mouche commandit all, of quahsummeur sex, to be putt to the edge of the suord. Ther wer 800 inhabitants and souldiers killed, and about 200 women and children. The plounder and buttie they gatte in the toune, exceeded

2 millions and a halffe" (about 200,000*l.*). That, however, the whole garrison was not put to the sword appears from the mention in the Journals (Sept. 12) of a list of officers made prisoners, and from Monk's letter to Cromwell. "There was killed of the enemy about 500, and 200 or thereabouts taken prisoners. The stubbornness of the people enforced the soldiers to plunder the town." — Cary's Memorials, ii. 351.

<sup>3</sup> Balfour, iv. 315. Heath, 304, 308, 310, 313. Whitelock, 514, 534, 543.

<sup>4</sup> Journals, Dec. 2, 1652.

were engaged in trade, and worth no more than five pounds, or not engaged in trade, and worth only one hundred pounds. All authority derived from any other source than the parliament of England was abolished by proclamation; the different sheriffs, and civil officers of doubtful fidelity, were removed for others attached to the commonwealth; a yearly tax of one hundred and thirty thousand pounds was imposed in lieu of free quarters for the support of the army; and English judges, assisted by three or four natives, were appointed to go the circuits, and to supersede the courts of session.<sup>1</sup> It was with grief and shame that the Scots yielded to these innovations; though they were attended with one redeeming benefit, the prevention of that anarchy and bloodshed which must have followed, had the Cavaliers and Covenanters, with forces nearly balanced, and passions equally excited, been left to wreak their vengeance on each other. But they were soon threatened with what in their eyes was a still greater evil. The parliament resolved to incorporate the two countries into one commonwealth, without kingly government or the aristocratical influence of a house of peers. This was thought to fill up the measure of Scottish misery. There is a pride in the independence of his country, of which even the peasant is conscious; but in this case not only national but religious feelings were outraged. With the civil consequences of an union

which would degrade Scotland to the state of a province, the ministers if their ecclesiastical capacity had no concern; but they forbade the people to give consent or support to the measure, because it was contrary to the covenant, and tended "to draw with it a subordination of the kirk to the state in the things of Christ."<sup>2</sup> The parliamentary commissioners (they were eight, with Sir John and Vane at their head), secure of the power of the sword, derided the menaces of the kirk. They convened at Dalkeith the representatives of the counties and burghs, who were ordered to bring with them full power to treat and conclude respecting the incorporation of the two countries. Twenty-eight out of thirty shires, and forty-four out of fifty-eight burghs gave their consent; and the result was a second meeting at Edinburgh in which twenty-one deputies were chosen to arrange the conditions with the parliamentary commissioners at Westminster. There conferences were held, and many articles discussed; but before the plan could be amicably adjusted, the parliament itself, with all its projects, was overturned by the successful ambition of Cromwell.<sup>3</sup>

4. From the conquest of Ireland and Scotland we may now turn to the transactions between the commonwealth and foreign powers. The king of Portugal was the first who provoked its anger, and felt its vengeance. At an early period in 1644 Prince Rupert, with the fleet which

<sup>1</sup> Ludlow, 345. Heath, 313, 326. Whitelock, 528, 542. Journals, Nov. 19. Leicester's Journal, 129. The English judges were astonished at the spirit of litigation and revenge which the Scots displayed during the circuit. More than one thousand individuals were accused before them of adultery, incest, and other offences, which they had been obliged to confess in the kirk during the last twenty or thirty years. When no other proof was brought, the charge was dismissed. In like manner sixty persons were charged with witchcraft.

These were also acquitted; for, though they had confessed the offence, the confession had been drawn from them by torture. It was usual to tie up the supposed witch by the thumbs, and to whip her till she confessed; or to put the flame of a candle to the soles of the feet, between the toes, or to parts of the head, or to make the accused wear a shirt of hair steeped in vinegar, &c.—See Whitelock, 543, 544, 545, 547, 548.

<sup>2</sup> Whitelock, 521. Heath, 307.

<sup>3</sup> Journals, 1652, March 16, 24, 26, April: May 14, Sept. 15, 29, Oct. 29, Nov. 23.

had revolted from the parliament to the late king, sailed from the Texel, swept the Irish Channel, and inflicted severe injuries on the English commerce. Vane, to whose industry had been committed the care of the naval department, made every exertion to equip a formidable armament, the command of which was given to three military officers, Blake, Dean, and Popham. Rupert retired before this superior force to the harbour of Kinsale; the batteries kept his enemies at bay; and the Irish supplied him with men and provisions. At length the victories of Cromwell by land admonished him to quit his asylum; and, with the loss of three ships, he burst through the blockading squadron, sailed to the coast of Spain, and during the winter months sought shelter in the waters of the Tagus. In spring, Blake appeared with eighteen men-of-war at the mouth of the river; to his request that he might be allowed to attack the pirate at his anchorage, he received from the king of Portugal a peremptory refusal; and, in his attempt to force his way up the river he was driven back by the fire from the batteries. In obedience to his instructions, he revenged himself on the Portuguese trade, and Don John, by way of reprisal, arrested the English merchants and took possession of their effects. Alarmed, however, by the losses of his subjects, he compelled Rupert to quit the Tagus,<sup>1</sup> and dispatched an envoy, named Guimaraes, to solicit an accommodation. Every paper which passed between this

minister and the commissioners was submitted to the parliament, and by it approved, or modified, or rejected. Guimaraes subscribed to the preliminaries demanded by the council, that the English merchants arrested in Portugal should be set at liberty, that they should receive an indemnification for their losses, and that the king of Portugal should pay a sum of money towards the charges of the English fleet; but he protracted the negotiation by disputing dates and details, and was haughtily commanded to quit the territory of the commonwealth. Humbling as it was to Don John, he had no resource; the Conde de Camera was sent, with the title of ambassador extraordinary; he assented to every demand; but the progress of the treaty was interrupted by the usurpation of Cromwell, and another year elapsed before it was concluded. By its valuable privileges were granted to the English traders; four commissioners,—two English and two Portuguese, were appointed to settle all claims against the Portuguese government; and it was agreed that an English commissary should receive one-half of all the duties paid by the English merchants in the ports of Portugal, to provide a sufficient fund for the liquidation of the debt.<sup>2</sup>

5. To Charles I. (nor will it surprise us, if we recollect his treatment of the Infanta) the court of Spain had always behaved with coldness and reserve. The ambassador Cardenas continued to reside in London, even after the king's execution, and was the first foreign minister whom the

<sup>1</sup> Thurloe, i. 134, 142, 155. Heath, 254, 256, 275. Whitelock, 406, 429, 449, 463, 475. Clarendon, iii. 338. Rupert sailed into the Mediterranean, and maintained himself by piracy, capturing not only English but Spanish and Genoese ships. All who did not favour him were considered as enemies. Driven from the Mediterranean by the English, he sailed to the West Indies, where he inflicted greater losses on the Spanish than he English trade. Here his brother,

Prince Maurice, perished in a storm; and Rupert, unable to oppose his enemies with any hope of success, returned to Europe, and anchored in the harbour of Nantes, in March, 1652. He sold his two men-of-war to Cardinal Mazarin.—Heath, 337. Whitelock, 552. Clarendon, iii. 513, 520.

<sup>2</sup> Journals, 1650, Dec. 17; 1651, April 4, 11, 22, May 7, 13, 16; 1652, Sept. 30, Dec. 15; 1653, Jan. 5. Whitelock, 486. Dumont, vi. p. ii. 82.

parliament honoured with a public audience. He made it his chief object to cement the friendship between the commonwealth and his own country, fomented the hostility of the former against Portugal and the United Provinces, the ancient enemies of Spain, and procured the assent of his sovereign that an accredited minister from the parliament should be admitted by the court of Madrid. The individual selected for this office was Ascham, a man who, by his writings, had rendered himself peculiarly obnoxious to the royalists. He landed near Cadiz, proceeded under an escort for his protection to Madrid, and repaired to an inn, till a suitable residence could be procured. The next day, while he was sitting at dinner with Riba, a renegado friar, his interpreter, six Englishmen entered the house; four remained below to watch; two burst into the room, exclaiming, "Welcome, gallants, welcome;" and in a moment both the ambassador and the interpreter lay on the floor weltering in their blood. Of the assassins, one, a servant to Cottington and Hyde, the envoys from Charles, fled to the house of the Venetian ambassador, and escaped; the other five took refuge in a neighbouring chapel, whence, by the king's order, they were conducted to the common gaol. When the criminal process was ended, they all received judgment of death. The crime, it was acknowledged, could not be justified; yet the public feeling was in favour of the criminals: the people, the clergy, the foreign ambassadors, all sought to save them from punishment; and, though the right of sanctuary did not afford protection to murderers, the king was, but with difficulty, persuaded to send them back to their former asylum. Here, while they remained within its

precincts, they were safe; but the moment they left the sanctuary, their lives became forfeited to the law. The people supplied them with provisions, and offered the means of escape. They left Madrid; the police pursued; Sparkes, a native of Hampshire, was taken about three miles from the city, and the parliament unable to obtain more, appeared to be content with the blood of this single victim.<sup>1</sup>

6. These negotiations ended peaceably; those between the commonwealth and the United Provinces though commenced with friendly feelings, led to hostilities. It might have been expected that the Dutch mindful of the glorious struggle for liberty maintained by their fathers and crowned with success by the treaty of Munster, would have viewed with exultation the triumph of the English republicans. But William the Second, prince of Orange, had married a daughter of Charles I. his views and interests were espoused by the military and the people; and his adherents possessed the ascendancy in the States General and in all the provincial states, excepting those of West Friesland and Holland. As long as he lived, no atonement could be obtained for the murder of Dorislaus; no audience for Strickland, the resident ambassador, though that favour was repeatedly granted to Boswell the envoy of Charles.<sup>2</sup> However, in November the prince died of the small-pox in his twenty-fourth year and a few days later his widow was delivered of a son, William III., the same who subsequently ascended the throne of England. The infancy of his successor emboldened the democratical party; they abolished the office of stadtholder, and recovered the ascendancy in the government. On

<sup>1</sup> Compare Clarendon, iii. 369, with the Papers in Thurloe, i. 148—153, 202, and

Harleian Miscellany, iv. 280.

<sup>2</sup> Thurloe, i. 112, 113, 114, 124:

the news of this revolution, the council advised that St. John, the chief justice of the Common Pleas, and Strickland, the former envoy, should be appointed ambassadors extraordinary to the States General. St. John, with the fate of Ascham before his eyes, sought to escape this dangerous mission; he alleged the infirmity of his health and the insalubrity of the climate; but the parliament derided his timidity, and his petition was dismissed on a division by a considerable majority.<sup>1</sup>

Among the numerous projects which the English leaders cherished under the intoxication of success, was that of forming, by the incorporation of the United Provinces with the commonwealth, a great and powerful republic, capable of striking terror into all the crowned heads of Europe. But so many difficulties were foreseen, so many objections raised, that the ambassadors received instructions to confine themselves to the more sober proposal of "a strict and intimate alliance and union, which might give to each a mutual and intrinsic interest" in the prosperity of the other. They made their public entry into the Hague with a parade and retinue becoming the representatives of a powerful nation; but external splendour did not check the popular feeling, which expressed itself by groans and hisses, nor intimidate the royalists, who sought every occasion of insulting "the things called ambassadors."<sup>2</sup> The States had not forgotten the offensive delay

of the parliament to answer their embassy of intercession for the life of Charles I.; nor did they brook the superiority which it now assumed, by prescribing a certain term within which the negotiation should be concluded. Pride was met with equal pride; the ambassadors were compelled to solicit a prolongation of their powers, and the treaty began to proceed with greater rapidity. The English proposed a confederacy for the preservation of the liberties of each nation against all the enemies of either by sea and land, and a renewal of the whole treaty of 1495, with such modifications as might adapt it to existing times and circumstances. The States, having demanded in vain an explanation of the proposed confederacy, presented a counter project; but while the different articles remained under discussion, the period prefixed by the parliament expired, and the ambassadors departed. To whom the failure of the negotiation was owing became a subject of controversy. The Hollanders blamed the abrupt and supercilious carriage of St. John and his colleague; the ambassadors charged the States with having purposely created delay, that they might not commit themselves by a treaty with the commonwealth, before they had seen the issue of the contest between the king of Scotland and Oliver Cromwell.<sup>3</sup>

In a short time that contest was decided in the battle of Worcester, and the States condescended to become petitioners in their turn. Their

<sup>1</sup> Journals, 1651, Jan. 21, 23, 28.

<sup>2</sup> Thus they are perpetually called in the correspondence of the royalists.—Carte's letters, i. 447, 469; ii. 11. Strickland's servants were attacked at his door by six cavaliers with drawn swords; an attempt was made to break into St. John's bedroom; Edward, son to the queen of Bohemia, publicly called the ambassadors rogues and dogs; and the young duke of York accidentally meeting St. John, who

refused to give way to him, snatched the ambassador's hat off his head and threw it in his face, saying, "Learn, parricide, to respect the brother of your king." "I scorn," he replied, "to acknowledge either, you race of vagabonds." The duke drew his sword, but mischief was prevented by the interference of the spectators.—New Parl. Hist. iii. 1, 364.

<sup>3</sup> Thurloe, i. 179, 183, 183—195. Heath, 285—287. Carte's Letters, i. 464. Leicesters' Journal, 107. Parl. History, xx. 496.

ambassadors arrived in England with the intention of resuming the negotiation where it had been interrupted by the departure of St. John and his colleague. But circumstances were now changed; success had enlarged the pretensions of the parliament; and the British, instead of shunning, courted a trial of strength with the Belgic lion. First, the Dutch merchantmen were visited under the pretext of searching for munitions of war, which they were carrying to the enemy: and then, at the representation of certain merchants, who conceived themselves to have been injured by the Dutch navy, letters of marque were granted to several individuals, and more than eighty prizes brought into the English ports.<sup>1</sup> In addition, the navigation act had been passed and carried into execution, by which it was enacted that no goods, the produce of Africa, Asia, and America, should be imported into this country in ships which were not the property of England or its colonies; and that no produce or manufacture of any part of Europe should be imported, unless in ships the property of England or of the country of which such merchandise was the proper growth or manufacture.<sup>2</sup> Hitherto the Dutch had been the common carriers of Europe; by this act, the offspring of St. John's resentment, one great and lucrative branch of their commercial prosperity was lopped off, and the first, but fruitless demand of the ambassadors was that, if not repealed, it should at least be suspended during the negotiation.

<sup>1</sup> It seems probable that the letters of marque were granted not against the Dutch, but the French, as had been done for some time, and that the Dutch vessels were detained under pretence of their having French property on board. *Suivant les pretextes de represailles contre les François et autres.*—Dumont, vi. ii. 32.

<sup>2</sup> An exception was made in favour of commodities from the Levant seas, the East Indies, and the ports of Spain and Portugal,

The Dutch merchants had solicited permission to indemnify themselves by reprisals; but the Statute ordered a numerous fleet to be equipped, and announced to all the neighbouring powers that their object was, not to make war, but to afford protection to their commerce. By the council of state, the communication was received as a menace; the English ships of war were ordered to exact in the narrow seas the same honour to the flag of the commonwealth as had been formerly paid to that of the king; and the ambassadors were reminded of the claim of indemnification for the losses sustained by the English in the East Indies of a free trade from Middleburgh, Antwerp, and of the tenth herriens which was due from the Dutch fishermen for the permission to exercise their trade in the British seas.

While the conferences were depending, Commodore Young met a fleet of Dutch merchantmen under convoy in the Channel; and, after a sharp action, compelled the men-of-war to salute the English flag. A few days later the celebrated *V. Tromp* appeared with two-and-forty sail in the Downs. He had been instructed to keep at a proper distance from the English coast, neither to provoke nor to shun hostility, and to salute or not according to his own discretion; but on no account to yield to the newly-claimed right of search.<sup>3</sup> To Bourne, the English commander, he apologized for his arrival, which, he said, was not with any hostile design, but in consequer-

which might be imported from the usual places of trading, though they were not the growth of the said places. The penalty was the forfeiture of the ship and cargo, and a moiety to the commonwealth, the other to the informer.—*New Parl. Hist.* iii. 1374.

<sup>3</sup> *Le Clerc*, i. 315. The Dutch seem to have argued that the salute had formerly been rendered to the king, not to the nation.



of the loss of several anchors and cables on the opposite coast. The next day he met Blake off the harbour of Dover; an action took place between the rival commanders; and, when the fleets separated in the evening, the English cut off two ships of thirty guns, one of which they took, the other they abandoned, on account of the damage which it had received.

It was a question of some importance who was the aggressor. By Blake it was asserted that Van Tromp had gratuitously come to insult the English fleet in its own roads, and had provoked the engagement by firing the first broadside. The Dutchman replied that he was cruising for the protection of trade; that the weather had driven him on the English coast; that he had no thought of fighting till he received the fire of Blake's ship; and that, during the action, he had carefully kept on the defensive, though he might with his great superiority of force have annihilated the assailants.<sup>1</sup>

The reader will probably think, that those who submitted to solicit the continuance of peace were not the first to seek the commencement of hostilities. Immediately after the action at sea, the council ordered the English commanders to pursue, attack, and destroy all vessels the property of the United Provinces; and, in the course of a month, more than seventy sail of merchantmen, besides several men-of-war, were captured, stranded, or burnt. The Dutch, on the contrary, abstained from reprisals; their ambassadors thrice assured the council that the battle had happened

without the knowledge, and to the deep regret of the States; and on each occasion earnestly deprecated the adoption of hasty and violent measures, which might lead to consequences highly prejudicial to both nations. They received an answer, which, assuming it as proved that the States intended to usurp the rights of England on the sea, and to destroy the navy, the bulwark of those rights, declared that it was the duty of parliament to seek reparation for the past, and security for the future.<sup>2</sup>

Soon afterwards Pauw, the grand pensionary, arrived. He repeated with the most solemn asseverations from his own knowledge the statement of the ambassadors; proposed that a court of inquiry, consisting of an equal number of commissioners from each nation, should be appointed, and exemplary punishment inflicted on the officer who should be found to have provoked the engagement, and demanded that hostilities should cease, and the negotiation be resumed. Receiving no other answer than had been already given to his colleagues, he asked what was meant by "reparation and security;" and was told by order of parliament, that the English government expected full compensation for all the charges to which it had been put by the preparations and attempts of the States, and hoped to meet with security for the future in an alliance which should render the interests of both nations consistent with each other. These, it was evident, were conditions to which the pride of the States would refuse to stoop; Pauw demanded an audi-

<sup>1</sup> The great argument of the parliament in their declaration is the following: Tromp came out of his way to meet the English fleet, and fired on Blake without provocation; the States did not punish him, but retained him in the command; therefore he acted by their orders, and the war was begun by them. Each of these assertions was denied on the other side. Tromp showed the reasons which led him into the

track of the English fleet; and the States asserted, from the evidence before them, that Tromp had ordered his sails to be lowered, and was employed in getting ready his boat to compliment the English admiral at the time when he received a broadside from the impatience of Blake.—Dumont, vi. p. ii. 33. Le Clerc, i. 315, 317. Basnage, i. 254. Heath, 315—320.

<sup>2</sup> Heath, 320, 321.

ence of leave of the parliament; and all hope of reconciliation vanished.<sup>1</sup>

If the Dutch had hitherto solicited peace, it was not that they feared the result of war. The sea was their native element; and the fact of their maritime superiority had long been openly or tacitly acknowledged by all the powers of Europe. But they wisely judged that no victory by sea could repay them for the losses which they must sustain from the extinction of their fishing trade, and the suspension of their commerce.<sup>2</sup> For the commonwealth, on the other hand, it was fortunate that the depredations of Prince Rupert had turned the attention of the leaders to naval concerns. Their fleet had been four years in commission: the officers and men were actuated by the same spirit of civil liberty and religious enthusiasm which distinguished the land army; Ayscue had just returned from the reduction of Barbadoes with a powerful squadron; and fifty additional ships were ordered to be equipped, an object easily accomplished at a time when any merchantmen capable of carrying guns could, with a few alterations, be converted into a man-of-war.<sup>3</sup> Ayscue with the smaller division of the fleet remained at home to scour the Channel. Blake sailed to the north, captured the squadron appointed to protect the Dutch fishing-vessels, exacted from the busses the duty of every tenth herring, and sent them home with a prohibition to fish again without a license from the English government. In the mean while Van Tromp sailed from the Texel with seventy

men-of-war. It was expected in England that he would sweep the English navy from the face of the ocean. His first attempt was to surprise Ayscue who was saved by a calm followed a change of wind. He then sailed to the north in search of Blake. His fleet was dispersed by a storm; five of his frigates fell into the hands of the English; and on his return he was received with murmurs and reproaches by the populace. Indignant at a treatment which he did not deserve, he justified his conduct before the States, and then laid down his commission.<sup>4</sup>

De Ruyter, a name almost equally illustrious on the ocean, was appointed his successor. That officer sailed to the mouth of the Channel, took under his charge a fleet of merchantmen, and on his return was opposed by Ayscue with nearly an equal force. The English commander burst through the enemy, and was followed by nine sail; the rest of the fleet took no share in the action, and the convoy escaped. The blame rested not with Ayscue but with his inferior officers; but the council took the opportunity to lay him aside, not that they doubted his courage or abilities, but because he was suspected of a secret leaning to the royal cause. To console him for his disgrace, he received a present of three hundred pounds, with a grant of land of the same annual rent in Ireland.<sup>5</sup>

De Witte now joined De Ruyter and took the command. Blake accepted the challenge of battle, and at night alone separated the combatants

<sup>1</sup> Compare the declaration of parliament of July 9 with that of the States General of July 23, Aug. 2. See also Whitelock, 537; Heath, 315—322; the Journals, June 5, 11, 25, 30; and Le Clerc, i. 318—321.

<sup>2</sup> The fishery employed in various ways one hundred thousand persons.—Le Clerc, 321.

<sup>3</sup> From a list of hired merchantmen converted into men-of-war, it appears that a

ship of nine hundred tons burthen made a man-of-war of sixty guns; one of seven hundred tons, a man-of-war of forty-six; four hundred, of thirty-four; two hundred of twenty; one hundred, of ten; sixty, of eight; and that about five or six men were allowed for each gun.—Journals, 16. May 29.

<sup>4</sup> Whitelock, 538, 539, 540, 541. Heath, 322. Le Clerc, i. 321.

<sup>5</sup> Heath, 323. Le Clerc, i. 322.

the next morning the Dutch fled, and were pursued as far as the Goree. Their ships were in general of smaller dimensions, and drew less water than those of their adversaries, who dared not follow among the numerous mud-banks with which the coast is studded.<sup>1</sup>

Blake, supposing that naval operations would be suspended during the winter, had detached several squadrons to different ports, and was riding in the Downs with thirty-seven sail, when he was surprised by the appearance of a hostile fleet of double that number, under the command of Van Tromp, whose wounded pride had been appeased with a new commission. A mistaken sense of honour induced the English admiral to engage in the equal contest. The battle raged from eleven in the morning till night. The English, though they burnt a large ship and disabled two others, lost six sail, either sunk or taken; and Blake, under cover of the darkness, sailed up the river as far as Leigh. Van Tromp sought his enemy at Harwich and Yarmouth; returning, he intended the coast as he passed; and continued to cruise backwards and forwards from the North Foreland to the Isle of Wight.<sup>2</sup>

The parliament made every exertion to wipe away this disgrace. The ships were speedily refitted; two regiments of infantry embarked to serve as marines; a bounty was offered for volunteers; the wages of the seamen were raised; provision was made for their families during their absence on service; a new rate for the division of prize-money was established; and, in honour of Blake, two officers, whose abilities had been already tried, Deane and Monk, received the joint command of the fleet. On the other hand, the Dutch were intoxicated with their

success; they announced it to the world in prints, poems, and publications; and Van Tromp affixed a broom to the head of his mast as an emblem of his triumph. He had gone to the Isle of Rhée to take the homeward-bound trade under his charge, with orders to resume his station at the mouth of the Thames, and to prevent the egress of the English. But Blake had already stationed himself with more than seventy sail across the Channel, opposite the Isle of Portland, to intercept the return of the enemy. On the 18th of February the Dutch fleet, equal in number, with three hundred merchantmen under convoy, was discovered near Cape La Hogue, steering along the coast of France. The action was maintained with the most desperate obstinacy. The Dutch lost six sail, either sunk or taken, the English one, but several were disabled, and Blake himself was severely wounded.

The following morning the enemy were seen opposite Weymouth, drawn up in the form of a crescent covering the merchantmen. Many attempts were made to break through the line, and so imminent did the danger appear to the Dutch admiral, that he made signal for the convoy to shift for themselves. The battle lasted at intervals through the night; it was renewed with greater vigour near Boulogne in the morning, till Van Tromp, availing himself of the shallowness of the coast, pursued his course homeward unmolested by the pursuit of the enemy. The victory was decidedly with the English; the loss in men might be equal on both sides; but the Dutch themselves acknowledged that nine of their men-of-war and twenty-four of the merchant-vessels had been either sunk or captured.<sup>3</sup>

This was the last naval victory

<sup>1</sup> Heath, 326. Ludlow, i. 367. Whitelock, Le Clerc, i. 324.

<sup>2</sup> Heath, 329. Ludlow, ii. 3. Neville,

iii. 69.

<sup>3</sup> Heath, 335. Whitelock, 551. Leicester's Journal, 138. Le Clerc, i. 328. Bas-

achieved under the auspices of the parliament, which, though it wielded the powers of government with an energy that surprised the several nations of Europe, was doomed to bend before the superior genius or ascendancy of Cromwell. When that adventurer first formed the design of seizing the supreme authority, is uncertain; it was not till after the victory at Worcester that he began gradually and cautiously to unfold his object. He saw himself crowned with the laurels of conquest; he held the command in chief of a numerous and devoted army; and he dwelt with his family in a palace formerly the residence of the English monarchs. His adversaries had long ago pronounced him, in all but name, "a king;" and his friends were accustomed to address him in language as adulatory as ever gratified the ears of the most absolute sovereign.<sup>1</sup> His importance was perpetually forced upon his notice by the praise of his dependants, by the foreign envoys who paid court to him, and by the royalists who craved his protection. In such circumstances it cannot be surprising if the victorious general indulged the aspirings of ambition; if the stern republican, however he might hate to see the crown on the brows of another, felt no repugnance to place it upon his own.

The grandees of the army felt that they no longer possessed the chief sway in the government. War had called them away to their commands in Scotland and Ireland; and during their absence, the conduct of affairs had devolved on those who, in contradistinction, were denominated the statesmen. Thus, by the course of

events, the servants had grown into masters, and the power of the senate had obtained the superiority over the power of the sword. Still the officers in their distant quarters jealously watched, and severely criticised the conduct of the men at Westminster. With want of vigour in directing military and naval resources of the country, they could not be charged; but it was complained that they neglected the internal economy of government; that no one of the objects commanded in the "agreement of people" had been accomplished; and that, while others sacrificed their health and their lives in the service of the commonwealth, all the emoluments and patronage were monopolized by the idle drones who remained in the capital.<sup>2</sup>

On the return of the lord-general the council of officers had been established at Whitehall; and the discontent was artfully employed by Cromwell in furtherance of his elevation. When he resumed his seat in the house, he reminded the members of their indifference to two measures earnestly desired by the council: the act of amnesty and the termination of the present parliament. Both for each of these objects had been introduced as far back as 1649; but after some progress, both were suffered to sleep in the several committees, and this backwardness of the "statesmen," was attributed to their wish to enrich themselves by forfeitures, and to perpetuate their power by perpetuating the parliament. The influence of Cromwell revived both questions. An act of oblivion was obtained which, with some exceptions, pardoned

nage, i. 298—301. By the English admirals the loss of the Dutch was estimated at eleven men-of-war and thirty merchant-men.

<sup>1</sup> The general officers conclude their despatches to him thus: "We humbly lay ourselves with these thoughts, in this emergency, at your excellency's feet."—Milton's State Papers, 71. The ministers of New-

castle make "their humble addresses to godly wisdom," and present "their humble suits to God and his excellency" (ibid. 8) and the petitioners from different counties solicit him to mediate for them to the parliament, "because God has not put sword in his hand in vain."—Whitelock, 1

<sup>2</sup> Whitelock, 549.

offences committed before the battle of Worcester, and relieved the minds of the royalists from the apprehension of additional forfeitures. On the question of the expiration of parliament, after several warm debates, the period had been fixed for the 3rd of November, 1654, a distance of three years, which, perhaps, was not the less pleasing to Cromwell, as it served to show how unwilling his adversaries were to resign their power. The interval was to be employed in determining the qualifications of the succeeding parliament.<sup>1</sup>

In the winter, the lord-general called a meeting of officers and members at the house of the speaker; and must have excited their surprise when he proposed to them to deliberate, whether it were better to establish a republic, or a mixed form of monarchical government. The officers in general pronounced in favour of a republic, as the best security for the liberties of the people; the lawyers pleaded unanimously for a limited monarchy, as better adapted to the laws, the habits, and the feelings of Englishmen. With the latter Cromwell agreed, and inquired whom that case they would choose for king. It was replied, either Charles Stuart or the Duke of York, provided they would comply with the demands of the parliament; if they would not, the young duke of Gloucester, who could not have imbibed the despotic notions of his elder brothers. This was not the answer which Cromwell sought: he heard it with uneasiness; and, as often as the subject was resumed, diverted the conversation to some other question. In conclusion, he gave his opinion, that, "somewhat of a monarchical government would be most effectual, if it could be established with safety to the liberties

of the people, as Englishmen and Christians."<sup>2</sup> That the result of the meeting disappointed his expectations, is evident; but he derived from it this advantage, that he had ascertained the sentiments of many, whose aid he might subsequently require. None of the leaders from the opposite party appear to have been present.

Jealous, however, of his designs, "the statesmen" had begun to fight him with his own weapons. As the commonwealth had no longer an enemy to contend with on the land, they proposed a considerable reduction in the number of the forces, and a proportionate reduction of the taxes raised for their support. The motion was too reasonable in itself, and too popular in the country, to be resisted with safety: one-fourth of the army was disbanded, and the monthly assessment lowered from one hundred and twenty thousand pounds to ninety thousand pounds. Before the expiration of six months, the question of a further reduction was brought forward; but the council of war took the alarm, and a letter from Cromwell to the speaker induced the house to continue its last vote. In a short time it was again mentioned; but the next day six officers appeared at the bar of the house with a petition from the army, which, under pretence of praying for improvements, tacitly charged the members with the neglect of their duty. It directed their attention to the propagation of the gospel, the reform of the law, the removal from office of scandalous and disaffected persons, the abuses in the excise and the treasury, the arrears due to the army, the violation of articles granted to the enemy, and the qualifications of future and successive parliaments. Whitelock remonstrated with Cromwell on the danger of permitting

<sup>1</sup> Journals, 1651, Nov. 4, 14, 15, 18, 27; 1652, Feb. 24.

<sup>2</sup> Whitelock, 516.

armed bodies to assemble and petition. He slighted the advice.<sup>1</sup>

Soon afterwards the lord-general requested a private and confidential interview with that lawyer. So violent, he observed, was the discontent of the army, so imperious the conduct of the parliament, that it would be impossible to prevent a collision of interests, and the subsequent ruin of the good cause, unless there were established "some authority so full and so high" as to be able to check these exorbitances, and to restrain both the army and the parliament. Whitelock replied, that, for the army, his excellency had hitherto kept and would continue to keep it in due subordination; but with respect to the parliament, reliance must be placed on the good sense and virtue of the majority. To control the supreme power was legally impossible. All, even Cromwell himself, derived their authority from it. At these words the lord-general abruptly exclaimed, "What, if a man should take upon him to be king?" The commissioner answered that the title would confer no additional benefit on his excellency. By his command of the army, his ascendancy in the house, and his reputation, both at home and abroad, he already enjoyed, without the envy of the name, all the power of a king. When Cromwell insisted that the name would give security to his followers, and command the respect of the people, Whitelock rejoined, that it would change the state

of the controversy between the parties, and convert a national into a personal quarrel. His friends cheerfully fought with him to establish a republican in place of a monarchical government; would he not equally fight with him in favour of the house of Cromwell against the house of Stuart?<sup>2</sup> In conclusion Cromwell conjured him to give his advice without disguise or qualification, and received this answer, "Make a private treaty with the son of the late king, and place him on the throne, but on conditions which shall secure to the nation its rights, and to yourself the first place beneath the throne." The general coldly observed that the matter of such importance and difficulty deserved mature consideration. They separated; and Whitelock discovered that he had forfeited Cromwell's confidence.<sup>3</sup>

At length Cromwell fixed on a way to accomplish his purpose by procuring the dissolution of the parliament, and vesting for a time the sovereign authority in a council of forty persons, with himself at the head. It was his wish to effect this quietly by the votes of parliament—his resolution to effect it by force, if such votes were refused. Several meetings were held by officers and members at the lodgings of the lord-general in White St. John and a few others gave their assent; the rest, under the guidance of Whitelock and Widdrington, declared that the dissolution would

<sup>1</sup> Whitelock, 541. Journals, 1651, Dec. 19; 1652, June 15, Aug. 12, 13.

<sup>2</sup> Henry, duke of Gloucester, and the Princess Elizabeth were in England at the last king's death. In 1650 the council proposed to send the one to his brother in Scotland, and the other to her sister in Holland, allowing to each one thousand pounds per annum, as long as they should behave inoffensively.—Journals, 1650, July 24, Sept. 11. But Elizabeth died on Sept. 8 of the same year, and Henry remained under the charge of Mildmay, governor of Carisbrook Castle, till a short time after

this conference, when Cromwell, as he looked on the young prince as a rival, visited his tutor, Lovell, to ask permission to convey him to his sister, the princess Orange. It was granted, with the sum of five hundred pounds to defray the expenses of the journey.—Leicester's Journal, Heath, 331. Clarendon, iii. 525, 526.

<sup>3</sup> Whitelock, 548—551. Were the result of this conversation committed to writing immediately, or after the Restoration credit due to them depends on this circumstance.

dangerous, and the establishment of the proposed council unwarrantable. In the mean time, the house resumed the consideration of the new representative body, and several qualifications were voted; to all of which the officers raised objections, but chiefly the "admission of neuters," a project to strengthen the government by the introduction of the Presbyterian interest.<sup>1</sup> "Never," said Cromwell, shall any of that judgment, who have deserted the good cause, be admitted to power." On the last meeting, held on the 19th of April, all these points were long and warmly debated. Some of the officers declared that the parliament must be dissolved "one way or other;" but the general checked their indiscretion and precipitancy; and the assembly broke up at midnight, with an understanding that the leading men on each side should resume the subject the morning.<sup>2</sup>

At an early hour the conference was recommenced, and after a short interruption, in consequence of the receipt of a notice by the general that was the intention of the house to comply with the desires of the army. This was a mistake: the opposite party, led by Vane, who had discovered the object of Cromwell, had indeed resolved to pass a bill of dissolution, not, however, the bill proposed by the officers, but their own bill, containing all the obnoxious provisions; and to pass it that very morning, that it might obtain the force of law before their adversaries could

have time to appeal to the power of the sword.<sup>3</sup> While Harrison "most sweetly and humbly" conjured them to pause before they took so important a step, Ingoldsby hastened to inform the lord general at Whitehall. His resolution was immediately formed; and a company of musketeers received orders to accompany him to the house.

At this eventful moment, big with the most important consequences both to himself and his country, whatever were the workings of Cromwell's mind, he had the art to conceal them from the eyes of the beholders. Leaving the military in the lobby, he entered the house, and composedly seated himself on one of the outer benches. His dress was a plain suit of black cloth, with grey worsted stockings. For a while he seemed to listen with interest to the debate; but, when the speaker was going to put the question, he whispered to Harrison, "This is the time: I must do it:" and rising, put off his hat to address the house. At first his language was decorous and even laudatory. Gradually he became more warm and animated: at last he assumed all the vehemence of passion, and indulged in personal vituperation. He charged the members with self-seeking and profaneness; with the frequent denial of justice, and numerous acts of oppression; with idolizing the lawyers, the constant advocates of tyranny; with neglecting the men who had bled for them in the field, that they might gain the Pres-

From Ludlow (ii. 435) it appears that this bill the number of members for boroughs was reduced, of representatives counties increased. The qualification of elector was the possession for his own of an estate real or personal of the value two hundred pounds.—Journ. 30th March, 1653. It is however singular that though the house continued to sit till the 19th—the only entry on the journals respecting this bill occurs on the 13th—making it a qualification of the candidates

that they should be "persons of known integrity, fearing God, and not scandalous in their conversation."—Journal, *ibid.*

<sup>2</sup> Compare Whitelock's narrative of this meeting (p. 554) with Cromwell's, in Milton's State Papers, 109.

<sup>3</sup> These particulars may be fairly collected from Whitelock, 554, compared with the declaration of the officers, and Cromwell's speech to his parliament. The intention to dissolve themselves is also asserted by Hazlerig.—Burton's Diary, iii. 98.

byterians who had apostatized from the cause; and with doing all this in order to perpetuate their own power, and to replenish their own purses. But their time was come; the Lord had disowned them; he had chosen more worthy instruments to perform his work. Here the orator was interrupted by Sir Peter Wentworth, who declared that he never before heard language so unparliamentary, language, too, the more offensive, because it was addressed to them by their own servant, whom they had too fondly cherished, and whom, by their unprecedented bounty, they had made what he was. At these words Cromwell put on his hat, and, springing from his place, exclaimed, "Come, come, sir, I will put an end to your prating." For a few seconds, apparently in the most violent agitation, he paced forward and backward, and then, stamping on the floor, added, "You are no parliament. I say you are no parliament: bring them in, bring them in." Instantly the door opened, and Colonel Worseley entered, followed by more than twenty musketeers. "This," cried Sir Henry Vane, "is not honest. It is against morality and common honesty." "Sir Henry Vane," replied Cromwell, "O Sir Henry Vane! The Lord deliver me from Sir Henry Vane! He might have prevented this. But he is a juggler, and has not common honesty himself." From Vane he directed his discourse to Whitelock, on whom he poured a torrent of abuse; then pointing to Challoner, "There," he cried, "sits a drunkard;" next, to Marten and Wentworth, "There are two whoremasters;" and afterwards, selecting different members in succession, described them as dishonest and corrupt livers, a shame and a scandal to the profession of the gospel. Suddenly, however, checking himself,

he turned to the guard, and ordered them to clear the house. At these words Colonel Harrison took the speaker by the hand, and led him from the chair; Algernon Sidney next compelled to quit his seat; the other members, eighty in number, on the approach of the military, rose and moved towards the door. Cromwell now resumed his discourse. "It is you," he exclaimed, "that have forced me to do this. I have sought the Lord both day and night, that he would rather slay me, than put me to the doing of this work." Alderman Allen took advantage of these words to observe, that it was not yet too late to undo what had been done; Cromwell instantly charged him with speculation, and gave him into custody. When all were gone, fixing his eyes on the mace, "What," said he, "shall we do with this fool's bauble? He shall carry it away." Then, taking the mace from the clerk, he ordered the doors to be locked, and accompanied by the military, returned to Whitehall.

That afternoon the members of the council assembled in their usual place of meeting. Bradshaw had just taken the chair, when the lord-general entered, and told them, that if they were there as private individuals they were welcome; but, if as members of a council of state, they must know that the parliament was dissolved, and with it also the council. "Sir," replied Bradshaw, with the spirit of an ancient Roman, "we have heard what you did at the house of commons this morning, and before many hours the whole of England will know it. But, sir, you are mistaken to think that the parliament is dissolved. No power on earth can dissolve them but themselves. Therefore take you notice of that." After this protest Bradshaw withdrew.<sup>1</sup>

<sup>1</sup> See the several accounts in Whitelock, 554; Ludlow, ii. 19, 23; Leicester's Journal,

139; Hutchinson, 332; Several Proceedings, No. 186; and Burton's Diary, iii. 98.



Thus, by the parricidal hands of its own children, perished the long parliament, which, under a variety of forms, had, for more than twelve years, defended and invaded the liberties of the nation. It fell without a struggle or a groan, unpitied and unregretted. The members slunk away to their homes, where they sought by submission to purchase the forbearance of their new master; and their partisans, if partisans they had, reserved themselves in silence for a day of retribution, which came not before Cromwell slept in his grave. The royalists congratulated each other on an event which they deemed a preparatory step to the restoration of the king; the army and navy, in numerous addresses, declared that they would live or die, stand or fall, with the lord-general, and in every part of the country the congregations of the saints magnified the arm of the Lord which had broken the mighty, that in lieu of the sway of mortal men, the fifth monarchy, the reign of Christ, might be established upon earth.<sup>1</sup>

It would, however, be unjust to the memory of those who exercised the supreme power after the death of the king, not to acknowledge that there existed among them men capable of dealing with energy the destinies of a great empire. They governed only four years; yet, under their auspices, the conquests of Ireland and Scotland were achieved, and a navy was created, the rival of that of Holland and the terror of the rest of Europe.<sup>2</sup> But there existed an essential error in their form of government. Deliberative assemblies are always slow in their proceedings; yet

the pleasure of parliament, as the supreme power, was to be taken on every subject connected with the foreign relations, or the internal administration of the country; and hence it happened, that, among the immense variety of questions which came before it, those commanded immediate attention which were deemed of immediate necessity; while the others, though often of the highest importance to the national welfare, were first postponed, then neglected, and ultimately forgotten. To this habit of procrastination was perhaps owing the extinction of its authority. It disappointed the hopes of the country, and supplied Cromwell with the most plausible argument in defence of his conduct.

Of the parliamentary transactions up to this period, the principal have been noticed in the preceding pages. I shall add a few others which may be thought worthy the attention of the reader. 1. It was complained that, since the abolition of the spiritual tribunals, the sins of incest, adultery, and fornication had been multiplied, in consequence of the impunity with which they might be committed; and, at the prayer of the godly, they were made criminal offences, cognizable by the criminal courts, and punishable, the two first with death, the last with three months' imprisonment. But it was predicted at the time, and experience verified the prediction, that the severity of the punishment would defeat the purpose of the law. 2. Scarcely a petition was presented, which did not, among other things, pray for the reformation of the courts of justice; and the house, after several long

<sup>1</sup> Whitelock, 555—558. Milton's State papers, 90—97. Ellis, Second Series, iii.

<sup>2</sup> "We intended," says Scot, "to have done off with a good savour, but we stayed and the Dutch war. We might have

brought them to oneness with us. Their ambassadors did desire a coalition. This we might have done in four or five months. We never bid fairer for being masters of the whole world."—Burton's Diary, iii. 112.

debates, acquiesced in a measure, understood to be only the forerunner of several others, that the law-books should be written, and law proceedings be conducted, in the English language.<sup>1</sup> 3. So enormous were the charges of the commonwealth, arising from incessant war by sea or land, that questions of finance continually engaged the attention of the house. There were four principal sources of revenue; the customs, the excise, the sale of fee-farm rents,<sup>2</sup> of the lands of the crown, and of those belonging to the bishops, deans, and chapters, and the sequestration and forfeiture of the estates of papists and delinquents. The ordinances for the latter had been passed as early as the year 1643, and in the course of the seven succeeding years, the harvest had been reaped and gathered. Still some gleanings might remain; and in 1650, an act was passed for the better ordering and managing such estates; the former compositions were subjected to examination; defects and concealments were detected; and proportionate fines were in numerous cases exacted. In 1651, seventy individuals, most of them of high rank, all of opulent fortunes, who had imprudently displayed their attachment to the royal cause, were condemned to forfeit their property, both real and personal, for the benefit of the commonwealth. The fatal march of Charles to Worcester furnished grounds for a new proscription in 1652. First nine-and-twenty, then six hundred and eighty-two royalists were selected for punishment. It was enacted that those in the first class

should forfeit their whole property while to those in the second, the right of pre-emption was reserved at the rate of one-third part of the clear value, to be paid within four months.

4. During the late reign, as long as the Presbyterians retained their ascendancy in parliament, they were forced with all their power uniformity of worship and doctrine. The clergy of the established church were ejected from their livings, and the professors of the Catholic faith were condemned to forfeit two-thirds of their property or to abjure their religion. Nor was the proof of recusancy to depend formerly, on the slow process of presentation and conviction; bare suspicion was held a sufficient ground for the sequestrator to seize his property and the complainant was told that he had the remedy in his own hands, might take the oath of abjuration. When the Independents succeeded in the exercise of the supreme power, both the persecuted parties indulged a hope of more lenient treatment, and both were disappointed. The Independents, indeed, proclaimed themselves the champions of religious liberty: they repealed the statutes imposing penalties for absence from church; and they declared that men were free to serve God according to the dictates of conscience. Yet the notions of toleration were very confined: they refused to extend it either to prelacy or popery, to the service of the church of England, or of the church of Rome. The ejected clergymen were still excluded from the pulpit, and the Catholics were the victims of persecuting statutes.

<sup>1</sup> Journals, May 10, Nov. 22. Whitelock, 478—483.

<sup>2</sup> The clear annual income from the fee-farm rents amounted to seventy-seven thousand pounds. In Jan. 1651, twenty-five thousand three hundred pounds of this income had been sold for two hundred and twenty-five thousand six hundred and fifty pounds.—Journals, Jan. 8.

<sup>3</sup> Journals, 1651, July 16; 1652, Aug. Nov. 18. Scobell, 156, 210. If any of last were papists, and afterwards disposed of their estates thus redeemed, they were ordered to banish themselves from their native country, under the penalty of having the laws against popery executed against them with the utmost severity.—Addition of Nov. 18, 1652.

In 1650, an act was passed offering to the discoverers of priests and Jesuits, or of their receivers and abettors, the same reward as had been granted to the apprehenders of highwaymen. Immediately officers and informers were employed in every direction; the houses of Catholics were broken open and searched at all hours of the day and night; many clergymen were apprehended, and several were tried, and received judgment of death. Of these only one, Peter Wright, chaplain to the marquess of Winchester, suffered. The leaders shrunk from the odium of such sanguinary exhibitions, and transported the rest of the prisoners to the continent.<sup>1</sup>

But if the zeal of the Independents was more sparing of blood than that of the Presbyterians, it was not inferior in point of rapacity. The

ordinances for sequestration and forfeiture were executed with unrelenting severity.<sup>2</sup> It is difficult to say which suffered from them most cruelly—families with small fortunes who were thus reduced to a state of penury; or husbandmen, servants, and mechanics, who, on their refusal to take the oath of abjuration, were deprived of two-thirds of their scanty earnings, even of their household goods and wearing apparel.<sup>3</sup> The sufferers ventured to solicit from parliament such indulgence as might be thought “consistent with the public peace and their comfortable subsistence in their native country.” The petition was read: Sir Henry Vane spoke in its favour; but the house was deaf to the voice of reason and humanity, and the prayer for relief was indignantly rejected.<sup>4</sup>

<sup>1</sup> Challoner, ii. 348. MS. papers in my possession. See Appendix, WWW.

<sup>2</sup> In 1650 the annual rents of Catholics in possession of the sequestrators were returned at sixty-two thousand and forty-eight pounds seventeen shillings and three-pence three farthings. It should, however, be observed that thirteen counties were not included.—Journ. Dec. 17.

<sup>3</sup> In proof I may be allowed to mention the instance of a Catholic servant maid, an orphan, who, during a servitude of seven years, at seven nobles a year, had saved twenty pounds. The sequestrators, having discovered with whom she had de-

posited her money, took two-thirds, thirteen pounds six shillings and eightpence, for the use of the commonwealth, and left her the remainder, six pounds thirteen and fourpence. In March, 1652, she appealed to the commissioners at Haberdashers' Hall, who replied that they could afford her no relief, unless she took the oath of abjuration. See this and many other cases in the “Christian Moderator, or Persecution for Religion, condemned by the Light of Nature, the Law of God, and Evidence of our own Principles,” p. 77—84. London, 1652.

<sup>4</sup> Journals, 1652, June 30. The petition is in the Christian Moderator, p. 59.

## CHAPTER VI.

### THE PROTECTORATE.

CROMWELL CALLS THE “LITTLE PARLIAMENT”—DISSOLVES IT—MAKES HIMSELF PROTECTOR—SUBJUGATION OF THE SCOTTISH ROYALISTS—PEACE WITH THE DUTCH—NEW PARLIAMENT—ITS DISSOLUTION—INSURRECTION IN ENGLAND—BREACH WITH SPAIN—TROUBLES IN PIEDMONT—TREATY WITH FRANCE.

WHOEVER has studied the character of Cromwell, will have remarked the anxiety with which he laboured to conceal his real designs from the

notice of his adherents. If credit were due to his assertions, he cherished none of those aspiring thoughts which agitate the breasts of the ambitious;

the consciousness of his weakness taught him to shrink from the responsibility of power; and at every step in his ascent to greatness, he affected to sacrifice his own feelings to the judgment and importunity of others. But in dissolving the late parliament he had deviated from this his ordinary course: he had been compelled to come boldly forward by the obstinacy or the policy of his opponents, who during twelve months had triumphed over his intrigues, and were preparing to pass an act which would place new obstacles in his path. Now, however, that he had forcibly taken into his own hands the reins of government, it remained for him to determine whether he should retain them in his grasp, or deliver them over to others. He preferred the latter; for the maturity of time was not yet come; he saw that, among the officers who blindly submitted to be the tools of his ambition, there were several who would abandon the idol of their worship, whenever they should suspect him of a design to subvert the public liberty. But if he parted with power for the moment, it was in such manner as to warrant the hope that it would shortly return to him under another form, not as won by the sword of the military, but as deposited in his hands by the judgment of parliament.

It could not escape the sagacity of the lord-general that the fanatics, with whose aid he had subverted the late government, were not the men to be intrusted with the destinies of the three kingdoms; yet he deemed it his interest to indulge them in their wild notions of civil and religious reformation, and to suffer himself for a while to be guided by their counsels. Their

first measure was to publish a Vindication of their Proceedings.<sup>1</sup> The long parliament they pronounced incapable "of answering those ends which God, his people, and the whole nation, expected." Had it been permitted to sit a day longer, it would "at one blow have laid in the dust the interest of all honest men and of their glorious cause." In its place the council of war would "call to the government persons of approved fidelity and honesty;" and therefore required "public officers and ministers to proceed in their respective places," and conjured "those who feared and loved the name of the Lord, to be instant with him day and night in their behalf."<sup>2</sup>

They next proceeded to establish a council of state. Some proposed that it should consist of ten members, some of seventy, after the model of the Jewish Sanhedrim; and others thirteen, in imitation of Christ and his twelve apostles. The last project was adopted as equally scriptural, and more convenient. With Cromwell in the place of lord president, were joined four civilians and eight officers of high rank; so that the army still retained its ascendancy, and the council of state became in fact a military council.

From this moment for some months it would have embarrassed any man to determiné where the supreme power resided. Some of the judges were superseded by others: new commissioners of the treasury and admiralty were appointed; even the monthly assessment of one hundred and twenty thousand pounds was continued for an additional half-year; and yet these and similar acts, of them belonging to the highest

<sup>1</sup> Printed by Henry Hills and Thomas Brewster, printers to the army, 1653.

<sup>2</sup> Ludlow, ii. 24. Thurloe, i. 289, 395. Sir H. Vane, after all the affronts which he

had received, was offered a place in the council; but he replied that, though the reign of the saints was begun, he would defer his share in it till he should go to heaven.—Thurloe, i. 265.

authority in the state, appeared to emanate from different sources; these from the council of war, those from the council of state, and several from the lord-general himself, sometimes with the advice of one or other, sometimes without the advice of either of these councils.<sup>1</sup>

At the same time the public mind was agitated by the circulation of reports the most unfounded, and the advocacy of projects the most contradictory. This day it was rumoured that Cromwell had offered to recall the royal family, on condition that Charles should marry one of his daughters; the next, that he intended to ascend the throne himself, and, for that purpose, had already prepared the insignia of royalty. Here, signatures were solicited to a petition for the re-establishment of the ancient constitution; there, for a government by successive parliaments. Some addresses declared the conviction of the subscribers that the late dissolution was necessary; others prayed that the members might be allowed to return to the house, for the sole purpose of legally dissolving themselves by their own authority. In the mean while, the lord-general continued to wear the mask of humility and godliness; he prayed and preached with more than his wonted fervour; and his piety was rewarded, according to the report of his confidants, with frequent communications from the Holy Spirit.<sup>2</sup> In the month of May he spent eight days in close consultation with his military divan; and the result was a determination to call a new parliament, but a parliament modelled on principles unknown to the history of this or of any other nation. It was

to be a parliament of saints, of men who had not offered themselves as candidates, or been chosen by the people, but whose chief qualification consisted in holiness of life, and whose call to the office of legislators came from the choice of the council. With this view the ministers took the sense of the "congregational churches" in the several counties: the returns contained the names of the persons, "faithful, fearing God, and hating covetousness," who were deemed qualified for this high and important trust; and out of these the council in the presence of the lord-general selected one hundred and thirty-nine representatives for England, six for Wales, six for Ireland, and five for Scotland.<sup>3</sup> To each of them was sent a writ of summons under the signature of Cromwell, requiring his personal attendance at Whitehall on a certain day, to take upon himself the trust, and to serve the office of member for some particular place. Of the surprise with which the writs were received by many, the reader may judge. Yet, out of the whole number, two only returned a refusal: by most the very extraordinary manner of their election was taken as a sufficient proof that the call was from heaven.<sup>4</sup>

On the appointed day, the 4th of July, one hundred and twenty of these faithful and godly men attended in the council-chamber at Whitehall. They were seated on chairs round the table; and the lord-general took his station near the middle window, supported on each side by a numerous body of officers. He addressed the company standing, and it was believed by his admirers, perhaps by

<sup>1</sup> Whitelock, 556, 557, 559. Leicester's Journal, 142. Merc. Polit. No. 157.

<sup>2</sup> Thurloe, i. 256, 289, 306.

<sup>3</sup> Thurloe, i. 395. Compare the list of the members in Heath, 350, with the letters in Milton's State Papers 92, 94, 96.

<sup>4</sup> Thurloe, i. 274. Whitelock, 547. "It was a great satisfaction and encouragement to some that their names had been presented as to that service, by the churches and other godly persons."—Exact Relation of the Proceedings, &c. of the last Parliament, 1654, p. 2.

himself, "that the Spirit of God spoke in him and by him." Having vindicated in a long narrative the dissolution of the late parliament, he congratulated the persons present on the high office to which they had been called. It was not of their own seeking: it had come to them from God by the choice of the army, the usual channel through which in these latter days the Divine mercies had been dispensed to the nation. He would not charge them, but he would pray that they might "exercise the judgment of mercy and truth," and might "be faithful with the saints," however those saints might differ respecting forms of worship. His enthusiasm kindled as he proceeded; and the visions of futurity began to open to his imagination. It was, he exclaimed, marvellous in his eyes; they were called to war with the Lamb against his enemies; they were come to the threshold of the door, to the very edge of the promises and prophecies; God was about to bring his people out of the depths of the sea; perhaps to bring the Jews home to their station out of the isles of the sea. "God," he exclaimed, "shakes the mountains, and they reel; God hath a high hill, too, and his hill is as the hill of Bashan; and the chariots of God are twenty thousand of angels; and God will dwell upon this hill for ever." At the conclusion "of this grave, Christian, and seasonable speech," he placed on the table an instrument under his own hand and seal, intrusting to them the supreme authority for the space of fifteen months from that day, then to be transmitted by

them to another assembly, the members of which they should previously have chosen.<sup>1</sup>

The next day was devoted by the new representatives to exercises of religion, not in any of the churches of the capital, but in the room where the late parliament was accustomed to sit. Thirteen of the most gifted among them successively prayed and preached, from eight in the morning till six in the evening; and several affirmed "that they had never enjoyed so much of the spirit and presence of Christ in any of the meetings and exercises of religion in all their lives, as they did on that day." As it was solely to their reputation for superior godliness that the majority of the members owed their election, the lord-general probably expected from them little opposition to his measures; but they no sooner applied to business, than he saw reason to be alarmed at the promptitude and resolution which they displayed. Though not distinguished by their opulence, they were men of independent fortunes;<sup>2</sup> during the late revolutions they had learned to think for themselves on the momentous questions which divided the nation and their fanaticism, by converting their opinions into matters of conscience, had superadded an obstinacy of character not easily to be subdued. To Cromwell himself they always behaved with respect. They invited him with four of his officers to sit a member among them; and they made him the offer of the palace of Hampton Court in exchange for his house of Newhall. But they believe

<sup>1</sup> Proceedings, No. 197. Parl. Hist. xx. 153. Milton's State Papers, 106. This last appears to me a more faithful copy than that printed by authority.

<sup>2</sup> They have been generally described as men in trade, and of no education; and because one of them, Praise-God Barebone, was a leather-dealer in Fleet-street, the assembly is generally known by the deno-

mination of Barebone's parliament.—Heath 350. It is, however, observed by one of them, that "if all had not very bulk estates, yet they had free estates, and were not of broken fortunes, or such as owed great sums of money, and stood in need of privilege and protection as formerly."—Exact Relation, 19. See also Whitelock, 559.

and showed that they were the masters. They scorned to submit to the dictation of their servants; and if they often followed the advice, they as often rejected the recommendations and amended the resolutions of the council of state.

One of the first subjects which engaged their attention was a contest, in which the lord-general, with all his power, was foiled by the boldness of a single individual. At the very moment when he hoped to reap the fruit of his dissimulation and intrigues, he found himself unexpectedly confronted by the same fearless and enterprising demagogue, who, at the birth of the commonwealth, had publicly denounced his ambition, and excited the soldiery against him. Lilburne, on the dissolution of the long parliament, had requested permission of Cromwell to return from banishment. Receiving no answer, he came over at his own risk,—a bold but imprudent step; for what indulgence could he expect from that powerful adventurer, whom he had so often denounced to the nation as “a thief, a robber, an usurper, and a murderer?” On the day after his arrival in the capital he was committed to Newgate. It seemed a case which might safely be intrusted to a jury. His return, by the act of banishment had been made felony; and of his identity there could be no doubt. But his former partisans did not abandon him in his distress. Petitions with thousands of signatures were presented, praying for a respite of the trial till the meeting of the parliament; and Cromwell, willing, perhaps, to shift the odium from himself to that assembly, gave his consent. Lilburne petitioned the new parliament; his wife petitioned; his friends

from the neighbouring counties petitioned; the apprentices in London did not only petition, they threatened. But the council laid before the house the depositions of spies and informers to prove that Lilburne, during his banishment, had intrigued with the royalists against the commonwealth;<sup>1</sup> and the prisoner himself, by the intemperance of his publications, contributed to irritate the members. They refused to interfere; and he was arraigned at the sessions, where, instead of pleading, he kept his prosecutors at bay during five successive days, appealing to Magna Charta and the rights of Englishmen, producing exceptions against the indictment, and demanding his oyer, or the specification of the act for his banishment, of the judgment on which the act was founded, and of the charge which led to that judgment. The court was perplexed. They knew not how to refuse; for he claimed it as his right, and necessary for his defence. On the other hand, they could not grant it, because no record of the charge or judgment was known to exist.

After an adjournment to the next sessions, two days were spent in arguing the exceptions of the prisoner, and his right to the oyer. At length, on a threat that the court would proceed to judgment, he pleaded not guilty. The trial lasted three days. His friends, to the amount of several thousands, constantly attended; some hundreds of them were said to be armed for the purpose of rescuing him, if he were condemned; and papers were circulated, that if Lilburne perished, twenty thousand individuals would perish with him. Cromwell, to encourage the court, posted two companies of soldiers in the immediate vicinity; quartered

<sup>1</sup> It appears from Clarendon's Letters at the time, that Lilburne was intimate with Buckingham, and that Buckingham professed to expect much from him in behalf

of the royal cause; while, on the contrary, Clarendon believed that Lilburne would do nothing for it, and Buckingham not much more.—Clarendon Papers, iii. 75, 79, 98.

three regiments of infantry, and one of cavalry, in the city; and ordered a numerous force to march towards the metropolis. The particulars of the trial are lost. We only know that the prosecutors were content with showing that Lilburne was the person named in the act; that the court directed the jury to speak only to that fact; and that the prisoner made a long and vehement defence, denying the authority of the late parliament to banish him, because legally, it had expired at the king's death, and because the House of Commons was not a court of justice; and, maintaining to the jury, that they were judges of the law as well as of the fact; that, unless they believed him guilty of crime, they could not conscientiously return a verdict which would consign him to the gallows; and that an act of parliament, if it were evidently unjust, was essentially void, and no justification to men who pronounced according to their oaths. At a late hour at night the jury declared him not guilty; and the shout of triumph, received and prolonged by his partisans, reached the ears of Cromwell at Whitehall.

It was not, however, the intention of the lord-general that his victim should escape. The examination of the judges and jurymen before the council, with a certified copy of certain opprobrious expressions, used by Lilburne in his defence, was submitted to the house, and an order was obtained that, notwithstanding his acquittal, he should be confined in the Tower, and that no obedience should be paid to any writ of habeas corpus issued from the court of Upper Bench in his behalf. These mea-

asures gave great offence. It was complained, and with justice, that the men who pretended to take up arms against the king in support of the liberties of Englishmen, now made no scruple of trampling the same liberties under foot, whenever suited their resentment or interest.<sup>1</sup>

In the prosecution and punishment of Lilburne, the parliament was unanimous; on most other points it was divided into two parties distinctly marked; that of the Independents, who, inferior in number, superior in talents, adhered to the lord-general and the council; and that of the Anabaptists, who, guided by religious and political fanaticism, ranged themselves under the banner of Major-General Harrison as the leader. These "sectaries" anticipated the reign of Christ with his saints upon earth; they believed themselves called by God to prepare the way for this marvellous revolution, and they considered it their duty to commence by reforming all the abuses which they could discover either in church or state.<sup>2</sup>

In their proceedings there was much to which no one, who had embarked with them in the same cause, could reasonably object. The established system of the most rigid economy; the regulations of the excise were revised; the constitution of the treasury was simplified and improved; unnecessary offices were totally abolished, and the salaries of the others considerably reduced; the public accounts were subjected to the most rigorous scrutiny; new facilities were given to the sale of the lands now considered as national property. Provision was made for the

<sup>1</sup> See Thurloe, i. 324, 367, 368, 369, 429, 430, 435, 441, 442, 451, 453; Exact Relation, p. 5; Whitelock, 558, 560, 561, 563, 591; Journals, July 13, 14, Aug. 2, 22, 27, Nov. 26. In 1656 or 1657 this turbulent demagogue joined the society of Friends. He died

Aug. 29, 1657, at Eltham, whence, on the 31st, the body of the meek Quaker was conveyed for sepulture to the new church-yard adjoining to Bedlam.—Cromwellians, p. 168.

<sup>2</sup> Thurloe, i. 392, 396, 501, 515, 523.



ture registration of marriages, births, and deaths.<sup>1</sup> But the fanaticism of their language, and the extravagance of their notions, exposed them to ridicule; their zeal for reform, by interfering with the interests of several different bodies at the same time, multiplied their enemies; and, before the dissolution of the house, they had earned, justly or unjustly, the hatred of the army, of the lawyers, the gentry, and of the clergy.

1. It was with visible reluctance that they voted the monthly tax of one hundred and twenty thousand pounds for the support of the military and naval establishments. They were, indeed, careful not to complain of the amount; their objections were limited against the nature of the tax, and the inequality of the assessments;<sup>2</sup> but this pretext could not hide their real object from the jealousy of their adversaries, and their leaders were openly charged with seeking to reduce the number of the army, that they might lessen the influence of the general.

2. From the collection of the taxes they proceeded to the administration

of the law. In almost every petition presented of late years to the supreme authority of the nation, complaints had been made of the court of Chancery, of its dilatory proceedings, of the enormous expense which it entailed on its suitors, and of the suspicious nature of its decisions, so liable to be influenced by the personal partialities and interests of the judge.<sup>3</sup> The long parliament had not ventured to grapple with the subject; but this, the little parliament, went at once to the root of the evil, and voted that the whole system should be abolished. But then came the appalling difficulty, how to dispose of the causes actually pending in the court, and how to substitute in its place a less objectionable tribunal. Three bills introduced for that purpose were rejected as inapplicable or insufficient: the committee prepared a fourth; it was read twice in one day, and committed, and would probably have passed, had not the subsequent proceedings been cut short by the dissolution of the parliament.<sup>4</sup>

3. But the reformers were not content with the abolition of a single

<sup>1</sup> For the validity of marriage, if the parties were minors, was required the consent of the parents or guardians, and the age of sixteen in the male, of fourteen in the female; and in all cases that the names of the parties intending to be married could be given to the registrar of the parish, whose duty it was to proclaim them, according to their wish, either in the church on the morning exercise on three successive Lord's days, or in the market-place on three successive market-days. Having received from him a certificate of the proclamations, containing any exceptions which might have been made, they were to exhibit it to a magistrate, and, before him, to pledge their faith to each other "in the presence of God, the searcher of hearts." The religious ceremony was optional, the civil necessary for the civil effects of marriage.—See the Journals for the month of August, and Scobell.

<sup>2</sup> In some places men paid but two; in others, ten or twelve shillings in the pound. Exact Relation, 10. The assessments fell on the owners, not on the tenants.—Thurloe, 755.

<sup>3</sup> "It was confidently reported by knowing gentlemen of worth, that there were depending in that court 23,000 (2 or 3,000?) causes; that some of them had been there depending five, some ten, some twenty, some thirty years; and that there had been spent in causes many hundreds, nay thousands of pounds, to the utter undoing of many families."—Exact Relation, 12.

<sup>4</sup> Journals, Aug. 5, Oct. 17, 22, Nov. 3. Exact Relation, 12—15. The next year, however, Cromwell took the task into his own hands; and in 1655 published an ordinance, consisting of sixty-seven articles, "for the better regulating and limiting the jurisdiction of the high court of Chancery." Widdrington and Whitelock, the commissioners of the great seal, and Lenthall, master of the rolls, informed him by letter, that they had sought the Lord, but did not feel themselves free to act according to the ordinance. The protector took the seals from the two first, and gave them to Fiennes and Lisle; Lenthall overcame his scruples, and remained in office.—See the ordinance in Scobell, 324; the objections to it in Whitelock, 621.

court; they resolved to cleanse the whole of the Augean stable. What, they asked, made up the law? A voluminous collection of statutes, many of them almost unknown, and many inapplicable to existing circumstances; the dicta of judges, perhaps ignorant, frequently partial and interested; the reports of cases, but so contradictory that they were regularly marshalled in hosts against each other; and the usages of particular districts, only to be ascertained through the treacherous memories of the most aged of the inhabitants. Englishmen had a right to know the laws by which they were to be governed; it was easy to collect from the present system all that was really useful; to improve it by necessary additions; and to comprise the whole within the small compass of a pocket volume. With this view, it was resolved to compose a new body of law; the task was assigned to a committee; and a commencement was made by a revision of the statutes respecting treason and murder.<sup>1</sup> But these votes and proceedings scattered alarm through the courts at Westminster, and hundreds of voices, and almost as many pens, were employed to protect from ruin the venerable fabric of English jurisprudence. They ridiculed the presumption of these ignorant and fanatical legislators, ascribed to them the design of substituting the law of Moses for the law of the land, and conjured the people to unite in defence of their own "birthright and inheritance," for the preservation of which so many miseries had been endured, so much blood had been shed.<sup>2</sup>

<sup>1</sup> Journals, Aug. 18, 19, Oct. 20. Exact Relation, 15—18.

<sup>2</sup> The charge of wishing to introduce the law of God was frequently repeated by Cromwell. It owed its existence to this, that many would not allow of the punishment of death for theft, or of the distinction between manslaughter and murder,

4. From men of professed sanctity much had been expected in favour of religion. The sincerity of their zeal they proved by the most convincing test,—an act for the expatriation of popish priests and Jesuits and the disposal of two-thirds of real and personal estates of popish recusants.<sup>3</sup> After this preliminary skirmish with antichrist, they proceeded to attack Satan himself in his stronghold" of advowsons. It was, they contended, contrary to reason, that any private individual should possess the power of imposing a spiritual guide upon his neighbor, and therefore they resolved that presentations should be abolished, the choice of the minister be vested in the body of the parishioners, the vote which taugth the patrons of livings to seek the protection of lord-general against the oppression of the parliament. From advowsons the next step was to tithes. At the commencement of the session, after a long debate, it was generally understood that tithes ought to be done away with, and in their place a compensation be made to the improvers, and a decent maintenance provided for the clergy. The general subject of dispute was, which question should have the precedence: point of time, the abolition of impost, or the substitution of an equivalent. For five months the committee intrusted with the subject was silent; now, to prevent, as it was thought, the agitation of the question of advowsons, they presented a report respecting the method of settling so scandalous, and settling so expensive ministers; to which they appended

because no such things are to be found in the law of Moses.—Exact Relation, 17.

<sup>3</sup> To procure ready money for the treasury, it was proposed to allow recusants to redeem the two-thirds for their lives, at years' purchase. This amendment passed, but with great opposition, on the ground that it amounted to a toleration of idolatry.—Ibid. 11. Thurloe, i. 553.

in their own opinion, that incumbents, patrons, and impropiators had a property in tithes. This report provoked debate of five days. When the question was put on the first part, though the committee had mustered the force of the Independents in favour, it was rejected by a majority of two. The second part, respecting the property in tithes, was not put to the vote; its fate was supposed to be included in that of the former; but it was rumoured through the capital that the parliament had voted the abolition of tithes, and with them the ministry, which derived its maintenance from tithes.<sup>1</sup>

Here it should be noticed, that on every Monday during the session, Paine and Powell, two Anabaptist preachers, had delivered weekly lectures to numerous audiences at Blackfriars. They were eloquent enthusiasts, commissioned, as they fancied, by the Almighty, and fearless of any earthly tribunal. They introduced into their sermons most of the subjects discussed in parliament, and advocated the principles of their sect with a force and extravagance which alarmed Cromwell and the council. Their favourite topic was the Dutch Republic. God, they maintained, had given Holland into the hands of the English; it was to be the landing-place of the saints, whence they should proceed to pluck the worm of Babylon from her chair and to establish the kingdom of Christ on the continent; and they threatened with every word of temporal and everlasting woe any man who should advise peace on any other terms than the incorporation of the United Provinces with the commonwealth of England.<sup>2</sup>

When it was known that Cromwell had receded from this demand, their indignation stripped the pope of many of those titles with which he had so long been honoured by the Protestant churches, and the lord-general was publicly declared to be the beast in the Apocalypse, the old dragon, and the man of sin. Unwilling to invade the liberty of religious meetings, he for some time bore these insults with an air of magnanimity: at last he summoned the two preachers before himself and the council. But the heralds of the Lord of Hosts quailed not before the servants of an earthly commonwealth: they returned rebuke for rebuke, charged Cromwell with an unjustifiable assumption of power, and departed from the conference unpunished and unabashed.<sup>3</sup>

By the public the sermons at Blackfriars were considered as explanatory of the views and principles of the Anabaptists in the house. The enemies of these reformers multiplied daily: ridicule and abuse were poured upon them from every quarter; and it became evident to all but themselves that the hour of their fall was rapidly approaching. Cromwell, their maker, had long ago determined to reduce them to their original nothing; and their last vote respecting the ministry appeared to furnish a favourable opportunity. The next day, the Sunday, he passed with his friends in secret consultation; on the Monday these friends mustered in considerable numbers, and at an early hour took their seats in the house. Colonel Sydenham rose. He reviewed all the proceedings of the parliament, condemned them as calculated to injure almost every in-

<sup>1</sup> Journals, July 15—19, Nov. 17, Dec. 1, 10. Exact Relation, 418—424.

<sup>2</sup> Beverning, one of the Dutch ambassadors, went to the meeting on one of these occasions. In a letter, he says:—“the scope and intention is to preach against governments, and to stir up the people

against the united Netherlands. Being then in the assembly of the saints, I heard one prayer, two sermons. But, good God! what cruel and abominable, and most horrid trumpets of fire, murder, and flame.”—Thurloe, i. 442.

<sup>3</sup> Thurloe, i. 442, 534, 545, 560, 591, 621.

terest in the state, and, declaring that he would no longer sit in so useless an assembly, moved that the house should proceed to Whitehall, and deliver back the supreme power into the hands of him from whom it was derived. The motion was seconded and opposed; but the Independents had come to act, not to debate. They immediately rose: the speaker, who was in the secret, left the chair; the serjeant and the clerk accompanied him, and near fifty members followed in a body. The reformers, only twenty-seven in number (for most of them had not yet arrived), gazed on each other with surprise; their first resource was to fall to prayer; and they were employed in that holy exercise, when Goff and White, two officers, entered, and requested them to withdraw. Being required to show their warrant, they called in a company of soldiers. No resistance was now offered; the military cleared the house, and the keys were left with the guard.<sup>1</sup>

In the mean while the speaker, preceded by the mace, and followed by Sydenham and his friends, walked through the street to Whitehall. In the way, and after his arrival, he was joined by several members, by some through curiosity, by others through fear. At Whitehall, a form of resignation of the supreme power was hastily engrossed by the clerk, subscribed by the speaker and his followers, and tendered by them to

Cromwell. The lord-general put an air of surprise; he was not prepared for such an offer, he would load himself with so heavy a burthen. But his reluctance yielded to the monstrosities and entreaties of Lambert and the officers, and the instrument was laid in a chamber of palace for the convenience of the members as had not yet the opportunity of subscribing their names. On the third day the signature amounted to eighty, an absolute majority of the whole house; on the fourth, a new constitution was published, and Cromwell obtained the great object of his ambition,—office and authority, though without the title, of king.<sup>2</sup>

On that day, about one in the afternoon, the lord-general repaired in his carriage from the palace to Westminster Hall, through two regiments of military, composed of five hundred foot and three of horse. The procession formed at the door. Before him walked the aldermen, judges, two commissioners of the great seal, and the lord mayor; behind him the two councils of state and the army. They mounted to the court of Chancery, where a chair of state with a cushion had been placed on a rich carpet. Cromwell was dressed in a suit and cloak of black velvet, with long boots, and a broad gold band round his hat. He sat in his place before the chair, between the two commissioners; the ju-

<sup>1</sup> Exact Relation, 25, 26. True Narrative, 3. Thurloe, i. 730. I adopt the number given by Mansel, as he could have no motive to diminish it.

<sup>2</sup> Exact Relation, 26. True Narrative, 4. Ludlow, ii. 33. Clarendon, iii. 484. Thurloe, i. 754. The author of this new constitution is not known. Ludlow tells us that it was first communicated by Lambert to a council of field officers. When some objections were made, he replied, that the general was willing to consider any amendments which might be proposed, but would not depart from the project itself. Some,

therefore, suggested that, after the death of the present lord-general, the civil military government should be kept separate, and that no protector should be succeeded by any of his relatives. This was so much offence, that, at a second meeting, Lambert, having informed them that the lord-general would take care of the administration, dismissed them to their respective commands.—Ludlow, ii. 33. It is to this, perhaps, that the Dutch ambassador alludes, when he says that Cromwell desisted from his project of being declared king on account of the displeasure of the officers.—Thurloe, i. 644.

od in a half-circle behind it, and  
a civic officers ranged themselves on  
a right, the military on the left,  
e of the court.

Lambert now came forward to ad-  
ress the lord-general. He noticed  
e dissolution of the late parliament,  
served that the exigency of the  
e required a strong and stable  
overnment, and prayed his excel-  
cy in the name of the army and of  
e three nations to accept the office  
protector of the commonwealth.  
omwell, though it was impossible  
conceal the purpose for which he  
d come thither, could not yet put  
the habit of dissimulation; and if,  
er some demur, he expressed his  
asent, it was with an appearance of  
uctance which no one present could  
ieve to be real.

essop, one of the clerks of the  
ncil, was next ordered to read the  
nstrument of government," con-  
taining of forty-two articles. 1. By it  
legislative power was invested in  
ord-protector and parliament, but  
th a provision that every act passed  
the parliament should become law  
the expiration of twenty days, even  
hout the consent of the protector;  
less he could persuade the house  
the reasonableness of his objec-  
ns. The parliament was not to be  
ourned, prorogued, or dissolved,  
hout its own consent, within the  
t five months after its meeting;  
d a new parliament was to be called  
thin three years after the dissolu-  
n of the last. The number of the  
mbers was fixed according to the  
n projected by Vane at the close of  
e long parliament, at four hundred  
England, thirty for Scotland, and  
rty for Ireland. Most of the  
oughs were disfranchised, and the  
mber of county members was in-

creased. Every person possessed of  
real or personal property to the value  
of two hundred pounds had a right  
to vote,<sup>1</sup> unless he were a malignant  
or delinquent, or professor of the  
Catholic faith; and the disqualifica-  
tions to which the electors were sub-  
ject attached also to the persons  
elected. 2. The executive power was  
made to reside in the lord-protector  
acting with the advice of his council.  
He possessed, moreover, the power of  
treating with foreign states with the  
*advice*, and of making peace or war  
with the *consent*, of the council. To  
him also belonged the disposal of the  
military and naval power, and the  
appointment of the great officers of  
state, with the approbation of parlia-  
ment, and, in the intervals of parlia-  
ment, with that of the council, but  
subject to the subsequent approbation  
of the parliament. 3. Laws could  
not be made, nor taxes imposed, but  
by common consent in parliament.  
4. The civil list was fixed at two hun-  
dred thousand pounds, and a yearly  
revenue ordered to be raised for the  
support of an army of thirty thousand  
men, two-thirds infantry, and one-  
third cavalry, with such a navy as the  
lord-protector should think necessary.  
5. All who professed faith in God by  
Jesus Christ were to be protected in  
the exercise of their religion, with the  
exception of prelatists, papists, and  
those who taught licentiousness under  
the pretence of religion. 6. The lord-  
general Cromwell was named lord-  
protector; his successors were to be  
chosen by the council. The first par-  
liament was to assemble on the 3rd of  
the following December; and till that  
time the lord-protector was vested  
with power to raise the moneys ne-  
cessary for the public service, and to  
make ordinances which should have

During the long parliament this qualifi-  
on had been adopted on the motion of  
omwell, in place of a clause recommended  
the committee, which gave the elective

franchise under different regulations to  
freeholders, copyholders, tenants for life,  
and leaseholders. — See Journals, 30th  
March, 1653.

the force of law, till orders were taken in parliament respecting the same.

At the conclusion, Cromwell, raising his right hand and his eyes to heaven with great solemnity, swore to observe, and cause to be observed, all the articles of the instrument; and Lambert, falling on his knees, offered to the protector a civic sword in the scabbard, which he accepted, laying aside his own, to denote that he meant to govern by constitutional, and not by military, authority. He then seated himself in the chair, put on his hat while the rest stood uncovered, received the seal from the commissioners, the sword from the lord mayor, delivered them back again to the same individuals, and having exercised these acts of sovereign authority, returned in procession to his carriage, and repaired in state to Whitehall. The same day the establishment of the government by a lord-protector and triennial parliaments, and the acceptance of the protectorship by the lord-general, were announced to the public by proclamation, with all the ceremonies hitherto used on the accession of a new monarch.<sup>1</sup>

It cannot be supposed that this elevation of Cromwell to the supreme power was viewed with satisfaction by any other class of men than his brethren in arms, who considered his greatness their own work, and expected from his gratitude their merited reward. But the nation was surfeited with revolutions. Men had suffered so severely from the ravages of war and the oppression of the military; they had seen so many instances of punishment incurred by resistance to the actual possessors of power; they were divided and subdivided into so many parties, jealous

and hateful of each other; that readily acquiesced in any change which promised the return of tranquillity in the place of solicited danger, and misery. The protector, however, did not neglect the means of consolidating his own authority. Availing himself of the powers trusted to him by the "instrument," he gave the chief commands in an army to men in whom he could confide; quartered the troops in a manner best calculated to put down any insurrection; and, among a multitude of ordinances which he published, was careful to repeal acts enforcing the Engagement, to forbid all meetings on racecourse and at cockpits; to explain what offences should be deemed treason against the government; and to establish a court of justice for the trial of those who might be charged with such offences.

He could not, however, be ignorant that, even among the former companions of his fortunes, the men who had fought and bled by his side, there were several who, much as they revered the general, looked on the protector with the most cordial abhorrence. They were stubborn unbending republicans, partly from political, partly from religious, principles. To them he affected to unbend himself without reserve. He was the first to protest, the same humble individual they had formerly known him. Had he consulted his own feelings, "he would rather have taken the staff of a shepherd" than assumed the dignity of protector. Necessity imposed the office upon him; he sacrificed his own happiness to serve his countrymen from anarchy and ruin; and as he now bore the burthen with reluctance, he was

<sup>1</sup> Whitelock, 571—578. Thurloe, i. 639, 641. Ludlow, ii. 40. The alteration in the representation, which had been proposed

in the long parliament, was generally considered an improvement.—Clar. Hist. 495.

to lay it down with joy, the moment he could do so with safety to the nation. At this language made few proselytes. They had too often already been the dupes of his hypocrisy, the victims of their own credulity; they scrupled not, both in public companies, and from the pulpit, to pronounce him a dissembling perjured villain; and they openly threatened him with "a worse fate than had befallen the last rant." If it was necessary to silence these declaimers, it was also dangerous to treat them with severity. He proceeded with caution, and modified his displeasure by circumstances. Some he removed from their commissions in the army and their ministry in the church; others he did not permit to go at large, till they had given security for their subsequent behaviour; and those who proved less tractable, or appeared more dangerous, he incarcerated in the Tower. Among the last were Harrison, formerly his fellow-labourer in the dissolution of the long parliament, now his most implacable enemy; and Feakes and Powell, the Anabaptist preachers, who had braved his resentment during the last parliament. Symson, their colleague, shared their imprisonment, but procured his liberty by submission.<sup>1</sup>

To the royalists, as he feared them less, he showed less forbearance. Charles, who still resided in Paris, maintained a constant correspondence with the friends of his family in England, for the twofold purpose of preserving a party ready to take advantage of any revolution in his favour, and deriving from their loyalty advances

of money for his own support and that of his followers. Among the agents whom he employed, were men who betrayed his secrets, or pretended secrets, to his enemies,<sup>2</sup> or who seduced his adherents into imaginary plots, that by the discovery they might earn the gratitude of the protector. Of the latter class was an individual named Henshaw, who had repaired to Paris, and been refused what he solicited, admission to the royal presence. On his return, he detailed to certain royalists a plan by which the protector might be assassinated on his way to Hampton Court, the guards at Whitehall overpowered, the town surprised, and the royal exile proclaimed. Men were found to listen to his suggestions; and when a sufficient number were entangled in the toil, forty were apprehended and examined. Of these, many consented to give evidence; three were selected for trial before the High Court of Justice. Fox, one of the three, pleaded guilty, and thus, by giving countenance to the evidence of Henshaw, deserved and obtained his pardon. Vowell, a schoolmaster, and Gerard, a young gentleman two-and-twenty years of age, received judgment of death. The first suffered on the gallows, glorying that he died a martyr in the cause of royalty. Gerard, before he was beheaded, protested in the strongest terms that, though he had heard, he had never approved of the design.<sup>3</sup> In the depositions, it was pretended that Charles had given his consent to the assassination of the protector. Though Cromwell professed to disbelieve the

<sup>1</sup> Thurloe, i. 641, 642; ii. 67, 68. Whitelock, 580, 582, 596. Ludlow, ii. 47.

<sup>2</sup> Clarendon informs Nicholas (June 12), that in reality no one secret had been betrayed or discovered.—Clar. Papers, iii. 247. It is doubtful; for Willis, one of the committee called "the sealed knot," who was imprisoned, but discharged in September

(Perfect Account, No. 194), proved afterwards a traitor.

<sup>3</sup> State Trials, v. 517—540. Thurloe, ii. 416, 446, 447. Whitelock, 591, 592, 593. Henshaw was not produced on the trial. It was pretended that he had escaped. But we learn from Thurloe that he was safe in the Tower, and so Gerard suspected in his speech on the scaffold.

charge, yet as a measure of self-defence he threatened the exiled prince that, if any such attempt were encouraged, he should have recourse to retaliation, and, at the same time, intimated that it would be no difficult matter for him to execute his threat.<sup>1</sup>

On the same scaffold, but an hour later, perished a foreign nobleman, only nineteen years old, Don Pantaleon Sa, brother to Guimaraes, the Portuguese ambassador. Six months before, he and Gerard, whose execution we have just noticed, had quarrelled in the New Exchange. Pantaleon, the next evening, repaired to the same place with a body of armed followers; a fray ensued; Greenway, a person unconcerned in the dispute, was killed by accident or mistake; and the Portuguese fled to the house of the ambassador, whence they were conducted to prison by the military. The people, taking up the affair as a national quarrel, loudly demanded the blood of the reputed murderers. On behalf of Pantaleon it was argued: 1. That he was an ambassador, and therefore answerable to no one but his master; 2. That he was a person attached to the embassy, and therefore covered by the privilege of his principal. But the instrument which he produced in proof of the first allegation was no more than a written promise that he should succeed his brother in office; and in reply to the second, it was maintained that the privilege of an ambassador, whatever

it might be, was personal, and not extend to the individuals in suite. At the bar, after several fusils, he was induced by the threat of the *peine forte et dure* to plead guilty; and his demand of counsel on account of his ignorance of English law, was rejected, on the ground that the court was "of counsel equal to the prisoner and the commonwealth." He was found guilty, and condemned with four of his associates. To three of these the protector granted a pardon; but no entreaties of the several ambassadors could prevail in favour of Pantaleon. He was sacrificed, we believe one of them, to the clamour of the people, whose feelings were excited, that when his head fell from the scaffold, the spectators proclaimed their joy by the most savage yell of exultation.<sup>2</sup> It was the very day which his brother, perhaps to propitiate the protector, had signed a treaty between the two nations.

These executions had been preceded by one of a very different description. Colonel Worsley had apprehended a Catholic clergyman, of the name Southworth, who, thirty-seven years before, had been convicted at Lancaster, and sent into banishment. The old man (he had passed his seventy-second year), at his arraignment, pleaded that he had taken orders in the church of Rome, was innocent of any treason. The recorder advised him to withdraw his plea, and gave him four hours

<sup>1</sup> Cromwell did not give credit to the plots for murdering him.—Thurloe, ii. 512, 533. Clarendon writes thus on the subject to his friend Nicholas: "I do assure you upon my credit, I do not know, and upon my confidence, the king does not, of any such design. Many wild, foolish persons propose wild things to the king, which he civilly discountenances, and then they and their friends brag what they hear, or could do; and, no doubt, in some such noble rage that hath now fallen out which they talk so much of at London, and by which many honest men are in prison, of which whole matter the king knows no more than secre-

tary Nicholas doth."—Clar. Papers, iii. See, however, the account of Sexby's in the next chapter.

<sup>2</sup> See in State Trials, v. 461—51 numerous collection of authorities and opinions respecting this case. Also i. 536. That Pantaleon and his friends were armed, cannot be denied: was it for vengeance? So it would appear from the relation in Somers's Tracts, iii. 65; Whitelock, 569; and State Trials, v. 462. Was it solely for defence? Such is the evidence in Metham (Thurloe, ii. 222), and the assertion of Pantaleon at his death.—Whitelock, 595.



consideration. But Southworth still owned that he was a Catholic and in orders; judgment of death was pronounced; and the protector, notwithstanding the urgent solicitations of the French and Spanish ambassadors, resolved that he should suffer. It was not that Cromwell approved of sanguinary punishments in matters of religion, but that he had no objection to purchase the good-will of the godly by shedding the blood of a priest. The fate of this venerable man excited the sympathy of the higher classes. Two hundred carriages and a crowd of horsemen followed the burlard on which he was drawn to the place of execution. On the scaffold, he spoke with satisfaction of the manner of his death, but at the same time pointed out the inconsistency of the men who pretended to have taken up arms for liberty of conscience, and yet shed the blood of those who differed from them in religious opinions. He suffered the usual punishment of traitors.<sup>1</sup>

The intelligence of the late revolution had been received by the military in Ireland and Scotland with open murmurs on the part of some, and suspicious acquiescence on that of others. In Ireland, Fleetwood knew not how to reconcile the conduct of his father-in-law with his own principles, and expressed a wish to resign the government of the island; Ludlow and Jones, both stanch republicans, looked on the protector as a hypocrite and an apostate, and though the latter was more cautious in his language, the former openly refused to act as civil commissioner under the new constitution; and in most of the garrisons several of the principal officers made no secret of their dissatisfaction: in one case they even drew up a remonstrance against "the go-

vernment by a single person." But Cromwell averted the storm which threatened him, by his prudence and firmness. He sent his son Henry on a visit to Fleetwood, that he might learn the true disposition of the military; the more formidable of his opponents were silently withdrawn to England; and several of the others found themselves suddenly but successively deprived of their commands. In most cases interest proved more powerful than principle; and it was observed that out of the numbers who at first crowded to the Anabaptist conventicle at Dublin as a profession of their political creed, almost all who had anything to lose, gradually abandoned it for the more courtly places of worship. Even the Anabaptists themselves learned to believe that the ambition of a private individual could not defeat the designs of the Lord, and that it was better for men to retain their situations under the protector, than, by abandoning them, to deprive themselves of the means of promoting the service of God, and of hastening the reign of Christ upon earth.<sup>2</sup>

In Scotland the spirit of disaffection equally prevailed among the superior officers; but their attention was averted from political feuds by military operations. In the preceding years, under the appearance of general tranquillity, the embers of war had continued to smoulder in the Highlands: they burst into a flame on the departure of Monk to take the command of the English fleet. To Charles in France, and his partisans in Scotland, it seemed a favourable moment; the earls of Glencairn and Balcarras were successively joined by Angus, Montrose, Athol, Seaforth, Kenmure, and Lorn, the son of Argyle; and Wogan, an enterprising officer, land-

<sup>1</sup> Thurloe, ii. 406. Whitelock, 592. Chalmer, ii. 354. Knaresborough's Collec. MS.

<sup>2</sup> Thurloe, ii. 149, 150, 162, 214.

ing at Dover, raised a troop of loyalists in London, and traversing England under the colours of the commonwealth, reached in safety the quarters of his Scottish friends. The number of the royalists amounted to some thousands: the nature of the country and the affections of the natives were in their favour; and their spirits were supported by the repeated, but fallacious, intelligence of the speedy arrival of Charles himself at the head of a considerable force. A petty, but most destructive warfare ensued. Robert Lilburne, the English commander, ravaged the lands of all who favoured the royalists; the royalists, those of all who remained neuter, or aided their enemies. But in a short time, personal feuds distracted the councils of the insurgents; and as the right of Glencairn to the chief command was disputed, Middleton arrived with a royal commission, which all were required to obey. To Middleton the protector opposed Monk. It was the policy of the former to avoid a battle, and exhaust the strength of his adversary by marches and counter-marches in a mountainous country, without the convenience of roads or quarters; but in an attempt to elude his pursuer, Middleton was surprised at Loch Garry by the force under Morgan; his men, embarrassed in the defile, were slain or made prisoners; and his loss taught the royalist leaders to deserve mercy by the promptitude of their submission. The earl of Tullibardine set the example; Glencairn followed; they were imitated by their associates; and the lenity of Monk contributed as much as the fortune of war to the total suppression of the insurgents.<sup>1</sup> Cromwell, however, did not wait for the issue of the contest.

Before Monk had joined the army, published three ordinances, by which of his supreme authority, he incorporated Scotland with England, and solved the natives from their allegiance to Charles Stuart, abolished the kingly office and the Scottish parliament, with all tenures and superiorities importing servitude and vassalage; erected courts-baron to supply the place of the jurisdiction which he had taken away, and granted a free pardon to the nation, with the exception of numerous individuals whom he subjected to different degrees of punishment. Thus the whole frame of the Scottish constitution was subverted: yet no one ventured to remonstrate or oppose. The spirit of the nation had been broken. The experience of the past, and the presence of the military, convinced the people that resistance was fruitless within the walls of their prisons in England; and the others were ground to the dust by the demands of the creditors, or the exactions of the questrators; and even the kirk, which had so often bearded kings on their thrones, was taught to feel that authority, however it might boast of its celestial origin, was no match for the earthly power of the English commonwealth.<sup>2</sup> Soon after Cromwell had called his little parliament the general assembly of the kirk at the usual place in Edinburgh; a Dickson, the moderator, had begun his prayer, when Colonel Cotter leaving two troops of horse and two companies of foot at the door, entered the house and inquired by what authority they sat there? Was it the authority of the parliament, or of the commander of the forces, or of the English judges in Scotland? T

<sup>1</sup> See the ratification of the surrenders of Tullibardine, Glencairn, Heriot, Forrester, Kenmure, Montrose, and Seaforth, dated at different times between Aug. 24 and Jan. 10,

in the Council Book, 1655, Feb. 7.

<sup>2</sup> Scobell, 289, 293—295. Whitelock, 5597, 599. Burnet, i. 53—61. Baillie, ii. 381. Milton, State Papers, 130, 131.

moderator meekly but firmly replied, that they formed a spiritual court, established by God, recognised by law, and supported by the solemn league and covenant. But this was a language which the soldier did not, or would not, understand. Mounting a bench, he declared that there existed no authority in Scotland which was not derived from the parliament of England; that it was his duty to put down every illegal assumption of power; and that they must immediately depart or suffer themselves to be dragged out by the military under his command. No one offered to resist: a protestation was hastily entered on the minutes; and the whole body was marched between two files of soldiers through the streets, to the surprise, and grief, and horror of the inhabitants. At the distance of a mile from the city, Cotterel discharged them with an admonition, that if any of them were found in the capital after eight o'clock on the following morning, or should subsequently presume to meet in greater numbers than three persons at one time, they would be punished with imprisonment, as disturbers of the public peace. "Thus," exclaims Baillie, "our general assembly, the glory and strength of our church upon earth, is by your soldiery crushed and trode under foot. For this our hearts are sad, and our eyes run down with water."<sup>1</sup>

Yet after this they were permitted to meet in synods and presbyteries, on indulgence which they owed not to the moderation of their adversaries, but to the policy of Vane, who argued that it was better to furnish them

with the opportunity of quarrelling among themselves, than, by establishing a compulsory tranquillity, allow them to combine against the commonwealth: for the ministers were still divided into resolutioners and protestors, and the virulence of this religious feud appeared to augment in proportion as the parties were deprived of real power. The resolutioners were the more numerous, and enjoyed a greater share of popular favour; but the protestors were enemies of Charles Stuart, and therefore sure of the protection of the government. Hence it happened that in every struggle for the possession of churches—and such struggles continually happened between the two parties—the protestors were invariably supported against the voice of the people by the swords of the military.<sup>2</sup>

By foreign powers the recent elevation of Cromwell was viewed without surprise. They were aware of his ambition, and had anticipated his success. All who had reason to hope from his friendship or to fear from his enmity, offered their congratulations, and ambassadors and envoys from most of the princes of Europe crowded to the court of the protector. He received them with all the state of a sovereign. From his apartments in the Cockpit he had removed with his family to those which in former times had been appropriated to the king; they were newly furnished in the most costly and magnificent style; and in the banqueting-room was placed a chair of state on a platform, raised by three steps above the floor. Here the protector stood to receive

<sup>1</sup> Baillie, ii. 370.

<sup>2</sup> Baillie, 371—376, 380. Burnet, i. 62. Whilst Baillie weeps over the state of the Kirk, Kirkton exults at the progress of the gospel. "I verily believe," he writes, "there were more souls converted unto Christ in that short period of time than in

any season since the Reformation. Ministers were painful, people were diligent. At their solemn communions many congregations met in great multitudes, some dozen of ministers used to preach, and the people continued as it were in a sort of trance (so serious were they in spiritual exercises) for three days at least."—Kirkton, 54, 55.

the ambassadors. They were instructed to make three reverences, one at the entrance, the second in the midway, and the third at the lower step, to each of which Cromwell answered by a slight inclination of the head. When they had delivered their speeches, and received the reply of the protector, the same ceremonial was repeated at their departure. On one occasion he was requested to permit the gentlemen attached to the embassy to kiss his hand; but he advanced to the upper step, bowed to each in succession, waved his hand, and withdrew. On the conclusion of peace with the States, the ambassadors received from him an invitation to dinner. He sat alone on one side of the table, they, with some lords of the council on the other. Their ladies were entertained by the lady protectress. After dinner, both parties joined in the drawing-room; pieces of music were performed, and a psalm was sung, a copy of which Cromwell gave to the ambassadors, observing that it was the best paper that had ever passed between them. The entertainment concluded with a walk in the gallery.<sup>1</sup>

This treaty with the United Provinces was the first which engaged the attention of the protector, and was not concluded till repeated victories had proved the superiority of the English navy, and a protracted negotiation had exhausted the patience of the States. In the preceding month of May the hostile fleets, each consisting of about one hundred sail, had put to sea, the English commanded by Monk, Dean, Penn, and Lawson; the Dutch by Van Tromp, De Ruyter, De Witte, and Evertsens.

While Monk insulted the coast of Holland, Van Tromp cannonaded the town of Dover. They afterwards met each other off the North Foreland, and the action continued the whole day. The enemy lost two sail; the part of the English, Dean was killed by a chain-shot. He fell on the side of Monk, who instantly spread his cloak over the dead body, that the men might not be alarmed at the fall of their commander.

The battle was renewed the next morning. Though Blake, with eighteen sail, had joined the English in the night, Van Tromp fought with the most determined courage; but a panic pervaded the fleet; his orders were disobeyed; several captains fled from the superior fire of the enemy; and ultimately the Dutch sought shelter within the Wielings, and along the shallow coasts of Zeeland. They lost one-and-twenty sail; thirteen hundred men were made prisoners, and the number killed and wounded was great in proportion.<sup>2</sup>

Cromwell received the news of this victory with transports of joy. Though he could claim no share in the merit (for the fleet owed its success to the exertions of the government which he had overturned), he was aware that it would shed a lustre over his own administration; and the people were publicly called up to return thanks to the Almighty for so signal a favour. It was observed that on this occasion he did not command but invite; and the distinction was hailed by his admirers as a proof of the humility and single-mindedness of the lord-general.<sup>3</sup>

To the States, the defeat of the

<sup>1</sup> Clarendon Papers, iii. 240. Thurloe, i. 50, 69, 154, 257. It appears from the Council Book that the quarterly expense of the protector's family amounted to thirty-five thousand pounds. 1655, March 14.

<sup>2</sup> Whitelock, 557. Ludlow, ii. 27. Heath, 344. Le Clerc, i. 333. Basnage, i. 307. It

appears from the letters in Thurloe, that the English fought at the distance of half a cannon-shot, till the enemy fell into confusion, and began to fly, when their disabled ships were surrounded, and captured by the English frigates.—Thurloe, i. 269, 270, 277, 278.

<sup>3</sup> Whitelock, 558

fleet proved a subject of the deepest regret. It was not the loss of men and ships that they deplored; such loss might soon be repaired; but it degraded them in the eyes of Europe, by placing them in the posture of suppliants deprecating the anger of a victorious enemy. In consequence of the importunate entreaties of the merchants, they had previously appointed ambassadors to make proposals of peace to the new government; but these ministers did not quit the coast of Holland till after the battle; and their arrival in England at this particular moment was universally attributed to a conviction of inferiority arising from the late defeat. They were introduced with due honour to his excellency and the council; but found them unwilling to recede from the high demands formerly made by the parliament. As to the claim of indemnification for the past, the ambassadors maintained that, if a balance were struck of their respective losses, the Dutch would be found the principal sufferers; and to the demand of security for the future, they replied, that it might be obtained by the completion of that treaty, which had been interrupted by the sudden departure of St. John and Strickland from the Hague. The obstinacy of the council induced the ambassadors to demand passports for their return; but means were found to awaken in them new hopes, and to amuse them with new proposals. In the conferences, Cromwell generally bore the principal part. Sometimes he chided the ambassadors in no very courteous terms; sometimes he described with tears the misery occasioned by the war; but he was always careful to wrap up his meaning in such obscurity, that a full month elapsed before the Dutch could dis-

tinctly ascertain his real demands. They were then informed that England would waive the claim of pecuniary compensation, provided Van Tromp were removed for a while from the command of their fleet, as an acknowledgment that he was the aggressor; but that, on the other hand, it was expected that the States should consent to the incorporation of the two countries into one great maritime power, to be equally under the same government, consisting of individuals chosen out of both. This was a subject on which the ambassadors had no power to treat; and it was agreed that two of their number should repair to the Hague for additional instructions.<sup>1</sup>

But, a few days before their departure, another battle had been fought at sea, and another victory won by the English. For eight weeks Monk had blockaded the entrance of the Texel; but Van Tromp, the moment his fleet was repaired, put to sea, and sought to redeem the honour of the Belgic flag. Each admiral commanded about one hundred sail; and as long as Tromp lived, the victory hung in suspense; he had burst through the English line, and returned to his first station, when he fell by a musket-shot: then the Dutch began to waver; in a short time they fled, and the pursuit continued till midnight. That which distinguished this from every preceding action was the order issued by Monk to make no prizes, but to sink or destroy the ships of the enemy. Hence the only trophies of victory were the prisoners, men who had been picked up after they had thrown themselves into the water, or had escaped in boats from the wrecks. Of these, more than a thousand were brought to England, a sufficient proof that, if the loss of the enemy

<sup>1</sup> See on this subject a multitude of original Papers in Thurloe, i. 268, 284, 302, 308,

315, 316, 340, 362, 370, 372, 381, 382, 394, 401.

did not amount to twenty sail, as stated by Monk, it exceeded nine small vessels, the utmost allowed by the States.<sup>1</sup>

During the absence of the other ambassadors, Cromwell sought several private interviews with the third who remained, Beverning, the deputy from the States of Holland; and the moderation with which he spoke of the questions in dispute, joined to the tears with which he lamented the enmity of two nations so similar in their political and religious principles, convinced the Dutchman that an accommodation might be easily and promptly attained. At his desire his colleagues returned; the conferences were resumed; the most cheering hopes were indulged; when suddenly the English commissioners presented seven-and-twenty articles, conceived in a tone of insulting superiority, and demanding sacrifices painful and degrading. A few days later the parliament was dissolved; and as it was evident that the interests of the new protector required a peace, the ambassadors began to affect indifference on the subject, and demanded passports to depart. Cromwell, in his turn, thought proper to yield; some claims were abandoned; others were modified, and every question was adjusted, with the exception of this, whether the king of Denmark, the ally of the Dutch, who, to gratify them, had seized and confiscated twenty-three English merchantmen in the Baltic,<sup>2</sup> should be comprehended or not in the treaty. The ambassadors were at Gravesend on their way home, when Cromwell proposed a new expedient, which they approved. They proceeded, however, to Holland; ob-

tained the approbation of the several states, and returned to put an end to the treaty. But here again, to the surprise, new obstacles arose. Beverning had incautiously boasted his dexterity; he had, so he pretended, compelled the protector to lower his demands by threatening to break off the negotiation; and Cromwell now turned the tables upon him by playing a similar game. At the same time that he rose in some of his demands he equipped a fleet of one hundred sail, and ordered several regiments to embark. The ambassadors, aware that the States had made no provision to oppose this formidable armament, reluctantly acquiesced; and on the 5th of April, after a negotiation of ten months, the peace was definitively signed.<sup>3</sup>

By this treaty the English cabinet silently abandoned those lofty pretensions which it had originally put forth. It made no mention of indemnity for the past, of security for the future, of the incorporation of the two states, of the claim of search of the tenth herring, or of the exclusion of the prince of Orange from the office of stadtholder. To these humiliating conditions the pride of the States had refused to submit, and Cromwell was content to accept two other articles, which, while they appeared equally to affect the two nations, were in reality directed against the Stuart family and its adherents. It was stipulated that neither commonwealth should harbour or aid the enemies, rebels, or exiles of the other; but that either being previously required, should order such enemies, rebels, or exiles to leave its territory, under the

<sup>1</sup> Le Clerc, i. 335. Basnage, i. 313. Several Proceedings, No. 197. Perfect Diurnal, No. 187. Thurloe, i. 392, 420, 443.

<sup>2</sup> Basnage, i. 289.

<sup>3</sup> Thurloe, i. 570, 607, 616, 624, 643, 650; ii. 9, 19, 28, 36, 74, 75, 123, 137, 195, 197.

Le Clerc, i. 340-343. During the whole negotiation, it appears from these papers that the despatches of and to the ambassadors were opened, and copies of almost all the resolutions taken by the States procured, by the council of state.—See particularly Thurloe, ii. 99, 153.

penalty of death, before the expiration of twenty-eight days. To the demand, that the same respect which had been paid to the flag of the king should be paid to that of the commonwealth, the Dutch did not object. The only questions which latterly retarded the conclusion of the treaty related to the compensation to be made to the merchants for the depletions on their trade in the East Indies before, and the detention of their ships by the king of Denmark during the war. It was, however, agreed that arbitrators should be chosen out of both nations, and that each government should be bound by their award.<sup>1</sup> These determined that the island of Polerone should be restored, and damages to the amount of one hundred and seventy thousand pounds should be paid to the English East-India Company; that three thousand six hundred and fifteen pounds should be distributed among the heirs of those who suffered at Amboyna; and that a compensation of ninety-seven thousand nine hundred and seventy-three pounds should be made to the traders to the Baltic.<sup>2</sup>

On one subject, in the protector's estimation of considerable importance, he was partially successful. Possessed of the supreme power himself, he considered Charles as a personal rival, and made it his policy to strip the exiled king of all hope of foreign support. From the prince of Orange, so nearly allied to the royal family, Cromwell had little to fear

during his minority; and, to render him incapable of benefiting the royal cause in his more mature age, the protector attempted to exclude him by the treaty from succeeding to those high offices which might almost be considered hereditary in his family. The determined refusal of the States had induced him to withdraw the demand; but he intrigued, through the agency of Beverning, with the leaders of the Louvestein party;<sup>3</sup> and obtained a secret article, by which the states of Holland and West Friesland promised never to elect the prince of Orange for their stadtholder, nor suffer him to have the chief command of the army and navy. But the secret transpired; the other states highly resented this clandestine negotiation; complaints and remonstrances were answered by apologies and vindications: an open schism was declared between the provinces, and every day added to the exasperation of the two parties. On the whole, however, the quarrel was favourable to the pretensions of the young prince, from the dislike with which the people viewed the interference of a foreign potentate, or rather, as they termed him, of an usurper, in the internal arrangements of the republic.<sup>4</sup>

The war in which the rival crowns of France and Spain had so long been engaged, induced both Louis and Philip to pay their court to the new protector. Alonzo de Cardenas, the Spanish ambassador, had the advan-

<sup>1</sup> Dumont, v. part ii. 74.

<sup>2</sup> See the award, *ibid.* 85, 88. By Sagredo, the Venetian ambassador, who resided during the war at Amsterdam, we are told that the Dutch acknowledged the loss of one thousand one hundred and twenty-two men-of-war and merchantmen; and that the expense of this war exceeded that of their twenty years' hostilities with Spain. He states that their inferiority arose from three causes: that the English ships were of greater bulk; the English cannon were of brass, and of a larger calibre; and the number of prizes made by the English

at the commencement crippled the maritime resources of their enemies.—Relazione, MS. Le Clerc states that the Dutch employed one hundred thousand men in the herring-fishery (i. 321).

<sup>3</sup> The leaders of the republicans were so called, because they had been confined in the castle of Louvestein, whence they were discharged on the death of the late prince of Orange.

<sup>4</sup> Dumont, 79. Thurloe, vol. ii. iii. Vaughan, i. 9, 11. La Déduction, or Defence of the States in Holland, in Le Clerc, i. 345; and Basnage, i. 342.

tage of being on the spot. He waited on Cromwell to present to him the congratulations of his sovereign, and to offer to him the support of the Spanish monarch, if he should feel desirous to rise a step higher, and assume the style and office of king. To so flattering a message, a most courteous answer was returned; and the ambassador proceeded to propose an alliance between the two powers, of which the great object should be to confine within reasonable bounds the ambition of France, which, for so many years, had disturbed the tranquillity of Europe. This was the sole advantage to which Philip looked; to Cromwell the benefit would be, that France might be compelled to refuse aid and harbour to Charles Stuart and his followers; and to contract the obligation of maintaining jointly with Spain the protector in the government of the three kingdoms. Cromwell listened, but gave no answer; he appointed commissioners to discuss the proposal, but forbade them to make any promise, or to hold out any hope of his acquiescence. When Don Alonzo communicated to them the draft of a treaty which he had all but concluded with the deputies appointed by the late parliament, he was asked whether the king of Spain would consent to a free trade to the West Indies, would omit the clause respecting the Inquisition, reduce to an equality the duties on foreign merchandise, and give to the English merchant the pre-emption of the Spanish wool. He replied, that his master would as soon lose his eyes as suffer the interference of any foreign

power on the two first questions; to the others, satisfactory adjustment might easily be made. This was sufficient for the present. Cromwell affected to consider the treaty at an end; though the real fact was, that he meditated a very different project in his own mind, and was careful not to be precluded by premature arrangements.<sup>1</sup>

The French ambassador, though he commenced his negotiation under less propitious auspices, had the address or good fortune to conduct it as a more favourable issue. That the royal family of France, from its relationship to that of England, was inclined towards the commonwealth there could be no doubt; but these inclinations were controlled by the internal feuds which distracted, as well as the external war which demanded the attention of the government. The first proof of hostility was suggested to be given before the death of the king, by a royal *arrêt* prohibiting the importation into France of English woollens and silks; and this was afterwards met by an order of parliament equally prohibiting the importation into England of French woollens, silks, and wines. The alleged infraction of these commercial regulations led to the arrest and subsequent condemnation of vessels belonging to both nations; each government issued letters-of-marque to the sufferers among its subjects; and the naval commanders received instructions to seek that compensation for the individuals aggrieved which the latter were unable to obtain of themselves.<sup>2</sup> Thus the maritime trade

<sup>1</sup> Thurloe, i. 705, 759, 760. Dumont, v. part ii. p. 106. The clause respecting the Inquisition was one which secured the English traders from being molested by that court, on condition that they gave no scandal,—*modo ne dent scandalum*. This condition Cromwell wished to be withdrawn.

<sup>2</sup> See the instructions to Popham. "In respect that many of the English so spoiled

are not able to undergo the charge of setting forth ships of their own to make seizure by such letters-of-marque;.....you shall see as in the way and execution of justice, seize, arrest, &c. such ships and vessels as the said French king, or any of his subjects as you shall think fit,.....and the said ships keep in your custody, till the parliament declare their further resolution concerning the same."—Thurloe, i. 144.



th countries was exposed to the predations of private and national cruisers, while their respective governments were considered as remaining at peace. But in 1651, when the cardinal Mazarin had been banished from France, it was resolved by Cromwell, who had recently won the battle of Worcester, to tempt the fidelity of d'Estrades, the governor of Dunkirk and a dependant on the exiled minister. An officer of the lord-general's regiment made to d'Estrades the offer of a considerable sum, on condition that he would deliver the fortress into the hands of the English; or of the same sum, with the aid of a military force to the cardinal, if he preferred to treat in the name of his patron. The governor complained of the insult offered to his honour; but intimated that, if the English wished to purchase Dunkirk, the proposal might be addressed to the sovereign. The hint was taken, and the offer was made, and debated in the royal council at Poitiers. The cardinal, who returned to France at the very time, urged its acceptance; but the queen-mother and the other counsellors were so unwilling to give the English a footing in France, that they acquiesced in their opinion, and a refusal was returned. Cromwell did not fail to resent the disappointment. The facility which he afforded to the Spanish levies in Ireland, their army in Flanders was enabled to reconquer Gravelines, and soon afterwards invest Dunkirk. That fortress was the point of capitulating, when a French flotilla of seven sail, carrying from twenty to thirty guns each, and laden with stores and provisions, was descried stealing along the shore to

its relief. Blake, who had received secret orders from the council, gave chase; the whole squadron was captured, and the next day Dunkirk opened its gates.<sup>2</sup> By the French court this action was pronounced an unprovoked and unjustifiable injury; but Mazarin coolly calculated the probable consequences of a war, and, after some time, sent over Bordeaux, under the pretence of claiming the captured ships, but in reality to oppose the intrigues of the agents of Spain, of the prince of Condé, and of the city of Bordeaux, who laboured to obtain the support of the commonwealth in opposition to the French court.<sup>3</sup>

Bordeaux had been appointed ambassador to the parliament; after the inauguration of Cromwell, it became necessary to appoint him ambassador to his highness the protector. But in what style was Louis to address the usurper by letter? "Mon cousin" was offered and refused; "mon frère," which Cromwell sought, was offensive to the pride of the monarch; and, as a temperament between the two, "monsieur le protecteur" was given and accepted. Bordeaux proposed a treaty of amity, by which all letters-of-marque should be recalled, and the damages suffered by the merchants of the two nations be referred to foreign arbitrators. To thwart the efforts of his rival, Don Alonzo, abandoning his former project, brought forward the proposal of a new commercial treaty between England and Spain. Cromwell was in no haste to conclude with either. He was aware that the war between them was the true cause of these applications; that he held the balance in his hand, and

Here Louis XIV., to whom we are indebted for this anecdote, observes, that it is the cardinal's maxim de pourvoir, à quelque prix qu'il fût, aux affaires présentes, et persuadé que les maux à venir trouveroient leur remède dans l'avenir même.—Œuvres

de Louis XIV. i. 170.

<sup>2</sup> Ibid. 168—170. See also Heath, 325; Thurloe, i. 214; Whitelock, 543.

<sup>3</sup> Journals, 14 Dec. 1652. Clar. Pap. iii. 105, 123, 132. Thurloe, i. 436.

that it was in his power at any moment to incline it in favour of either of the two crowns. His determination, indeed, had long been taken; but it was not his purpose to let it transpire; and when he was asked the object of the two great armaments preparing in the English ports, he refused to give any satisfactory explanation.<sup>1</sup>

In this state of the treaty, its further progress was for a while suspended by the meeting of the protector's first parliament. He had summoned it for the 3rd of September, his fortunate day, as he perhaps believed himself, as he certainly wished it to be believed by others. But the 3rd happened in that year to fall on a Sunday; and, that the Sabbath might not be profaned by the agitation of worldly business, he requested the members to meet him at sermon in Westminster Abbey on the following morning. At ten the procession set out from Whitehall. It was opened by two troops of life-guards; then rode some hundreds of gentlemen and officers, bareheaded, and in splendid apparel; immediately before the carriage walked the pages and lackeys of the protector in rich liveries, and on each side a captain of the guard; behind it came Claypole, master of the horse, leading a charger magnificently caparisoned, and Claypole was followed by the great officers of state and the members of the council. The personal appearance of the protector formed a striking contrast with the parade of the procession. He was dressed in a plain suit, after the fashion of a country gentleman, and was chiefly distinguished from his attendants by his superior simplicity, and the privilege

of wearing his hat. After sermon, placed himself in the chair of state in the Painted Chamber, while members seated themselves, unseated, on benches ranged along the walls. The protector then rose, took off his hat, and addressed them in a speech which lasted three hours. It was, after his usual style, verbose, involved, and obscure, sprinkled with quotations from Scripture to reprove the piety of the saints, and seasoned with an affectation of modesty to disarm the enmity of the republicans. He described the state of the nation at the close of the last parliament. It was agitated by the principles of the Levellers, tending to reduce all to an equality; by the doctrines of the Fifth-monarchy men, subverting of civil government; by religious theorists, the pretended champions of liberty of conscience, who condemned an established ministry as Babylonian and antichristian; and by a swarm of Jesuits, who had settled in England, an episcopal jurisdiction to oppress the people. At the same time a naval war with Holland absorbed the pecuniary resources, while a commercial war with France and Portugal cramped the industry of the nation. He then bade them contemplate this picture with the existing state of things. The taxes had been reduced, judges of talent and integrity had been placed upon the bench; the burthen of the commissioners of the great seal had been lightened by the removal of many descriptions of causes from the court of Chancery to the ordinary courts of law; and "a seal had been put to that heady way of every man who pleased to become a preacher." The war with Holland had terminated in an advantage

<sup>1</sup> Thurloe, i. 760; ii. 61, 113, 228, 559, 587. An obstacle was opposed to the progress of the treaty by the conduct of De Baas, a dependant on Mazarin, and sent to aid Bordeaux with his advice. After some time, it was discovered that this man (whether by

order of the minister, or at the solicitation of the royalists, is uncertain) was in league with the malcontents. Cromwell compelled him to return to France.—Thurloe, ii. 351, 412, 437.

ce; treaties of commerce and  
ity had been concluded with Den-  
rk and Sweden;<sup>1</sup> a similar treaty,  
ich would place the British trader  
ond the reach of the Inquisition,  
l been signed with Portugal, and  
other was in progress with the  
bassador of the French monarch.  
us had the government brought  
three nations by hasty strides to-  
ds the land of promise: it was for  
parliament to introduce them into  
The prospect was bright before  
m; let them not look back to  
onions and flesh-pots of Egypt.  
spoke not as their lord, but  
ir fellow-servant, a labourer with  
m in the same good work; and  
uld therefore detain them no  
ger, but desire them to repair to  
ir own house, and to choose their  
aker.<sup>2</sup>

To procure a parliament favourable  
his designs, all the power of the  
ernment had been employed to  
uence the elections; the returns  
been examined by a committee  
he council, under the pretext of  
ng that the provisions of the "in-  
ament" were observed; and the  
equence was, that the Lord Grey  
Groby, Major Wildman, and some  
er noted republicans, had been ex-  
ded by command of the protector.  
ll he found himself unable to  
uld the house to his wishes. By

That with Sweden was negotiated by  
itelock, who had been sent on that mis-  
against his will by the influence of  
romwell. The object was to detach  
eden from the interest of France, and  
age it to maintain the liberty of trade in  
Baltic, against Denmark, which was  
er the influence of Holland. It was  
cluded April 11. After the peace with  
land, the Danish monarch hastened to  
ease the protector; the treaty which,  
ugh said by Cromwell to be already con-  
led, was not signed till eleven days after-  
ds, stipulated that the English traders  
uld pay no other customs or dues than  
Dutch. Thus they were enabled to  
ort naval stores on the same terms,  
le before, on account of the heavy  
ies, they bought them at second hand of

the court, Lenthall was put in nomi-  
nation for the office of speaker; by  
the opposition, Bradshaw, the boldest  
and most able of the opposite party.  
After a short debate, Lenthall was  
chosen, by the one, because they  
knew him to be a timid and a time-  
serving character; by the other, be-  
cause they thought that, to place him  
in the chair, was one step towards the  
revival of the long parliament, of  
which he had been speaker. But no  
one ventured to propose that he  
should be offered, according to an-  
cient custom, to the acceptance of the  
supreme magistrate: This was thought  
to savour too much of royalty.<sup>3</sup>

It was not long before the relative  
strength of the parties was ascer-  
tained. After a sharp debate, in which  
it was repeatedly asked why the  
members of the long parliament then  
present should not resume the au-  
thority of which they had been ille-  
gally deprived by force, and by what  
right, but that of the sword, one man  
presumed to "command his com-  
manders," the question was put, that  
the house resolve itself into a com-  
mittee, to determine whether or not  
the government shall be in a single  
person and a parliament; and, to the  
surprise and alarm of Cromwell, it  
was carried against the court by a  
majority of five voices.<sup>4</sup> The leaders  
of the opposition were Bradshaw,

the Dutch.—See the treaties in Dumont, v.  
part ii. p. 80, 92.

<sup>2</sup> Compare the official copy printed by  
G. Sawbridge, 1654, with the abstract by  
Whitelock (599, 600), and by Bordeaux  
(Thurloe, ii. 518). See also Journals,  
Sept. 3, 4.

<sup>3</sup> It appears from the Council Book (1654,  
Aug. 21), that on that day letters were  
despatched to the sheriffs, containing the  
names of the members who had been ap-  
proved by the council, with orders to give  
them notice to attend. The letters to the  
more distant places were sent first, that  
they might all be received about the same  
time.

<sup>4</sup> Journals, Sept. 8. Many of those who  
voted in the majority did not object to the  
authority of the protector, but to the source

Hazlerig, and Scot, who now contended in the committee that the existing government emanated from an incompetent authority, and stood in opposition to the solemn determination of a legitimate parliament; while the protectorists, with equal warmth, maintained that, since it had been approved by the people, the only real source of power, it could not be subject to revision by the representatives of the people. The debate lasted several days, during which the commonwealth party gradually increased in number. That the executive power might be profitably delegated to a single individual, was not disputed; but it was contended that, of right, the legislative authority belonged exclusively to the parliament. The officers and courtiers, finding that the sense of the house was against them, dropped the question of right, and fled to that of expediency; in the existing circumstances, the public safety required a check on the otherwise unbounded power of parliament; that check could be no other than a co-ordinate authority, possessing a negative voice; and that authority was the protector, who had been pointed out to them by Providence, acknowledged by the people in their addresses, and confirmed by the conditions expressed in the indentures of the members. It was replied, that the inconveniency of such

a check had induced the nation to abolish the kingly government; the addresses of the people expressed their joy for their deliverance from the incapacity of the little parliament; not their approbation of the government; that Providence does not permit what it disapproves; and the indentures were an artifice of the court, which could not have force to bind the supreme power. To reconcile the disputants, a compromise between the parties had been planned, but Cromwell would not suffer the experiment to be tried.<sup>1</sup> He then ordered Harrison, whose party were collecting signatures to a petition, to be taken into custody, and despatched three regiments to occupy the principal posts in the city, and commanded the attendance of the house in the Painted Chamber. There, laying aside that ton of modesty which he had hitherto assumed, he frankly told the members that his calling was from God, and testimony from the people; and that no one but God and the people should ever take his office from him. It was not of his seeking; God knew that was his utmost ambition to lead the life of a country gentleman; but peculiar circumstances had imposed upon him. The long parliament brought their dissolution upon themselves by despotism, the little parliament by imbecility.<sup>2</sup> On each c

from which it emanated,—a written instrument, the author of which was unknown. They wished it to be settled on him by act of parliament.—Thurloe, ii. 606.

<sup>1</sup> See introduction to Burton's Diary, xxiv.—xxxii.

<sup>2</sup> It is remarkable that, in noticing the despotism of the long parliament, he makes mention of the very same thing, which his enemy Lilburne urged against it: "by taking the judgment, both in capital and criminal things, to themselves, who in former times were not known to exercise such a judicature." He boldly maintains that they meant to perpetuate themselves by filling up vacancies as they occurred, and had made several applications to him to obtain his consent. He adds, "Poor men,

under this arbitrary power, were done like flocks of sheep by forty, in a day to the confiscation of goods and estates without any man being able to give a reason that two of them had deserved to forfeit their shilling. I tell you the truth; and many persons whose faces I see in this place, were exceedingly grieved at these things, and knew not which way to be relieved, but by their mournings, and giving up their negatives when the occasion served. I notice this passage, because since the discovery of the sequestrators' papers it has been thought, from the regularity with which their books were kept, and the seeming equity of their proceedings, that they are entered, that little injustice is done.

he found himself invested with plute power over the military, and, ough the military, over the three ions. But on each occasion he anxious to part with that power ; if, at last, he had acquiesced in instrument of government, it was ause it made the parliament a ck on the protector, and the pro- tor a check on the parliament. t he did not bring himself into his sent situation, he had God for a erness above, his conscience for a erness within, and a cloud of wit- esses without; he had the persons o attended when he took the oath fidelity to "the instrument;" the persers of the army in the three ions, who testified their approba- t by their signatures; the city of adon, which feasted him; the nties, cities, and boroughs, that sent him addresses; the judges, gistrates, and sheriffs, who acted his commission; and the very men o now stood before him, for they e there in obedience to his writ, under the express condition that e persons so chosen should not e power to change the govern- nt as settled in one single person the parliament." He would, efore, have them to know, that : things were fundamental: 1. That supreme power should be vested a single person and parliament; hat the parliament should be suc- ive, and not perpetual; 3. that her protector nor parliament e should possess the uncontrolled mand of the military force; and hat liberty of conscience should e nced round with such barriers as ht exclude both profaneness and

persecution. The other articles of the instrument were less essential; they might be altered with circum- stances; and he should always be ready to agree to what was reasonable. But he would not permit them to sit, and yet disown the authority by which they sat. For this purpose he had prepared a recognition which he re- quired them to sign. Those who refused would be excluded the house; the rest would find admission, and might exercise their legislative power without control, for his negative re- mained in force no longer than twenty\* days. Let them limit his authority if they pleased. He would cheerfully submit, provided he thought it for the interest of the people.<sup>1</sup>

The members, on their return, found a guard of soldiers at the door of the house, and a parchment for signatures lying on a table in the lobby. It contained the recognition of which the protector had spoken; a pledge that the subscribers would neither propose nor consent to alter the government, as it was settled in one person and a parliament. It was immediately signed by Lenthall, the speaker; his example was followed by the court party; and in the course of a few days almost three hundred names were subscribed. The stanch republicans refused; yet the sequel showed that their exclusion did not give to the court that ascendancy in the house which had been anti- cipated.<sup>2</sup>

About this time an extraordinary accident occurred. Among the pre- sents which Cromwell had received from foreign princes, were six Fries- land coach-horses from the duke of

Printed by G. Sawbridge, 1654.

Thurloe, ii. 606. Whitelock, 605. Jour- nal, Sept. 5—18. Fleetwood, from Dublin, Thurloe, "How cam it to passe, that last teste was not at the first sitting of house?" (ii. 620.) See in Archæol. 39, a letter showing that several, who

refused to subscribe at first through motives of conscience, did so later. This was in consequence of a declaration that the recog- nition did not comprehend all the forty-two articles in "the instrument," but only what concerned the government by a single per- son and successive parliaments.—See Jour- nals, Sept. 14.

Oldenburg. One day, after he had dined with Thurloe under the shade in the park, the fancy took him to try the mettle of the horses. The secretary was compelled to enter the carriage; the protector, forgetful of his station, mounted the box. The horses at first appeared obedient to the hand of the new coachman; but the too frequent application of the lash drove them into a gallop, and the protector was suddenly precipitated from his seat. At first, he lay suspended by the pole with his leg entangled in the harness; and the explosion of a loaded pistol in one of his pockets added to the fright and the rapidity of the horses; but a fortunate jerk extricated his foot from his shoe, and he fell under the body of the carriage without meeting with injury from the wheels. He was immediately taken up by his guards, who followed at full speed, and conveyed to Whitehall; Thurloe leaped from the door of the carriage, and escaped with a sprained ancle and some severe bruises. Both were confined to their chambers for a long time; but by many their confinement was attributed as much to policy as to indisposition. The Cavaliers diverted themselves by prophesying that, as his first fall had been from a coach, the next would be from a cart: to the public, the explosion of the pistol revealed the secret terrors which haunted his mind, that sense of insecurity, those fears of assassination, which are the usual meed of inordinate and successful ambition.<sup>1</sup>

The force so lately put upon parliament, and the occasion of force, had opened the eyes of most devoted among his adherents. His protestations of disinterestedness, his solemn appeals to Heaven in testimony of his wish to lead the life of a private gentleman, were contrasted with his aspiring and arbitrary conduct; and the house, though depopulated of one-fourth of its number, contained a majority jealous of his designs and anxious to limit his authority. The accident which placed his life in jeopardy naturally led to the consideration of the probable consequences of his death; to sound the disposition of the members, the question of the succession was repeatedly, though not formally introduced. The remarks which provoked afforded little encouragement to his hopes; yet, when previous arrangements had been made, and all the dependants of the government had been mustered, Lanier having in a long and studied speech detailed the evils of elective, the evils of hereditary succession, and that the office of protector should be limited to the family of Oliver Cromwell, according to the known law of inheritance. To the surprise and mortification of the party, the motion was negatived by a division of one hundred against eighty voices; and it was resolved that, on the death of the protector, his successor should be chosen by the parliament if it was sitting, and by the council in the absence of parliament.<sup>2</sup>

<sup>1</sup> Heath, 363. Thurloe, ii. 652, 653, 672. Ludlow, ii. 63. Vaughan, i. 68.

<sup>2</sup> Thurloe, i. 663, 681, 685. Whitelock, 607. Journals, Nov. 30. Though the house was daily occupied with the important question of the government, it found leisure to inquire into the theological opinions of John Biddle, who may be styled the father of the English Unitarians. He had been thrice imprisoned by the long parliament, and was at last liberated by the act of oblivion in 1652. The republication of his opinions

attracted the notice of the present parliament: to the questions put to him by the speaker, he replied, that he could not find in Scripture that Christ or the Ghost is called God; and it was resolved that he should be committed to the house, and that a bill to punish him should be prepared. The dissolution saved him, and by application to the Upper Bench he recovered his liberty; but was again arrested in 1655, and sent to the isle of Scilly to remain for life in the castle of St.

This experiment had sufficiently proved the feelings of the majority. Aware, however, of their relative weakness, they were careful to give Cromwell no tangible cause of offence. They appointed committees to revise the ordinances which he had abolished, they affected to consider them as merely provisional regulations, supplying the place of laws at the meeting of parliament. If they examined in detail the forty-one articles of "the instrument," rejecting some, and amending others, they still withheld their unhallowed hands from those subjects which he had pronounced sacred,—the four movable pillars on which the new constitution was built. Cromwell, on the other hand, betrayed no symptom of impatience; but waited quietly for the moment when he had resolved to break the designs of his adversaries. They proceeded with the revision of "the instrument;" their labours were embodied in a bill, and the bill was read a third time. During two days courtiers prolonged the debate by proposing a variety of amendments; on the third Cromwell summoned the House to meet him in the Painted Chamber. Displeasure and contempt were marked on his countenance; and the high and criminatory tone which he assumed taught them to feel how inferior the representatives of the people were to the representatives of the army.

They appeared there, he observed, with the speaker at their head, as a mockery of parliament. Yet, what had they done as a parliament? He never had played, he never would play, the actor; and therefore he would tell them frankly, they had done nothing. For five months they had passed no business, had made no address, had held no communication with him. As far as

concerned them, he had nothing to do but to pray that God would enlighten their minds and give a blessing to their labours. But had they then done nothing? Yes: they had encouraged the Cavaliers to plot against the commonwealth, and the Levellers to intrigue with the Cavaliers. By their dissension they had aided the fanatics to throw the nation into confusion, and by the slowness of their proceedings had compelled the soldiers to live at free quarters on the country. They supposed that he sought to make the protectorship hereditary in his family. It was not true; had they inserted such a provision in "the instrument," on that ground alone he would have rejected it. He spoke in the fear of the Lord, who would not be mocked, and with the satisfaction that his conscience did not belie his assertion. The different revolutions which had happened were attributed to his cunning. How blind were men who would not see the hand of Providence in its merciful dispensations, who ridiculed as the visions of enthusiasm the observations "made by the quickening and teaching Spirit!" It was supposed that he would not be able to raise money without the aid of parliament. But "he had been inured to difficulties, and never found God failing when he trusted in him." The country would willingly pay on account of the necessity. But was not the necessity of his creation? No: it was of God; the consequence of God's providence. It was no marvel, if men who lived on their masses and service-books, their dead and carnal worship, were strangers to the works of God; but for those who had been instructed by the Spirit of God to adopt the same language, and say that men were the cause of these things, when God had

Cromwell discharged him in 1658; but he was again sent to Newgate in 1662, where he died the same year.—See Vita Bidelli,

the short account; Journals, Dec. 12, 13, 1654; Wood, iii. 594; and Biog. Brit.

done them, this was more than the Lord would bear. But that he might trouble them no longer, it was his duty to tell them that their continuance was not for the benefit of the nation, and therefore he did then and there declare that he dissolved the parliament.<sup>1</sup>

This was a stroke for which his adversaries were unprepared. "The instrument" had provided that the parliament should continue to sit during five months, and it still wanted twelve days of the expiration of that term. But Cromwell chose to understand the clause not of calendar but of lunar months, the fifth of which had been completed on the preceding evening. Much might have been urged against such an interpretation; but a military force was ready to support the opinion of the protector, and prudence taught the most reluctant of his enemies to submit.

The conspiracies to which he had alluded in his speech, had been generated by the impatience of the two opposite parties, the republicans and the royalists. Of the republicans some cared little for religion, others were religious enthusiasts, but both were united in the same cause by one common interest. The first could not forgive the usurpation of Cromwell, who had reaped the fruit, and destroyed the object, of their labours; the second asked each other how they could conscientiously sit quiet, and allow so much blood to have been spilt, and treasure expended, so many tears to have been shed, and vows offered in vain. If they "hoped to look with confidence the King of terrors in the face, if they sought to save themselves from the bottomless pit, it was necessary to espouse once more the cause of Him who had

called them forth in their general assembly to assert the freedom of the people and the privileges of parliament. Under these different impressions pamphlets were published exposing the hypocrisy and perjuries of the protector; letters and agitators passed from regiment to regiment; and projects were suggested and entertained for the surprisal of Cromwell's person and the seizure of the castle of Edinburgh, of Hull, Portsmouth, and other places of strength. But it was not easy for the republicans to detect the vigilance, or elude the grasp of their adversary. He dismissed officers of doubtful fidelity from his commands in the army, and secured the obedience of the men by the substitution of others more devoted to his interest; by his order, Colonel Wildman was surprised in the act of dictating to his secretary a declaration against the government of the most offensive and inflammatory tendency; and Lord Grey, Groby, colonels Alured, Overton, and others, were arrested, of whom only a few remained long in confinement, others were permitted to go at large, giving security for their peaceful behaviour.<sup>3</sup>

The other conspiracy, though less extensive in its ramifications, proved equally harmless in the result. Among the royalists, though many had resigned themselves to despair, there were still many whose enthusiasm was discovered in each succeeding day as a new motive for hope and exultation. They listened to every tale which flattered their wishes, and persuaded themselves, that on the first attack against the usurper they would be joined by all who condemned his hypocrisy and ambition. It was vain that Charles from Colchester

<sup>1</sup> Printed by Henry Hills, printer to his highness the lord-protector, 1654. Whitelock, 610—618. Journals, January 19, 20, 22.

<sup>2</sup> See Thurloe, iii. 29; and Milton's Papers, 132.

<sup>3</sup> Thurloe, iii. passim. Whitelock, 620. Bates, 290, 291.



where he had fixed his court, recommended caution; that he conjured his adherents not to stake his and their hopes on projects, by which, without being serviceable to him, they would compromise their own safety. They despised his warnings; they accused him of indolence and apathy; they formed associations, collected arms, and fixed the 14th of February for simultaneous risings in most counties of England.<sup>1</sup> The day was postponed to March 7; but Charles, at their request, proceeded in disguise to Middleburgh in Zealand, that he might be in readiness to cross over to England; and Lord Vilmot, lately created earl of Rochester, with Sir Joseph Wagstaff, arrived to take the command of the insurgents, the first in the northern, the second in the western, counties. It was the intention of Wagstaff to surprise Winchester during the assizes; but the unexpected arrival of a troop of cavalry deterred him from the attempt. He waited patiently till the judges proceeded to Salisbury; and, learning that their guard had not accompanied them, entered that city with two hundred men at five o'clock in the morning of Monday. The main body with their leader took possession of the market-place, while small detachments brought away the horses from the several inns, liberated the prisoners in the gaol, and surprised the sheriff and the two judges in their beds. At first Wagstaff gave orders that these three should be immediately hanged; for they were traitors acting under the authority of the usurper; then, pretending to relent, he discharged the judges on their parole, but detained the sheriff a prisoner, because he had refused to proclaim Charles Stuart. At two in the after-

noon he left Salisbury, but not before he had learned to doubt of the result. Scarcely a man had joined him of the crowd of gentlemen and yeomen whom the assizes had collected in the town; and the Hampshire royalists, about two hundred and fifty horse, had not arrived according to their promise. From Salisbury the insurgents marched through Dorsetshire into the county of Devon. Their hopes grew fainter every hour; the further they proceeded their number diminished; and, on the evening of the third day, they reached South Molton in a state of exhaustion and despondency. At that moment, Captain Crook, who had followed them for several hours, charged into the town with a troop of cavalry. Hardly a show of resistance was made; Penruddock, Grove, and Jones, three of the leaders, with some fifty others, were made prisoners; the rest, of whom Wagstaff had the good fortune to be one, aided by the darkness of the night, effected their escape.<sup>2</sup>

The Hampshire royalists had commenced their march for Salisbury, when, learning that Wagstaff had left that city, they immediately dispersed. Other risings at the same time took place in the counties of Montgomery, Shropshire, Nottingham, York, and Northumberland, but everywhere with similar results. The republicans, ardently as they desired to see the protector humbled in the dust, were unwilling that his ruin should be effected by a party whose ascendancy appeared to them a still more grievous evil. The insurgents were ashamed and alarmed at the paucity of their numbers; prudence taught them to disband before they proceeded to acts of hostility; and they slunk away in secrecy to

<sup>1</sup> Clarendon (Hist. iii. 552) is made to assign the 18th of April for the day of rising; but all the documents, as well as his own narrative, prove this to be an error.

<sup>2</sup> Whitelock, 620. Thurloe, iii. 263, 295, 306. Heath, 367. Clarendon, iii. 551, 560. Ludlow, ii. 69. Vaughan, i. 149.

their homes, that they might escape the proof, if not the suspicion, of guilt. Even Rochester himself, sanguine as he was by disposition, renounced the attempt; and, with his usual good fortune, was able to thread back his way, through a thousand dangers, from the centre of Yorkshire to the court of the exiled sovereign at Cologne.<sup>1</sup>

Whether it was through a feeling of shame or apprehension of the consequences, Cromwell, even under the provocations which he had received, ventured not to bring to trial any of the men who had formerly fought by his side, and now combined against him because he trampled on the liberties of the nation. With the royalists it was otherwise. He knew that their sufferings would excite little commiseration in those whose favour he sought; and he was anxious to intimidate the more eager by the punishment of their captive associates. Though they had surrendered under articles, Penruddock and Grove were beheaded at Exeter; about fifteen others suffered in that city and in Salisbury; and the remainder were sent to be sold for slaves in Barbadoes.<sup>2</sup> To these executions succeeded certain measures of precaution. The protector forbade all ejected and sequestered clergymen of the church of England to teach as schoolmasters or tutors, or to preach or use the church service as ministers either in public or private: ordered all priests belonging to the church of Rome to quit the kingdom under the pain of death; banished all Cavaliers and Catholics to the distance of twenty miles from the metropolis; prohibited the publication in print of any news or intelligence without permission from the secretary of state; and placed in confinement most of the nobility and

principal gentry in England, till they could produce bail for their good behaviour and future appearance. In addition, an ordinance was published that "all who had ever borne arms for the king, or declared themselves to be of the royal party, should be decimated, that is, pay a tenth part of all the estate which they had left, to support the charge which the commonwealth was put to by the unquietness of their temper, and the injustice of jealousy which they had administered." It is difficult to conceive a more iniquitous imposition. It was subversive of the act of oblivion formerly procured by Cromwell himself, which pretended to abolish the memory of all past offences; contrary to natural justice, because it involved the innocent and guilty in the same punishment; and productive of the most extensive extortions, because the commissioners included among the enemies of the commonwealth those who had remained neutral between the parties, or had not given satisfaction by the promptitude of their services, or the amount of their contributions. To put the climax to these tyrannical proceedings, he divided the country into eleven, and, in one period, into fourteen, military governments, under so many officers with the name and rank of major-generals, giving them authority to raise a force within their respective jurisdictions, which should serve on particular occasions; to levy a decimation and other public taxes to suppress tumults and insurrections; to disarm all papists and Cavaliers; to inquire into the conduct of ministers and schoolmasters; and to arrest, imprison, and bind over, all dangerous and suspected persons. Thus, this long and sanguinary struggle, originally undertaken to recover

<sup>1</sup> Whitelock, 618, 620. Heath, 368. Clarendon, iii. 560.

<sup>2</sup> State Trials, v. 767—790.

liberties of the country, terminated in the establishment of a military despotism. The institutions which had acted as restraints on the power of preceding sovereigns were superseded or abolished; the legislative, as well as the executive authority, fell into the grasp of the same individual; and the best rights of the people were made to depend on the mere pleasure of an adventurer, who, under the mask of dissimulation, had seized, and by the power of the sword retained, the government of three kingdoms.<sup>1</sup>

From domestic occurrences, we may now turn to those abroad. During the last year, the two armaments which had so long engaged the attention of the European nations, had sailed from the English ports. Their real, but secret, destination was to invade the American colonies and surprise the Plate fleet of Spain, the most ancient and faithful ally of the commonwealth. To justify the measure, it was argued in the council that, since America was not named in the treaties of 1604 and 1630, hostilities in America would be no infraction of those treaties; that the Spaniards had committed depredations on the English commerce in the West Indies, and were consequently liable to reprisals; that they had retained possession of these countries by force against the will of the na-

tives, and might, therefore, be justly dispossessed by force; and, lastly, that the conquest of these transatlantic territories would contribute to spread the light of the gospel among the Indians and to cramp the resources of popery in Europe.<sup>2</sup> That such flimsy pretences should satisfy the judgment of the protector is improbable: his mind was swayed by very different motives—the prospect of reaping, at a small cost, an abundant harvest of wealth and glory, and the opportunity of engaging in foreign service the officers of whose fidelity at home he had good reason to be jealous.

The Spanish cabinet, arguing from circumstances, began to suspect his object, and, as a last effort, sent the marquess of Leyda ambassador extraordinary to the court of London. He was graciously received, and treated with respect; but in defiance of his most urgent solicitations, could not, during five months, obtain a positive answer to his proposals. He represented to the protector the services which Spain had rendered to the commonwealth; adverted to the conduct of De Baas, as a proof of the insidious designs of Mazarin; maintained that the late insurrection had been partially instigated by the intrigues of France; and that French troops had been collected on the coast to accompany Charles Stuart to England, if

<sup>1</sup> Sagredo, who had lately arrived as ambassador extraordinary, thus describes the power of Cromwell:—"Non fa caro del nome, gli basta possedere l'autorità e la potenza, senza comparazione majore non solo di quanti re siano stati in Inghilterra, ma di quanti monarchi stringono presentemente alcun scetno nel mondo. Smentite le legge fondamentali del regno, egli è il solo legislatore: tutti i governi escono dalle sue mane, e quelli del consiglio, per entrarvi, devono essere nominati da sua altezza, ne possono divenir grandi, se non da lui inalzati. E perchè alcuno non abbia modo di guadagnare autorità sopra l'armata, tutti gli avanzamenti, senza passar per alcun mezzo, sono da lui dirrettamente conosciuti."—

Sagredo, MS.

<sup>2</sup> Thurloe, i. 760, 761; ii. 54, 154, 570. Ludlow, ii. 51, 105. The article of the treaty of 1630, on which Cromwell rested his claim of a free trade to the Indies, was the first, establishing peace between *all the subjects* of the two crowns (subditos quoscumque): that which, the Spaniards alleged, was the seventh, in which as the king of Spain would not consent to a free trade to America, it was confined to those countries in which such free trade had been exercised before the war between Elizabeth of England and Philip of Spain—words which excluded America as effectually as if it had been named.—See Dumont, iv. part ii. p. 621.

his friends had not been so quickly suppressed; and concluded by offering to besiege Calais, and, on its reduction, to cede it to Cromwell, provided he, on his part, would aid the prince of Condé in his design of forcing his way into Bordeaux by sea. At length, wearied with delays, and esteeming a longer residence in England a disgrace to his sovereign, he demanded passports, and was dismissed with many compliments by the protector.<sup>1</sup>

In the mean while, Blake, who commanded one of the expeditions, had sailed to the Straits of Gibraltar, where he received many civilities from the Spanish authorities. Thence he proceeded up the Mediterranean, capturing, under pretence of reprisals, the French vessels, whether merchantmen or men-of-war, and seeking, but in vain, the fleet under the duke of Guise. Returning to the south, he appeared before Algiers, and extorted from that government an illusory promise of respect to the English flag. From Algiers he proceeded to Tunis. To his demands the Dey replied: "There are Goletta, Porto Ferino, and my fleet; let him destroy them if he can." Blake departed, returned unexpectedly to Porto Ferino, silenced the fire of the castle, entered the harbour, and burnt the whole flotilla of nine men-of-war. This exploit induced the Dey of Tripoli to purchase the forbearance of the English by an apparent submission; his Tunisian brother deemed it prudent to follow his example; and the chastisement of the pirates threw an additional lustre on the fame of the protector. There still remained, however, the great but concealed object of the expedition,—the capture of the Plate fleet laden with the treasures

of the Indies; but Blake was compelled to remain so long before Cadiz that the Spaniards discovered his design; and Philip, though he professed to think the protector incapable of so dishonourable a project, permitted the merchants to arm in defence of their property. More than thirty ships were manned with volunteers: they sailed from Cadiz under the command of Don Pablo de Contreras, and continued for some days in sight of the English fleet; but Pablos was careful to give no offence and Blake, on the reperusal of his instructions, did not conceive himself authorized to begin the attack. After a long and tedious cruise, he received intelligence that the galleons, his destined prey, were detained in the harbour of Carthagena, and returned to England with a discontented mind and shattered constitution. In regard to the principal object, the expedition had failed; but this had never been avowed; and the people were taught to rejoice at the laurels won in the destruction of the Tunisian fleet, and the lesson given to the piratical tribes on the northern coast of Africa.<sup>2</sup>

The other expedition consisted of thirty sail and a military force of three thousand men, under the joint command of Penn, as admiral, and of Venables, as general. They spent several weeks among the English settlements in the West Indies, and the promise of plunder allured to their standard many of the planters and multitudes of the English, Scottish, and Irish royalists, who had been transported thither as prisoners of war. When they reached Hispaniola Venables numbered ten thousand men under his command; and, had the fleet boldly entered the harbour

<sup>1</sup> Thurloe, i. 761; ii. 54, 154, 570. Dumont, v. part ii. 106.

<sup>2</sup> See in particular Blake's letters in Thurloe, iii. 232, 390, 541, 611, 620, 718; iv. 19. He complains bitterly of the bad

state of the ships, and of the privations suffered by the men, from the neglect of the commissioners of the navy. The protector's instructions to him are in Thurloe, i. 724.

San Domingo, it was believed that the town, unprepared for resistance, must have immediately submitted. But the greater part of the army was landed at a point about forty miles distant; the expectations of the men were disappointed by a proclamation, declaring that the plunder was to be considered the public property of the commonwealth; the length of the march, the heat of the climate, and the scarcity of water added to the general discontent, and almost a fortnight elapsed before the invaders were able to approach the defences of the place. Their march lay through a thick and lofty wood; and the advance suddenly found itself in front of a battery which enfiladed the road to a considerable distance. On the first discharge, the men rushed back on a regiment of foot; that, partaking in the panic, on a squadron of horse; and, while the infantry and cavalry were thus wedged together in inextricable confusion, the Spanish marksmen kept up a most destructive fire from behind the trees lining the road. After a long effort, the wood was cleared by a body of seamen who served among the infantry, and darkness put an end to the action, in which not fewer than a thousand men had fallen. In the morning the English retired to their last encampment, about ten miles from the town.

Here Venables called a council of officers, who, having previously sought the Lord, determined to "purge" the army. Some of the runaways were hanged; the officer who commanded

the advance was broken, and sent on board the hospital ship to wait on the sick; the loose women who had followed the army were apprehended and punished; and a solemn fast was proclaimed and observed. But no fasting, praying, or purging could restore the spirits of men humbled by defeat, enfeebled by disease, and reduced to the necessity of feeding on the horses belonging to the cavalry. The attempt was abandoned; but, on their return, the two commanders made a descent on the island of Jamaica. The Spanish settlers, about five hundred, fled to the mountains; a capitulation followed; and the island was ceded to England. Could its flourishing condition in a subsequent period have been foreseen, this conquest might have consoled the nation for the loss at Hispaniola, and the disgrace of the attempt. But at that time Jamaica was deemed an inconsiderable acquisition; the failure of the expedition encouraged men to condemn the grounds on which it had been undertaken; and Cromwell, mortified and ashamed, vented his displeasure on Penn and Venables, the two commanders, whom, on their arrival, he committed to the Tower.<sup>1</sup>

To many it seemed a solecism in politics, that, when the protector determined to break with Spain, he did not attempt to sell his services to the great enemy of Spain, the king of France. For reasons which have never been explained, he took no advantage of this circumstance; instead of urging, he seemed anxious to retard, the conclusion of the treaty

<sup>1</sup> Carte's Letters, ii. 46—52. Thurloe, iii. 504, 509, 689, 755; iv. 28. Bates, 367. Penn and Venables having resigned their commissions, were discharged.—Council Book, 1655, Oct. 26, 31. It appears from the papers in Thurloe, that Cromwell paid great attention to the prosperity of the West Indian colonies, as affording facilities to future attempts on the American continent. To increase the population, he had, as the reader is already aware, forcibly taken up a

thousand young girls in Ireland, and sent them to Jamaica; in 1656, while Sagredo was in London, he ordered all females of disorderly lives to be arrested and shipped for Barbadoes for the like purpose. Twelve hundred were sent in three ships. *Ho veduto prima del mio partire piu squadre di soldati andar per Londra cercando donne di allegra vita, imbarcandone, 1,200 sopra tre vascelli per tragittarle all' isola, a fine di far propagazione.*—Sagredo, MS.

with that power; after each concession, he brought forward new and more provoking demands; and, as if he sought to prevail by intimidation, commissioned Blake to ruin the French commerce, and to attack the French fleet, in the Mediterranean. By Louis these insults were keenly felt; but his pride yielded to his interest; expedients were found to satisfy all the claims of the protector; and at length the time for the signature of the treaty was fixed, when an event occurred to furnish new pretexts for delay, that event, which by Protestants has been called the massacre, by Catholics the rebellion, of the Vaudois.

About the middle of the thirteenth century the peculiar doctrines of the "poor men of Lyons" penetrated into the valleys of Piedmont, where they were cherished in obscurity till the time of the Reformation, and were then exchanged in a great measure, first for Lutheranism, and then for the creed publicly taught at Geneva. The duke of Savoy by successive grants confirmed to the natives the free exercise of their religion, on condition that they should confine themselves within their ancient limits;<sup>1</sup> but complaints were made that several among the men of Angrogna had abused their privileges to form settlements and establish their worship in the plains; and the court of Turin, wearied with the conflicting statements of the opposite parties, referred the decision of the dispute to the civilian, Andrea Gastaldo.<sup>2</sup> After a long and patient hearing, he pronounced a definitive judgment, that Lucerna and some other places lay without the original boundaries, and

that the intruders should withdraw under the penalties of forfeiture and death. At the same time, however, permission was given to them to sell for their own profit the lands which they had planted, though by law these lands had become the property of the sovereign.<sup>3</sup>

The Vaudois were a race of hardy, stubborn, half-civilized mountaineers, whose passions were readily kindled, and whose resolves were as violent as they were sudden. At first they submitted sullenly to the judgment of Gastaldo, but sent deputies to Turin, to remonstrate: in a few days a solemn fast was proclaimed; the ministers excommunicated every individual who should sell his lands in the disputed territory; the natives of the valleys under the dominion of the king of France met those of the valleys belonging to the duke of Savoy; both bound themselves by oath to stand by each other in their common defence, and messengers were despatched to solicit aid and advice from the church of Geneva and the Protestant cantons of Switzerland. The intelligence alarmed the Marquess Pianezze, the chief minister of the duke; who, to suppress the nascent confederacy, marched from Turin with an armed force, reduced La Torre, into which the insurgents had thrown a garrison of six hundred men, and, having made an offer of pardon to all who should submit, ordered his troops to fix their quarters in Bobbio, Villaro, and the lower part of Angrogna. It had previously been promised that they should be peaceably received; but the inhabitants had already retired to the mountains with their cattle and provisions; and the soldier

<sup>1</sup> These were the four districts of Angrogna, Villaro, Bobbio, and Rorata.—Siri, *del Mercurio, ovvero Historia de' Correnti Tempi*. Firenze, 1682, tom. xv. p. 827.

<sup>2</sup> Gilles, *Pastore de la Torre*, p. 72. Geneva, 1644; and Rorengo, *Memorie Historiche*, p. 8, 1649.

<sup>3</sup> The decree of Gastaldo is in Morland *History of the Evangelical Churches in the Valleys of Piedmont*, p. 303. The grounds of that decree are at p. 408, the objection to it at p. 423. See also Siri, xv. 827, 890. Chiesa, *Corona Reale di Savoia*, i. 150; De Nina, iii. 324; Guichenon, iii. 139.

found no other accommodation than the bare walls. Quarrels soon followed between the parties; one act of offence was retaliated with another; and the desire of vengeance provoked a war of extermination. But the military were in general successful; and the natives found themselves compelled to flee to the summits of the loftiest mountains, or to seek refuge in the valleys of Dauphiné, among a people of similar habits and religion.<sup>1</sup>

Accounts of these transactions, but accounts teeming with exaggeration and improbabilities, were transmitted to the different Protestant states by the ministers at Geneva. They represented the duke of Savoy as a bigoted and intolerant prince; the Vaudois as an innocent race, whose only crime was their attachment to the reformed faith. They implored the Protestant powers to assume the defence of their persecuted brethren, and called for pecuniary contributions to save from destruction by famine the remnant which had escaped the edge of the sword.<sup>2</sup> In England the cause was advocated by

the press and from the pulpit; a solemn fast was kept, and the passions of the people were roused to enthusiasm. The ministers in a body waited on Cromwell to recommend the Vaudois to his protection; the armies in Scotland and Ireland presented addresses, expressive of their readiness to shed their blood in so sacred a cause; and all classes of men, from the highest to the lowest, hastened to contribute their money towards the support of the Piedmontese Protestants. It was observed that, among those who laboured to inflame the prejudices of the people, none were more active than the two ambassadors from Spain, and Stoupepe, the minister of the French church in London.<sup>3</sup> Both had long laboured to prevent the conclusion of the treaty with France; and they now hoped to effect their purpose, because Savoy was the ally of France, and the principal barbarities were said to have been perpetrated by troops detached from the French army.<sup>4</sup>

These events opened a flattering prospect to the vanity of Cromwell. By his usurpation he had forfeited all

<sup>1</sup> Siri, xv. 827—833. It would be a difficult task to determine by whom, after the reduction of La Torre, the first blood was wantonly drawn, or to which party the blame of superior cruelty really belongs. The authorities on each side are interested, and therefore suspicious; the provocations alleged by the one are as warmly denied by the other; and to the ravages of the military in Angrogna and Lucerna, are opposed the massacres of the Catholics in Perousa and San Martino. In favour of the Vaudois may be consulted Leger, *Histoire Générale des Eglises Evangéliques*, &c. (he was a principal instigator of these troubles); Stoupepe, *Collection of the several papers sent to his highness*, &c. London, 1655; *Sabaudiensis in Reformatam Religionem Persecutionis Brevis Narratio*, Londini, 1655; Morland, 326—384, and the papers in Thurloe, iii. 361, 384, 412, 416, 430, 444, 459, 538. Against them—A Short and Faithful Account of the late Comotions, &c., with some reflections on Mr. Stoupepe's Collected Papers, 1655; Morland, 387—404; Siri, xv. 827—843, and Thurloe, iii. 413, 464, 475, 490, 502, 535, 617, 626, 656.

<sup>2</sup> The infidelity of these reports is ac-

knowledged by Morland, the protector's agent, in a confidential letter to secretary Thurloe. "The greatest difficulty I meet with is in relation to the matter of fact in the beginning of these troubles, and during the time of the war. For I find, upon diligent search, that many papers and books which have been put out in print on this subject, even by some ministers of the valleys, are lame in many particulars, and in many things not conformable to truth."—Thurloe, iv. 417.

<sup>3</sup> Thurloe, iii. 470, 680. Siri, xv. 468.

<sup>4</sup> Under Pianezze were some troops detached from the French army commanded by Prince Thomas of Savoy. It was reported that a regiment of Irish Catholics formed a part of this detachment; and to them were attributed, of course, the most horrible barbarities.—Leger, iii. Stoupepe, Preface. Thurloe, iii. 412, 459, 460. On inquiry, it was discovered that these supposed Irishmen were English. "The Irish regiment said to be there was the earl of Bristol's regiment, a small and weak one, most of them being English. I hear not such complaints of them as you set forth."—Thurloe, iii. 50.

claim to the title of the champion of civil liberty; he might still come forward, in the sight of Europe, in the more august character of the protector of the reformed faith. His first care was to make, through Stoupe, a promise to the Vaudois of his support, and an offer to transplant them to Ireland, and to settle them on the lands of the Irish Catholics; of which the first was accepted with expressions of gratitude, and the other respectfully declined.<sup>1</sup> He next solicited the king of France to join with him in mediating between the duke of Savoy and his subjects of the valleys; and received for answer, that Louis had already interposed his good offices, and had reason to expect a favourable result. Lastly, he sent Morland, as ambassador to Turin, where he was honourably received, and entertained at the duke's expense. To his memorial in favour of the Vaudois, it was replied, that out of compliment to Cromwell, their rebellion, though unprovoked, should be forgiven; but his further interference was checked by the announcement that the particulars of the pacification had been wholly referred to Servien, the French ambassador.<sup>2</sup>

At home, Cromwell had signified his intention of postponing the signature of the treaty with France till he was acquainted with the opinion of Louis on the subject of the troubles in Piedmont. Bordeaux remonstrated against this new pretext for delay; he maintained that the question bore no relation to the matter

of the treaty: that the king of France would never interfere with the internal administration of an independent state; that the duke of Savoy had as good a right to make laws for his Protestant subjects, as the English government for the Catholics of the three kingdoms; and that the Vaudois were in reality rebels who had justly incurred the resentment of their sovereign. But Cromwell was not to be diverted from his purpose. It was in vain that the ambassador asked for a final answer; that he demanded an audience of leave preparatory to his departure. At last he was relieved from his perplexity by an order to announce that the duke, at the request of the king of France, had granted an amnesty to the Vaudois, and confirmed their ancient privileges; that the boon had been gratefully received by the insurgents; and that the natives of the valleys, Protestants and Catholics, had met, embraced each other with tears, and sworn to live in perpetual amity together. The unexpected intelligence was received by Cromwell with a coldness which betrayed his disappointment.<sup>3</sup> But, if the pacification broke the new projects which he meditated,<sup>4</sup> it served to raise his fame in the estimation of Europe; for it was evident that the Vaudois owed the favourable conditions which they obtained, not so much to the good-will of Louis, as to his anxiety that no pretext should remain for the future interference of the protector.<sup>5</sup>

<sup>1</sup> Thurloe, iii. 459.

<sup>2</sup> Thurloe, iii. 528, 608, 636, 656, 672. Siri, *ibid.* Vaugh. 248.

<sup>3</sup> Thurloe, iii. 469, 470, 475, 535, 568, 706, 724, 742, 745. Siri, xv. 843.

<sup>4</sup> The Protestant cantons of Switzerland had sent Colonel Mey to England, offering to raise an army in aid of the Vaudois, if Cromwell would furnish a subsidy of ten thousand pounds per month.—Siri, *Mercurio*, xv. 472. In consequence Downing

was despatched as envoy to these cantons; but the pacification was already concluded; and on his arrival at Geneva, he received orders, dated Aug. 30, to return immediately.—Thurloe, iii. 692, 694; iv. 31. Still the design was not abandoned, but intrusted to Morland, who remained at Geneva, to distribute the money from England. What were his secret instructions may be seen, *ibid.* p. 326.

<sup>5</sup> The conditions may be seen in Morland, 652; Dumont, vi. part ii. p. 114; and Leger,



But though tranquillity was re-  
 red in Piedmont, Cromwell was  
 l unwilling to conclude the treaty  
 he had ascertained what impres-  
 had been made on the king  
 Spain by the late attempt on  
 spaniola. To Philip, already en-  
 ed in war with France, it was  
 nful to add so powerful an adver-  
 y to the number of his enemies;  
 the affront was so marked, so  
 ust, so unprovoked, that to submit  
 t in silence was to subscribe to his  
 degradation. He complained, in  
 nified language, of the ingratitude  
 l injustice of the English govern-  
 nt; contrasted with its conduct  
 own most scrupulous adhesion  
 h to the letter and the spirit of  
 treaties between the kingdoms;  
 ered that all ships, merchandise,  
 property belonging to the sub-  
 s of the commonwealth should be  
 ed and secured in every part of  
 dominions, and instructed his  
 assador in London to remonstrate  
 take his leave.<sup>1</sup> The day after  
 passport was delivered to Don  
 onzo, Cromwell consented to the  
 nature of the treaty with France.  
 provided, that the maritime hos-  
 ties, which had so long harassed

the trade of the two nations, should  
 cease; that the relations of amity and  
 commerce should be restored; and,  
 by a separate, and therefore called a  
 secret, article, that Barriere, agent for  
 the prince of Condé, and nine other  
 Frenchmen, equally obnoxious to the  
 French ministry, should be perpetu-  
 ally excluded from the territory of  
 the commonwealth, and that Charles  
 Stuart, his brother the duke of York,  
 Ormond, Hyde, and fifteen other  
 adherents of the exiled prince, should,  
 in the same manner, be excluded  
 from the kingdom of France.<sup>2</sup> The  
 protector had persuaded himself that,  
 if the house of Stuart was to be  
 restored, it must be through the aid  
 of France; and he hoped, by the  
 addition of this secret article, to  
 create a bitter and lasting enmity  
 between the two families. Nor was  
 he content with this. As soon as the  
 ratifications had been exchanged, he  
 proposed a more intimate alliance be-  
 tween England and France. Bordeaux  
 was instructed to confine himself in  
 his reply to general expressions of  
 friendship. He might receive any  
 communications which were offered;  
 he was to make no advances on the  
 part of his sovereign.

The subscription for the Vaudois, of  
 ch two thousand pounds was given by  
 protector, amounted to thirty-eight  
 usand two hundred and twenty-eight  
 nds four shillings and twopence. Of  
 sum twenty-five thousand eight hundred  
 twenty-eight pounds eight shillings and  
 pence was sent at different times to  
 valleys; four hundred and sixty-three  
 nds seventeen shillings was charged for  
 enses; and about five hundred pounds  
 found to be clipt or counterfeit money.  
 urnal, 11 July, 1659.

Thurloe, iv. 19, 20, 21, 82, 91.

Dumont, vi. part ii. p. 121. In the body  
 he treaty, neither the king nor the pro-  
 tor is named; all the articles are stipu-

lated between the commonwealth of England  
 and the kingdom of France. In the pre-  
 amble, however, the king of France is men-  
 tioned, and in the first place, but not as if  
 this arose from any claim of precedency;  
 for it merely relates, that the most Christian  
 king sent his ambassador to England, and  
 the most serene lord, the protector, ap-  
 pointed commissioners to meet him. When  
 the treaty was submitted to Bordeaux, pre-  
 viously to his signature, he discovered an  
 alteration in the usual title of his sovereign,  
 Rex Gallorum (the very title afterwards  
 adopted by the National Assembly), instead  
 of Rex Galliarum, and on that account re-  
 fused to sign it. After a long contestation,  
 he yielded to the arguments of the Dutch  
 ambassador.—Thurloe, iv. 115.

## CHAPTER VII.

POVERTY AND CHARACTER OF CHARLES STUART—WAR WITH SPAIN—PARLIAMENT—EXCLUSION OF MEMBERS—PUNISHMENT OF NAYLOR—PROPOSAL TO MAKE CHARLES WELL KING—HIS HESITATION AND REFUSAL—NEW CONSTITUTION—SINDERCOOTE—SEXBY—ALLIANCE WITH FRANCE—PARLIAMENT OF TWO HOUSES—OPPOSITION IN THE COMMONS—DISSOLUTION—REDUCTION OF DUNKIRK—SICKNESS OF THE PROTECTOR—HIS DEATH AND CHARACTER.

THE reader is aware that the young king of Scots, after his escape from Worcester, had returned to Paris, defeated but not disgraced. The spirit and courage which he had displayed were taken as an earnest of future and more successful efforts; and the perilous adventures which he had encountered threw a romantic interest round the character of the royal exile. But in Paris he found himself without money or credit, followed by a crowd of faithful dependants, whose indigence condemned them to suffer the most painful privations. His mother, Henrietta, herself in no very opulent circumstances, received him into her house and to her table; after the lapse of six months, the French king settled on him a monthly allowance of six thousand francs;<sup>1</sup> and to this were added the casual supplies, furnished by the loyalty of his adherents in England, and his share of the prizes made by the cruisers under his flag.<sup>2</sup> Yet, with all these aids, he was scarcely able to satisfy the more importunate of his

creditors, and to dole out an occasional pittance to his more immediate followers. From their private correspondence it appears that the most favoured among them were at a loss to procure food and clothing.<sup>3</sup>

Yet, poor as he was, Charles had been advised to keep up the name and appearance of a court. He had his lord-keeper, his chancellor of the exchequer, his privy councillors, and most of the officers allotted to a royal establishment; and the eagerness of pursuit, the competition of intrigues with which these nominal dignities were sought by the exiles, furnished scenes which cannot fail to excite a smile or the pity of an indifferent spectator. But we should remember that they were the only objects open to the ambition of these men; that they offered scanty, yet desirable salaries to their poverty; and that they held out the promise of more substantial benefits on the restoration of the king, an event which, however distant it might seem to the apprehension of others, was always

<sup>1</sup> Clar. iii. 441. Thirteen francs were equivalent to an English pound.

<sup>2</sup> His claim was one-fifteenth, that of the duke of York, as admiral, one-tenth. See a collection of letters, almost exclusively on that subject, between Sir Edward Hyde and Sir Richard Browne.—Evelyn's Mem. v. 241, et seq.

<sup>3</sup> Clarendon Pap. iii. 120, 124. "I do not know that any man is yet dead for want of bread: which really I wonder at. I am sure the king owes for all he hath eaten

since April: and I am not acquainted with one servant of his who hath a pistole in pocket. Five or six of us eat together a meal a day for a pistole a week: but all us owe for God knows how many weeks the poor woman that feeds us."—Clarendon Papers, iii. 174, June 27, 1653. "I wish shoes and shirts, and the marquess Ormond is in no better condition. Will help then can we give our friends?"—Ibid. 229, April 3, 1654. See also Carte's Letters, ii. 461.

in the belief of the more ardent  
alists.<sup>1</sup>

Among these competitors for place  
e two, who soon acquired, and  
retained, the royal confidence,  
marquess of Ormond and Sir  
ward Hyde. Ormond owed the  
inction to the lustre of his family,  
princely fortune which he had  
in the royal cause, his long  
ugh unsuccessful services in Ire-  
l, and the high estimation in  
ch he had been held by the late  
arch. In talent and application  
he was superior to any of his col-  
gues. Charles I. had appointed  
chancellor of the exchequer, and  
nsellor to the young prince, and  
son afterwards confirmed by his  
choice the judgment of his father.  
de had many enemies; whether it  
that by his hasty and imperious  
per he gave cause of offence, or  
t unsuccessful suitors, aware of his  
uence with the king, attributed to  
counsels the failure of their peti-  
as. But he was not wanting in his  
defence; the intrigues set on foot  
remove him from the royal ear  
e defeated by his address; and the  
rges brought against him of dis-  
ction and treachery were so vic-  
ously refuted, as to overwhelm the  
user with confusion and disgrace.<sup>2</sup>  
he expectations, however, which  
Charles had raised by his conduct in  
England were soon disappointed. He  
ned to lose sight of his three king-  
as amidst the gaities of Paris.

His pleasures and amusements en-  
grossed his attention; it was with  
difficulty that he could be drawn to  
the consideration of business; and, if  
he promised to devote a few hours on  
each Friday to the writing of letters and  
the signature of despatches, he often  
discovered sufficient reasons to free  
himself from the burthen.<sup>3</sup> But that  
which chiefly distressed his advisers  
was the number and publicity of his  
amours; and, in particular, the utter  
worthlessness of one woman, who by  
her arts had won his affection, and by  
her impudence exercised the control  
over his easy temper. This was Lucy  
Walters, or Barlow, the mother of a  
child, afterwards the celebrated duke  
of Monmouth, of whom Charles  
believed himself to be the father.<sup>4</sup>  
Ormond and Hyde laboured to dis-  
solve this disgraceful connection.  
They represented to the king the  
injury which it did to the royal cause  
in England, where the appearances at  
least of morality were so highly re-  
spected; and, after several temporary  
separations, they prevailed on Walters  
to accept an annuity of four hundred  
pounds, and to repair with her child  
to her native country. But Cromwell  
sent her back to France; and she  
returned to Paris, where by her lewd-  
ness she forfeited the royal favour,  
and shortened her own days. Her  
son was taken from her by the Lord  
Crofts, and placed under the care of  
the Oratorians in Paris.<sup>5</sup>

But if Charles was incorrigible in

Clarendon Pap. iii. 83, 99, 106, 136, 162,  
187, et passim. Clarendon, History,  
34, 435, 453.

Clarendon, iii. 138, 510, 515 — 520.  
Downe's Works, ii. 236—241, quoted by  
Ris, iv. 153. Clarendon Papers, iii. 84,  
138, 188, 200, 229.

Clarendon Papers, iii. 159, 170.

She was previously the mistress of  
Colonel Robert Sydney; and her son bore  
great a resemblance to that officer, that  
duke of York always looked upon  
ney as the father.—Life of James, i.  
James, in his instructions to his son,

says, "All the knowing world, as well as  
myself, had many convincing reasons to  
think he was not the king's son, but Robert  
Sydney's." Macpherson's Papers, i. 77.  
Evelyn calls Barlow "a browne, beautiful,  
bold, but insipid creature."—Diary, ii. 11.

<sup>5</sup> James, i. 492; Clarendon's Own Life,  
205. Clarendon Papers, iii. 180. Thurloe,  
v. 169, 178; vii. 325. Charles, in the time  
of his exile, had also children by Catherine  
Peg and Elizabeth Killigrew.—See Sand-  
ford, 646, 647. In the account of Barlow's  
discharge from the Tower, by Whitelock,  
we are told that she called herself the wife  
of Charles (Whitelock, 649); in the Mer-

the pursuit of pleasure, he proved a docile pupil on the subject of religion. On one hand, the Catholics, on the other, the Presbyterians, urged him by letters and messages to embrace their respective modes of worship. The former maintained that he could recover the crown only through the aid of the Catholic sovereigns, and had no reason to expect such aid while he professed himself a member of that church which had so long persecuted the English Catholics.<sup>1</sup> The others represented themselves as holding the destiny of the king in their hands; they were royalists at heart, but how could they declare in favour of a prince who had apostatized from the covenant which he had taken in Scotland, and whose restoration would probably re-establish the tyranny of the bishops?<sup>2</sup> The king's advisers repelled these attempts with warmth and indignation. They observed to him that, to become a Catholic was to arm all his Protestant subjects against him; to become a Presbyterian, was to alienate all who had been faithful to his father, both Protestants of the church of England and Catholics. He faithfully

followed their advice; to both parties he promised, indeed, every indulgence in point of religion which they could reasonably desire; but avowed, at the same time, his determination to die a member of that church in defence of which his father had fought and suffered. It is not, however, probable that these applications, and the arguments by which they were supported, had a baneful influence on the mind of the king. They created in him an indifference to religious truth, a persuasion that men should model their belief according to their interest.<sup>3</sup>

As soon as Cardinal Mazarin began to negotiate with the protector, his friends of Charles persuaded him to quit the French territory. By the French minister the proposal was gratefully received; he promised the royal fugitive the continuation of his pension, ordered the arrears to be immediately discharged, and paid for the next half-year in advance. Charles fixed his residence at Cologne where he remained for almost two years, till the rupture between England and Spain called him again to activity.<sup>5</sup> After some previous r

curius Politicus, she is styled his "wife or mistress."—Ellis, new series, iii. 352.

<sup>1</sup> Yet he made application in 1654 to the pope, through Goswin Nickel, general of the order of Jesuits, for a large sum of money, which might enable him to contend for his kingdom at the head of an army of Irish Catholics; promising, in case of success, to grant the free exercise of the Catholic religion, and every other indulgence which could be reasonably asked. The reason alleged for this application was that the power of Cromwell was drawing to a close, and the most tempting offers had been made to Charles by the Presbyterians: but the Presbyterians were the most cruel enemies of the Catholics, and he would not owe his restoration to them, till he had sought and been refused the aid of the Catholic powers. From the original, dated at Cologne, 17th Nov. 1654, n.s., and subscribed by Peter Talbot, afterwards Catholic archbishop of Dublin, ex mandato expresso Regis Britanniarum. It was plainly a scheme on the part of Charles to procure money; and probably failed of success.

<sup>2</sup> Both these parties were equally desirous of having the young duke of Gloucester their religion.—Clar. Pap. iii. 153, 155. The queen mother placed him under the care of Montague, her almoner, at Pontoise. Charles sent Ormond, who brought him away to Cologne.—Clar. Hist. iii. Papers, iii. 256—260. Evelyn, v. 205.

<sup>3</sup> Clarendon Papers, iii. 163, 164, 256, 298, 316; Hist. iii. 443.

<sup>4</sup> Seven thousand two hundred pounds for twelve months' arrears, and three thousand six hundred for six in advance.—Pap. iii. 293.

<sup>5</sup> While Charles was at Cologne, he was surrounded by spies, who supplied Cromwell with copious information, though it is probable that they knew little more than the public reports in the town. On one occasion the letters were opened at the office, and a despatch was found from a person named Manning to Thurloe. When questioned before Charles, Manning confessed that he received an ample maintenance from the protector, but defended himself on the ground that he was con-

on, he repaired to the neighbour-  
 of Brussels, and offered himself  
 a valuable ally to the Spanish  
 march. He had it in his power to  
 the English and Irish regiments  
 the French service to his own  
 dard; he possessed numerous ad-  
 vants in the English navy; and,  
 the aid of money and ships, he  
 ould be able to contend once more  
 the crown of his fathers, and to  
 t the usurper on equal terms  
 English ground. By the Spanish  
 isters the proposal was entertained,  
 with their accustomed slowness.  
 y had to consult the cabinet at  
 Madrid; they were unwilling to com-  
 themselves so far as to cut off all  
 e of reconciliation with the pro-  
 por; and they had already accepted  
 offers of another enemy to Crom-  
 , whose aid, in the opinion of Don  
 azo, the late ambassador, was pre-  
 ble to that of the exiled king.<sup>1</sup>

his enemy was Colonel Sexby.  
 had risen from the ranks to the  
 e of adjutant-general in the par-  
 entary army: and his contempt  
 anger and enthusiasm for liberty  
 so far recommended him to the  
 ce of Cromwell, that the adjutant  
 occasionally honoured with a  
 e in the councils, and a share in  
 bed, of the lord-general. But  
 oy had attached himself to the  
 e, not to the man; and his ad-  
 ation, as soon as Cromwell apo-  
 zed from his former principles,  
 converted into the most deadly  
 ed. On the expulsion of the long  
 iament, he joined Wildman and  
 Levellers: Wildman was appre-  
 ded; but Sexby eluded the vige-  
 e of the pursuivants, and traversed  
 country in disguise, everywhere

distributing pamphlets, and raising  
 up enemies to the protector. In the  
 month of May, 1655, he repaired to  
 the court at Brussels. To the arch-  
 duke and the count of Fuensaldagna,  
 he revealed the real object of the secret  
 expedition under Venables and Penn;  
 and offered the aid of the English  
 Levellers for the destruction of a  
 man, the common enemy of the liber-  
 ties of his country and of the rights  
 of Spain. They were a numerous and  
 determined band of patriots; they  
 asked no other aid than money and  
 the co-operation of the English and  
 Irish troops in the Spanish service;  
 and they were ready, for security, to  
 deliver a strong maritime fortress into  
 the hands of their allies. Fuensal-  
 dagna hesitated to give a positive  
 answer before an actual rupture had  
 taken place; and at his recommenda-  
 tion Sexby proceeded to Madrid. At  
 first he was received with coldness;  
 but the news from Hispaniola estab-  
 lished his credit; the value of his  
 information was now acknowledged;  
 he obtained the sum of forty thousand  
 crowns for the use of his party, and  
 an assurance was given that, as soon  
 as they should be in possession of the  
 port which he had named, six thou-  
 sand men should sail from Flanders  
 to their assistance. Sexby returned  
 to Antwerp, transmitted several large  
 sums to his adherents, and, though  
 Cromwell at length obtained informa-  
 tion of the intrigue, though the last  
 remittance of eight hundred pounds  
 had been seized, the intrepid Leveller  
 crossed over to England, made his  
 arrangements with his associates, and  
 returned in safety to the continent.<sup>2</sup>

It now became the object of the  
 Spanish ministers, who had, at last,

communicate nothing but what was  
 . That this plea was true, appeared  
 his despatch, which was filled with a  
 iled account of a fictitious debate in the  
 oil; but the falsehoods which he had  
 to England had occasioned the arrest  
 imprisonment of several royalists, and

Manning was shot as a traitor at Dуйnwald,  
 in the territory of the duke of Neuburg.—  
 Clar. iii. 563—569. Whitelock, 633. Thurloe,  
 iv. 293. <sup>1</sup> Clar. Pap. iii. 275, 279, 286.

<sup>2</sup> Clarend. Pap. iii. 271, 272, 274, 277, 281,  
 285. Thurloe, iv. 698; v. 37, 100, 319, 349;  
 vi. 829—833. Carte's Letters, ii. 85, 103.

accepted the offer of Charles, to effect an union between him and Sexby, that, by the co-operation of the Levellers with the royalists, the common enemy might more easily be subdued. Sexby declared that he had no objection to a limited monarchy, provided it were settled by a free parliament. He believed that his friends would have none; but he advised that at the commencement of the attempt, the royalists should make no mention of the king, but put forth as their object the destruction of the usurper and the restoration of public liberty. Charles, on the other hand, was willing to make use of the services of Sexby; but he did not believe that his means were equal to his professions, and he saw reason to infer, from the advice which he had given, that his associates were enemies to royalty.<sup>1</sup>

The negotiation between the king and the Spanish ministers began to alarm both Cromwell and Mazarin. The cardinal anticipated the defection of the British and Irish regiments in the French service; the protector foresaw that they would probably be employed in a descent upon England. It was resolved to place the duke of York in opposition to his brother. That young prince had served with his regiment during four campaigns, under the Marshal Turenne; his pay as colonel, and his pension of six thousand pistoles, amply provided for his wants; and his bravery in the field had gained him the esteem of the general, and rendered him the idol of his countrymen. Instead of banishing him, according to the secret article, from France, Mazarin, with the concurrence of Cromwell, offered him the appointment of captain-general in the army of Italy. By James it was accepted with gratitude

and enthusiasm; but Charles commanded him to resign the office, to repair immediately to Bruges. He obeyed; his departure was followed by the resignation of most of the English and Irish officers in the French army; and, in many instances, men followed the example of their leaders. Defeated in this instance, Cromwell and Mazarin had recourse to another intrigue, of which secret springs are concealed from sight. It was insinuated by some pretended friend to Don Juan, the governor of the Netherlands, little reliance was to be placed on James, who was sincerely attached to France, and governed by Sir J. Berkeley, the secret agent of the French court, and the known enemy of England and his party. In consequence, the real command of the royal forces was given to Marsin, a foreigner; and the consent of Charles, exacted from officers and soldiers; and in a few days James was first requested, then commanded by his brother, to dismiss Berkeley. The young prince did not refuse; but he immediately followed Berkeley into Holland, with the intention of passing through France into France. His departure was hailed with joy by Cromwell, who wrote a congratulatory letter to Mazarin on the success of this intrigue; it was an object of dismay to Charles, who by messengers entreated Mazarin to command James to return. James appeared to hesitate. He soon afterwards retraced his steps to Bruges, on a promise that the past should be forgotten; Berkeley followed; and the triumph of the fugitives was completed by the violation of the obnoxious favouritism of the peerage.<sup>2</sup>

We may now return to England

<sup>1</sup> Clar. Pap. iii. 303, 311, 312, 315—317.

<sup>2</sup> Of the flight of James, Clarendon makes no mention in his History. He even

seeks to persuade his reader that the king was compelled to leave France in consequence of the secret article (iii. 610,

were the Spanish war had excited general discontent. By the friends of the commonwealth Spain was considered as their most ancient and faithful ally: the merchants complained that the trade with that country, one of the most lucrative branches of British commerce, was taken out of their hands and given to their rivals in Holland: and the saints believed that the failure of the expedition to Hispaniola was a sufficient proof that heaven condemned this breach of the treaty between the two states. It was of little purpose that Cromwell, to vindicate his conduct, published a manifesto, in which having enumerated many real or pretended injuries and barbarities inflicted on Englishmen by the Spaniards in the West Indies, he contended that the war was just, and honourable, and necessary. His enemies, royalists, Levellers, Anabaptists, and republicans, of every description, did not suffer the clamour against him to subside; and, to his surprise, a request was made by some of the captains of another fleet collected at Portsmouth, to be informed of the object of the expedition. If it were destined against Spain, their consciences would compel them to desert the service. Spain was not the offending party; for the instances of aggression enumerated in the manifesto were well known to have been no more than acts of self-defence against the depredations and encroachments of English adventurers.<sup>1</sup> To suppress this dangerous spirit, Desborough has-

tened to Portsmouth: some of the officers resigned their commissions, others were superseded, and the fleet at length sailed under the joint command of Blake and Montague, of whom the latter possessed the protector's confidence, and was probably employed as a spy on the conduct of his colleague. Their destination in the first place was Cadiz, to destroy the shipping in the harbour, and to make an attempt on that city, or the rock of Gibraltar. On their arrival, they called a council of war; but no pilot could be found hardy or confident enough to guide the fleet through the winding channel of the Caraccas; and the defences of both Cadiz and Gibraltar presented too formidable an aspect to allow a hope of success without the co-operation of a military force.<sup>2</sup> Abandoning the attempt, the two admirals proceeded to Lisbon, and extorted from the king of Portugal the ratification of the treaty formerly concluded by his ambassador, with the payment of the stipulated sum of fifty thousand pounds. Thence they returned to Cadiz, passed the straits, insulted the Spaniards in Malaga, the Moors in Sallee, and after a fruitless cruise of more than two months, anchored a second time in the Tagus.<sup>3</sup> It happened, that just after their arrival Captain Stayner, with a squadron of frigates, fell in with the Spanish fleet of eight sail from America. Of these he destroyed four, and captured two, one of which was laden with trea-

bers, iii. Supplement, lxxix.), though it plain from the Memoirs of James, that he unwillingly, in obedience to the absolute command of his brother.—James, i. 270. Clarendon makes the enmity between him- and Berkeley arise from his opposition to Berkeley's claim to the mastership of the court of Wards (Hist. 440; Papers, *ibid.*); and, from Clarendon's advice to Ladyorton to reject Berkeley's proposal of marriage.—James, i. 273. That the removal of Berkeley originated with Mazarin, and was required by Fuensaldagna, who em-

ployed Lord Bristol and Bennet for that purpose, appears from Cromwell's letter to the cardinal (Thurloe, v. 736); Bristol's letter to the king (Clar. Papers, iii. 318), and Clarendon's account of Berkeley (*ibid.* Supplement, lxxix.). See also *ibid.* 317—324; and the Memoirs of James, i. 266—293.

<sup>1</sup> Thurloe, iv. 571. See also 582, 589, 594. Carte's Letters, ii. 87, 90, 92, 95.

<sup>2</sup> Thurloe, v. 67, 133.

<sup>3</sup> *Ibid.* i. 726—730; v. 68, 113, 257, 286, Vaughan, i. 446.

sure. Montague, who came home with the prize, valued it in his despatch at two hundred thousand pounds; the public prints at two millions of ducats; and the friends of Cromwell hailed the event "as a renewed testimony of God's presence, and some witness of his acceptance of the engagement against Spain."<sup>1</sup>

The equipment of this fleet had exhausted the treasury, and the protector dared not impose additional taxes on the country at a time when his right to levy the ordinary revenue was disputed in the courts of law. On the ground that the parliamentary grants were expired, Sir Peter Wentworth had refused to pay the assessment in the country, and Coney, a merchant, the duties on imports in London. The commissioners imposed fines, and distrained; the aggrieved brought actions against the collectors. Cromwell, indeed, was able to suppress these proceedings by imprisoning the counsel and intimidating their clients; but the example was dangerous; the want of money daily increased; and, by the advice of the council, he consented to call a parliament to meet on the 17th of September.<sup>2</sup>

The result of the elections revealed to him the alarming secret, that the antipathy to his government was more deeply rooted, and more widely spread, than he had previously ima-

gined. In Scotland and Ireland indeed, the electors obsequiously chose the members recommended to the council; but these were conquered countries, bending under yoke of military despotism. In England, the whole nation was in ferment; pamphlets were clandestinely circulated, calling on the electors to make a last struggle in defence of their liberties; and though Vane, Ludlow, and Rich were taken in custody;<sup>3</sup> though other republican leaders were excluded by criminal prosecutions, though the Cavalier and the Catholics, and all who had neglected to aid the cause of the parliament, were disqualified from voting by "the instrument;" though a military force was employed in London to overawe the proceedings, and the whole influence of the government and of the army was openly exercised in the country, yet in several counties the court candidates were wholly and in most, partially, rejected. Cromwell was aware of the error which he had committed in the parliament. He resolved that none of his avowed opponents should be allowed to take possession of the seats. The returns were laid before the council; the majors-general received orders to inquire into the political and religious characters of those elected; the reports of these officers were carefully examined; and a

<sup>1</sup> Thurloe, 399, 433, 509, 524. Carte's Letters, ii. 114. It appears from a letter of Colonel White, that the silver in pigs weighed something more than forty thousand pounds, to which were to be added some chests of wrought plate.—Thurloe, 542. Thurloe himself says all was plundered to about two hundred and fifty thousand pounds, or three hundred thousand pounds sterling (557). The ducat was worth nine shillings.

<sup>2</sup> Carte's Letters, ii. 96, 103, 109. Ludlow, ii. 80, 82. Clar. Hist. iii. 649. See also A Narrative of the Proceedings in the Case of Mr. G. Coney, by S. Selwood, gent. 1655. The Jews had offered Cromwell a considerable sum for permission to settle and trade

in England. Commissioners were appointed to confer with their agent Manasseh Israel, and a council of divines was consulted respecting the lawfulness of the project. The opposition of the merchants and theologians induced him to pause; Mr. Ellis has shown that he afterwards did them silently under his protection.—Cotton Book, 14th Nov., 1655. Thurloe, iv. 388. Bates, 371. Ellis, iv. 2. Marten made an ineffectual attempt in their favour at the commencement of the commonwealth.—Wood's Athen. Ox. iii. 1239.

<sup>3</sup> The proceedings on these occasions are seen in Ludlow, ii. 115—123; and 8 Trials, v. 791.



was made of nearly one hundred persons to be excluded under the pretext of immorality or delinquency.<sup>1</sup>

On the appointed day, the protector, after divine service, addressed the new "representatives" in the Painted Chamber. His real object was to procure money; and with this view he sought to excite their alarm, and to inflame their religious antipathies. He enumerated the enemies of the nation. The first was the Spaniard, the natural adversary of England, because he was the slave of the pope, a child of darkness, and consequently hostile to the light, blinded by superstition, and anxious to put down the things of God; one with whom it was impossible to be at peace, and to whom, in relation to this country, might be applied the words of Scripture, "I will put enmity between thy seed and her seed." There was also Charles Stuart, who, with the aid of the Spaniard and the duke of Neuburg, had raised a formidable army for the invasion of the island. There were the papists and Cavaliers, who had already risen, and were again ready to rise in favour of Charles Stuart. There were the Levellers, who had sent an agent to the court of Madrid, and the Fifth-monarchy-men, who sought an union with the Levellers against him, "a reconciliation between Herod and Pilate, that Christ might be put to death." The remedies—though in this part of his speech he digressed so frequently as to appear loth to come to the remedies—were, to prosecute

the war abroad, and strengthen the hands of the government at home; to lose no time in questions of inferior moment, or less urgent necessity, but to inquire into the state of the revenue, and to raise ample supplies. In conclusion, he explained the eighty-fifth psalm, exclaiming, "If pope and Spaniard, and devil, and all set themselves against us, though they should compass us about like bees, yet in the name of the Lord we shall destroy them. The Lord of Hosts is with us, the God of Jacob is our refuge."<sup>2</sup>

From the Painted Chamber the members proceeded to the house. A military guard was stationed at the door, and a certificate from the council was required from each individual previously to his admission.<sup>3</sup> The excluded members complained by letter of this breach of parliamentary privilege. A strong feeling of disapprobation was manifested in several parts of the house; the clerk of the commonwealth in Chancery received orders to lay all the returns on the table; and the council was requested to state the grounds of this novel and partial proceeding. Fiennes, one of the commissioners of the great seal, replied that the duty of inquiry into the qualifications of the members was, by the "instrument," vested in the lords of the council, who had discharged that trust according to the best of their judgment. An animated debate followed; that such was the provision in "the instrument" could not be denied;<sup>4</sup> but that the council

<sup>1</sup> Thurloe, v. 269, 317, 328, 329, 337, 341, 3, 349, 424.

<sup>2</sup> Introduction to Burton's Diary, cxlviii. clxxix. Journals, Sept. 17. Thurloe, v. 7. That the king's army, which Cromwell exaggerated to the amount of eight thousand men, did not reach to more than one thousand, is twice asserted by Thurloe himself, 605, 672.

<sup>3</sup> The certificates which had been distributed to the favoured members were in this form:—"Sept. 17, 1656, County of

\_\_\_\_\_ These are to certify that A.B. is returned by indenture one of the knights to serve in this parliament for the said county, and is approved by his highness's council. Nath. Taylor, clerk of the commonwealth in Chancery."

<sup>4</sup> In the draft of the "instrument," as it was amended in the last parliament, the jurisdiction of the council in this matter was confined to the charge of delinquency, and its decision was not final, but subject to the approbation of the house.—Journals,

should decide on secret information, and without the knowledge of the individuals who were interested, seemed contrary to the first principles of justice. The court, however, could now command the votes of the majority, and a motion that the house should pass to the business of the nation was carried by dint of numbers. Several members, to show their disapprobation, voluntarily seceded, and those, who had been excluded by force, published in bold and indignant language an appeal to the justice of the people.<sup>1</sup>

Having weeded out his enemies, Cromwell had no reason to fear opposition to his pleasure. The house passed a resolution declaratory of the justice and policy of the war against Spain, and two acts, by one of which were annulled all claims of Charles Stuart and his family to the crown, by the other were provided additional safeguards for the person of the chief governor. With the same unanimity, a supply of four hundred thousand pounds was voted; but when the means of raising the money came under consideration, a great diversity of opinion prevailed. Some proposed to inquire into the conduct of the treasury, some to adopt improvements in the collection of the revenue, others recommended an augmentation of the excise, and others a more economical system of expenditure. In the discussion of these questions and of private bills, week after week, month after month, was tediously and fruitlessly consumed; though the time limited by the instrument was past, still the money bill had made no progress; and, to add to the impatience

of Cromwell, a new subject was accidentally introduced, which, as strongly interested the passions, absorbed for some time the attention of the house.<sup>2</sup>

At the age of nineteen, George F. the son of a weaver at Drayton, with a mind open to religious impressions had accompanied some of his friends to a neighbouring fair. The noise of the revelry, and the dissipation which he witnessed, led him to thoughts of seriousness and self-reproach; and the enthusiast heard, or persuaded himself that he heard, an inward voice, calling on him to forsake his parents' house, and to make himself a stranger in his own country. Obedient to the celestial admonition, he began to lead a solitary life, wandering from place to place, and clothed from head to foot in garments of leather. Here he read the Scriptures attentively, studied the mysterious visions in the Apocalypse, and was instructed in the real meaning by Christ and the Spirit. At first, doubts and fears haunted his mind, but when the time of trial was past, he found himself inebriated with spiritual delights, and received the assurance that his name was written in the Lamb's Book of Life. At the same time, he was forbidden by the Lord to employ the plural pronoun *you* in addressing a single person, to bid his neighbour good even or good-morrow, or to uncover the head, or to scrape with the leg to any mortal being. At length, the Spirit moved him to impart to others the heavenly doctrines which he had learned. In 1647, he preached for the first time at Duckenfield, not far from Manchester; but the most fruitful season

1654, Nov. 29. But that draft had not received the protector's assent.

<sup>1</sup> The nature of the charges against the members may be seen in Thurloe, v. 371, 383. In the Journals, seventy-nine names only are mentioned (Journals, 1656, Sept. 19), but ninety-eight are affixed to

the appeal in Whitelock, 651—653. In both lists occur the names of Anthony Ash Cooper, who afterwards became Cromwell's intimate adviser, and of several others who subsequently solicited and obtained certificates.

<sup>2</sup> Journals, passim; Thurloe, v. 472, 524, 534, 672, 694. See Appendix, XXX.

of his labours was at Swarthmoor, near Ulverston. His disciples followed his example; the word of the spirit was given to women as well as men; and the preachers of both sexes, as well as many of their followers, attracted the notice and the censures of the civil magistrate. Their refusal to uncover before the bench was usually punished with a fine, on the ground of contempt; their religious objection to take an oath, or to pay tithes, exposed them to protracted periods of imprisonment; and they were often and severely whipped as magistrates, because, for the purpose of preaching, they were accustomed to wander through the country. To these sufferings, as is always the case with persecuted sects, calumny was added; and they were falsely charged with denying the Trinity, with disowning the authority of government, and with attempting to debauch the fidelity of the soldiers. Still, in defiance of punishment and calumny, the Quakers, so they were called, persevered in their profession; it was their duty, they maintained, to obey the influence of the Holy Spirit; and they submitted with the most edifying resignation to the consequences, however painful they might be to flesh and blood.<sup>1</sup>

Of the severities so wantonly exercised against these religionists it is difficult to speak with temper; yet it must be confessed that their doctrine of spiritual impulses was likely to lead its disciples of either sex, whose

minds were weak and imaginations active, to extravagances at the same time ludicrous and revolting.<sup>2</sup> Of this, James Naylor furnished a striking instance. He had served in the army, and had been quarter-master in Lambert's troop, from which office he was discharged on account of sickness.<sup>3</sup> He afterwards became a disciple of George Fox, and a leading preacher in the capital; but he "despised the power of God" in his master, by whom he was reprimanded, and listened to the delusive flattery of some among his female hearers, who were so captivated with his manner and appearance, as to persuade themselves that Christ was incorporated in the new apostle. It was not for him to gainsay what the Spirit had revealed to them. He believed himself to be set as a sign of the coming of Christ: and he accepted the worship which was paid to him, not as offered to James Naylor, but to Christ dwelling in James Naylor. Under this impression, during part of his progress to Bristol, and at his entrance into that city, he rode on horseback with a man walking bare-headed before him, two females holding his bridle on each side, and others attending him, one of whom, Dorcas Erbury, maintained that he had raised her to life after she had been dead the space of two days. These occasionally threw scarfs and handkerchiefs before him, and sang, "Holy, holy, holy, is the Lord God of Hosts: Hosanna in the highest; holy, holy,

<sup>1</sup> Fox, Journal, i. 29, et seq.; Sewel, i. 24, 34, passim.

<sup>2</sup> "William Simpson was moved of the Lord to go at several times, for three years, naked and barefoot before them, as a sign unto them in markets, courts, towns, cities, priests' houses, and to great men's houses; so shall they all be stripped naked as he was stripped naked. And sometimes he was moved to put on hair sackcloth, and besmear his face, and to tell them so could the Lord besmear all their religion, as he was besmeared. Great sufferings did

that poor man undergo, sore whipping with horsewhips and coachwhips on his bare body, grievous stonings and imprisonments in three years time before the king came in, that they might have taken warning, but they would not."—Fox, Journal, i. 572.

<sup>3</sup> Lambert spoke of him with kindness during the debate: "He was two years my quarter-master, and a very useful person. We parted with him with very great regret. He was a man of very unblameable life and conversation."—Burton's Diary, i. 33.

holy, is the Lord God of Israel." They were apprehended by the mayor, and sent to London to be examined by a committee of the parliament. The house, having heard the report of the committee, voted that Naylor was guilty of blasphemy. The next consideration was his punishment; the more zealous moved that he should be put to death; but after a debate which continued during eleven days, the motion was lost by a division of ninety-six to eighty-two. Yet the punishment to which he was doomed ought to have satisfied the most bigoted of his adversaries. He stood with his neck in the pillory for two hours, and was whipped from Palace Yard to the Old Exchange, receiving three hundred and ten lashes in the way. Some days later he was again placed in the pillory; and the letter B for blasphemer was burnt on his forehead, and his tongue was bored with a red-hot iron.<sup>1</sup> From London the house ordered him to be conducted to Bristol, the place of his offence. He entered at Lamford's Gate, riding on the bare back of a horse with his face to the tail; dismounted at Rockley Gate, and was successively whipped in five parts of the city. His admirers, however, were not ashamed of the martyr. On every occasion they attended him bareheaded; they kissed and sucked his wounds; and they chanted with him passages from the Scriptures. On his return to London, he was committed to solitary confinement, without pen, ink, or paper, or fire, or candle, and with no other sustenance than what he might earn by his own industry. Here the delusion under which he laboured gradually wore

away; he acknowledged that his mind had been in darkness, the consequence and punishment of spiritual pride; and declared that, inasmuch as he had given advantage to the evil spirit, he took shame to himself. In "the rump parliament" he was afterwards discharged; and the society of Friends, by whom he had been disowned, admitted him again on proof of his repentance. But his sufferings had injured his health. In 1660 he was found in a dying state in a field in Huntingdonshire, and shortly afterwards expired.<sup>2</sup>

While the parliament thus spent its time in the prosecution of an offence which concerned it not, Cromwell anxiously revolved in his own mind a secret project of the first importance to himself and the country. To his ambition, it was sufficient that he actually possessed the supreme authority, and exercised it with more despotic sway than any of his legitimate predecessors; he sought to mount a step higher, and encircle his brows with a diadem, and to be addressed with the title of majesty. It could not be, that vanity alone induced him to hazard the attachment of his friends for the sake of mere parade and empty sound. It had rendered the more modest title of protector as great and as formidable as that of king, and, though uncrowned, had treated on a footing of equality with the proudest of the crowned heads in Europe. It is more probable that he was led by considerations of interest. He knew that the nation was weary of change: he sought with what partiality men continue to cling to the old institutions; and he, perhaps, trusted that the es-

<sup>1</sup> "This day I and B. went to see Naylor's tongue bored through, and him marked on the forehead. He put out his tongue very willingly, but shrunk a little when the iron came upon his forehead. He was pale when he came out of the pillory, but high-coloured after tongue-boring. He behaved himself

very handsomely and patiently" (p. 266 Burton's Diary, where the report of the debates on Naylor occupies almost a hundred and forty pages).

<sup>2</sup> Journals, Dec. 5-17; 1659, Sept. Sewell, 260-273, 283, 293. State Trials 810-842. Merc. Polit. No. 34.

establishment of an hereditary monarchy, with a house of peers, though under a new dynasty, and with various modifications, might secure the possession of the crown, not only to himself, but also to his posterity. However that may be, he now made the acquisition of the kingly dignity the object of his policy. For this purpose he consulted first with Thurloe, and afterwards with St. John and Pierpoint;<sup>1</sup> and the manner in which he laboured to gratify his ambition strikingly displays that deep dissimulation and habitual hypocrisy, which form the distinguishing traits of his character.

The first opportunity of preparing the public mind for this important alteration was furnished by the recent proceedings against Naylor, which had provoked considerable discontent, not on account of the severity of the punishment (for rigid notions of religion had subdued the common feelings of humanity), but on account of the judicial authority exercised by the house—an authority which appeared subversive of the national liberties. For of what use was the right of trial, if the parliament could set aside the ordinary courts of law at its pleasure, and inflict arbitrary punishment for any supposed offence, without the usual forms of inquiry? As long as the question was before the house, Cromwell remained silent; but when the first part of the judgment had been executed on the unfortunate sufferer, he came forward in a quality of guardian of the public rights, and concluded a letter to the speaker with these words: "We, being intrusted in the present government on behalf of the people of these nations, and not knowing how far such proceedings (wholly without us) may extend in the consequences of it, do desire that the house will let us

know the ground and reason whereupon they have proceeded." This message struck the members with amazement. Few among them were willing to acknowledge that they had exceeded their real authority; all dreaded to enter into a contest with the protector. The discussion lasted three days; every expedient that had been suggested was ultimately rejected: and the debate was adjourned to a future day, when, with the secret connivance of Cromwell, no motion was made to resume it.<sup>2</sup> He had already obtained his object. The thoughts of men had been directed to the defects of the existing constitution, and to the necessity of establishing checks on the authority of the house, similar to those which existed under the ancient government.

In a few days a bill was introduced which, under the pretence of providing money for the support of the militia, sought to confirm the past proceedings of the majors-general, and to invest them with legal authority for the future. The protector was aware that the country longed to be emancipated from the control of these military governors; for the attainment of his great object it was his interest to stand well with all classes of people; and, therefore, though he was the author of this unpopular institution, though in his speech at the opening of the parliament he had been eloquent in its praise, though he had declared that, after his experience of its utility, "if the thing were undone, he would do it again;" he now not only abandoned the majors-general to their fate, he even instructed his dependants in the house to lead the opposition against them. As soon as the bill was read a first time, his son-in-law, Claypole, who

<sup>1</sup> Thurloe, v. 694; vi. 20, 37.

<sup>2</sup> Burton's Diary, i. 246—258, 260—264, 270—282, 296.

seldom spoke, rose to express his dissent, and was followed by the Lord Broghill, known as the confidential counsellor of the protector. The decimation-tax was denounced as unjust, because it was a violation of the act of oblivion, and the conduct of the majors-general was compared to the tyranny of the Turkish bashaws. These officers defended themselves with spirit; their adversaries had recourse to personal crimination;<sup>1</sup> and the debate, by successive adjournments, occupied the attention of the house during eleven days. In conclusion, the bill was rejected by a numerous majority; and the majors-general, by the desertion of Cromwell, found themselves exposed to actions at law for the exercise of those powers which they had accepted in obedience to his command.<sup>2</sup>

While this question was still pending, it chanced that a plot against the protector's life, of which the particulars will be subsequently noticed, was discovered and defeated. The circumstance furnished an opportunity favourable to his views; and the re-establishment of "kingship" was mentioned in the house, not as a project originating from him, but as the accidental and spontaneous suggestion of others. Goffe having expressed a hope that parliament would provide for the preservation of the protector's person, Ashe, the member for Somersetshire exclaimed, "I would add something more—that he would be pleased to take upon him the government according to the ancient constitution. That would put an end

to these plots, and fix our liberties and his safety on an old and sure foundation." The house was taken by surprise: many reprehended the temerity of the speaker; by many his suggestion was applauded and approved. He had thrown it out to the temper of his colleagues: and the conversation which it provoked served to point out to Cromwell the individuals from whom he might expect to meet with opposition.<sup>3</sup>

The detection of the conspiracy was followed by an address of congratulation to the protector, who on his part gave to the members a princely entertainment at Whitehall. At their next meeting the question was regularly brought before them. Alderman Pack, who boldly undertook a task which the timidity of Whitelock had declined. Rising in his place, he offered to the house a paper, of which he gave no other explanation than that it had been placed in his hands, and "tended to the settlement of the country." Its purport, however, was already known or conjectured; several officers instantly started from their seats, and Pack was violently borne down the bar. But, on the restoration order, he found himself supported by Broghill, Whitelock, and Glynn, and with them, by the whole body of the lawyers and the dependants of the court. The paper was read: it was entitled, "An humble Address and Remonstrance," protesting against the existing form of government, which depended for security on the odious institution of majors-general, a

<sup>1</sup> Among others, Harry Cromwell, the protector's nephew, said he was ready to name some among the majors-general who had acted oppressively. It was supposed that these words would bring him into disgrace at court. "But Harry," says a private letter, "goes last night to his highness, and stands to what he had said manfully and wisely; and, to make it appear he spake not without book, had his black book

and papers ready to make good what he said. His highness answered him in reply, and took a rich scarlet cloak from back, and gloves from his hands, and gave them to Harry, who strutted with his cloak and gloves into the house this day. Thurloe, iv. 20.

<sup>2</sup> Journals, Jan. 7, 8, 12, 19, 20, 21, 29. Burton's Diary, 310—320.

<sup>3</sup> Burton's Diary, 362—366

providing that the protector should assume a higher title, and govern, as had been done in times past, with the advice of two houses of parliament. The opposition (it consisted of the chief officers, the leading members in the council, and a few representatives of counties) threw every obstacle in the way of its supporters; but they were overpowered by numbers; the house debated each article in succession, and the whole project was finally adopted, but with the omission of the remonstrance, and under the amended title of the "Humble Petition and Advice."<sup>1</sup>

As long as the question was before parliament, Cromwell bore himself in public as if he were unconcerned in the result; but his mind was secretly harassed by the reproaches of his friends and by the misgivings of his conscience. He saw for the first time marshalled against him the men who had stood by him in his different fortunes, and whom he had bound to his interest by marriages and preferment. At their head was Lambert, the commander of the army in England, the idol of the military, and second only to himself in authority. Then came Desborough, his brother-in-law, and major-general in five counties, and Fleetwood, the husband of his daughter Bridget, and lord-deputy of Ireland.<sup>2</sup> Lambert, at a private meeting of officers, proposed to bring up five regiments of cavalry, and compel the house to confirm both the "instrument," and the establishment of major-generals. This bold counsel was approved; but the next morning his colleagues, having sought the Lord in prayer, resolved to postpone its execution till they had ascertained the

real intention of the protector; and Lambert, warned by their indecision, took no longer any part in their meetings, but watched in silence the course of events.<sup>3</sup> The other two, on the contrary, persevered in the most active opposition; nor did they suffer themselves to be cajoled by the artifices of the protector, who talked in their hearing with contempt of the crown as a mere bauble, and of Pack and his supporters as children, whom it might be prudent to indulge with "a rattle."<sup>4</sup>

The marked opposition of these men had given energy to the proceedings of the inferior officers, who formed themselves into a permanent council under the very eyes of Cromwell, passed votes in disapprobation of the proposed alteration, and to the number of one hundred waited on him to acquaint him with their sentiments.<sup>5</sup> He replied, that there was a time when they felt no objection to the title of king; for the army had offered it to him with the original instrument of government. He had rejected it then, and had no greater love for it now. He had always been the "drudge" of the officers, had done the work which they imposed on him, and had sacrificed his opinion to theirs. If the present parliament had been called, it was in opposition to his individual judgment; if the bill, which proved so injurious to the majors-general, had been brought into the house, it was contrary to his advice. But the officers had overrated their own strength; the country called for an end to all arbitrary proceedings; the punishment of Naylor proved the necessity of a check on the judicial proceedings of

<sup>1</sup> Journals, Jan. 19, Feb. 21, 23, 24, 25. Thurloe, vi. 74, 78. Whitelock, 665, 666. Ludlow, ii. 128. Burton's Diary, iii. 160.

<sup>2</sup> Desborough and Fleetwood passed from the inns of court to the army. The first married Anne, the protector's sister; the second, Bridget, his daughter and the

widow of Ireton. Suspicious of his principles, Cromwell kept him in England, while Henry Cromwell, with the rank of major-general, held the government of Ireland.—Noble, i. 103; ii. 243, 336, 338.

<sup>3</sup> Clar. Pap. iii. 333.

<sup>4</sup> Ludlow, ii. 131.

<sup>5</sup> Thurloe, vi. 93, 94, 101, 219.

the parliament, and that check could only be procured by investing the protector with additional authority. This answer made several proselytes; but the majority adhered pertinaciously to their former opinion.<sup>1</sup>

Nor was this spirit confined to the army; in all companies men were heard to maintain that, to set up monarchy again was to pronounce condemnation on themselves, to acknowledge themselves guilty of all the blood which had been shed to put it down. But nowhere did the proposal excite more cordial abhorrence than in the conventicles of the Fifth-monarchy-men. In their creed the protectorate was an impiety, kingship a sacrilegious assumption of the authority belonging to the only King, the Lord Jesus. They were his witnesses foretold in the Apocalypse; they had now slept their sleep of three years and a half; the time was come when it was their duty to rise and avenge the cause of the Lord. In the conventicles of the capital the lion of Judah was chosen for their military device; arms were prepared, and the day of rising was fixed. They amounted, indeed, to no more than eighty men; but they were the champions of Him who, "though they might be as a worm, would enable them to thrash mountains." The projects of these fanatics did not escape the penetrating eye of Thurloe, who, for more than a year, had watched all their motions, and was in possession of all their secrets. Their proceedings were regulated by five persons, each of whom presided in a separate conventicle, and kept his followers in ignorance of the names of the brethren associated under the four remaining leaders. A fruitless attempt was made to unite them

with the Levellers. But the Leveller trusted too much to worldly wisdom; the fanatics wished to begin the strife, and to leave the issue to their Heavenly King. The appointed day came: as they proceeded to the place of rendezvous, the soldiers of the Lord were met by the soldiers of the protector; twenty were made prisoners; the rest escaped, with the loss of their horses and arms, which were seized in the dépôt.<sup>2</sup>

In the mean while the new form of government had received the sanction of the house. Cromwell, when it was laid before him, had recourse to his usual arts, openly refusing that for which he ardently longed, and secretly encouraging his friends to persist, that his subsequent acquiescence might appear to proceed from a sense of duty, and not from the lust of power. At first, in reply to a long tedious harangue from the speaker, he told them of "the consternation of his mind" at the very thought of the burthen; requested time "to ask counsel of God and his own heart; and, after a pause of three days, replied that, inasmuch as the new constitution provided the best securities for the civil and religious liberties of the people, it had his unqualified approbation; but as far as regarded himself, "he did not find it in his duty to God and the country to undertake the charge under the new title which was given him."<sup>3</sup> His friend refused to be satisfied with this answer: the former vote was renewed and the house, waiting on him in body, begged to remind him, that it was his duty to listen to the advice of the great council of the three nations. He meekly replied, that he still had his doubts on one point; and that till such doubts were removed, he

<sup>1</sup> For this extraordinary speech we are indebted to the industry of Mr. Rutt.—Burton's Diary, i. 382.

<sup>2</sup> Whitel. 655. Thurloe, vi. 163, 184—188.

<sup>3</sup> Merc. Pol. No. 355. Mr. Rutt has discovered and inserted both speeches at length in Burton's Diary, i. 397—416.



conscience forbade him to assent; but that he was willing to explain his reasons, and to hear theirs, and to hope that in a friendly conference some means might be discovered of conciling their opposite opinions, and of determining on that which might be most beneficial to the country.<sup>2</sup>

In obedience to this intimation, a committee of the house was appointed to receive and solve the scruples of the protector. To their surprise, they found him in no haste to enter on the discussion. Sometimes he was imposed, and could not admit them; when he was occupied with important business; on three occasions they obtained an interview. He wished to argue the question on the ground of expedience. If the power were the same under a protector, where, it was asked, could be the use of a king? The title would offend men, who, by their former services, had earned the right to have even their prejudices respected. Neither was he sure that the re-establishment of royalty might not be a falling off from that cause which they had engaged, and from that Providence by which they had been so marvellously supported. It was true, that the Scripture sanctioned the dignity of king; but to the testimony of Scripture might be opposed the visible hand of God," who, in the late contest, "had eradicated kingship." It was gravely replied, that the protector was a new, King an ancient, title; the first had no definite meaning, the latter was interwoven with our laws and institutions; the powers of one were unknown and liable to alteration, those of the other ascertained and limited by the law of custom and the statute law. The

abolition of royalty did not originally enter into the contemplation of parliament—the objection was to the person, not to the office—it was afterwards effected by a portion only of the representative body; whereas, its restoration was now sought by a greater authority—the whole parliament of the three kingdoms. The restoration was, indeed, necessary, both for his security and theirs; as by law all the acts of a king in possession, but only of a king, are good and valid. Some there were who pretended that king and chief magistrate were synonymous; but no one had yet ventured to substitute one word for the other in the Scriptures, where so many covenants, promises, and precepts are annexed to the title of king. Neither could the "visible hand of God" be alleged in the present case; for the visible hand of God had eradicated the government by a single person as clearly as that by a king. Cromwell promised to give due attention to these arguments; to his confidential friends he owned that his objections were removed; and, at the same time, to enlighten the ignorance of the public, he ordered a report of the conferences to be published.<sup>2</sup>

The protector's, however, was not one of those minds that resolve quickly and execute promptly. He seldom went straight forward to his object, but preferred a winding circuitous route. He was accustomed to view and review the question in all its bearings and possible consequences, and to invent fresh causes of delay, till he occasionally incurred the suspicion of irresolution and timidity.<sup>3</sup> Instead of returning a plain and decisive answer, he sought

<sup>1</sup> Thurloe, i. 751, 756. Parl. Hist. iii. 93—1495. Burton's Diary, i. 417.

<sup>2</sup> See Monarchy asserted to be the most ancient and Legal Form of Government, p. 1680; Walker, Researches, Historical

and Antiquarian, i. 1—27; Burton's Diary, App. ii. 493; Thurloe, vi. 219; Whitelock, 565; Journals, April 9—21.

<sup>3</sup> "Every wise man out of doors wonders at the delay."—Thurloe, vi. 243; also Claren, Papers, iii. 339.

to protract the time by requesting the sense of the house on different passages in the petition, on the intended amount of the annual income, and on the ratification of the ordinances issued by himself, and of the acts passed by the little parliament. By this contrivance the respite of a fortnight was obtained, during which he frequently consulted with Broghill, Pierpoint, Whitelock, Wolseley, and Thurloe.<sup>1</sup> At length it was whispered at court that the protector had resolved to accept the title; and immediately Lambert, Fleetwood, and Desborough made to him, in their own names and those of several others, the unpleasant declaration, that they must resign their commissions, and sever themselves from his councils and service for ever. His irresolution returned: he had promised the house to give a final answer the next morning; in the morning he postponed it to five in the evening, and at that hour to the following day. The officers observed, and resolved to profit by, the impression which they had made; and early in the morning Colonel Mason, with six-and-twenty companions, offered to the parliament a petition, in which they stated that the object of those with whom the measure originated was the ruin of the lord-general and of the best friends of the people, and conjured the house to support the good old cause in defence of which the petitioners were ready to sacrifice their lives. This bold step subdued the reluctance of the protector. He abandoned the lofty hopes to which he had so long, so pertinaciously clung, despatched Fleetwood to the house to prevent a debate,

and shortly afterwards summoned the members to meet him at Whitehall. Addressing them with more than usual embarrassment, he said, that neither his own reflections nor the reasoning of the committee had convinced him that he ought to accept the title of king. If he were to accept it, it would be doubtfully; if he did it doubtfully, it would not be of faith; and if it were not of faith it would be a sin. "Wherefore," he concluded, "I cannot undertake to govern the government with that title of king, and this is mine answer to this grand and weighty business."<sup>2</sup>

Thus ended the mighty farce which for more than two months held in suspense the hopes and fears of the nation. But the friends of Cromwell resumed the subject in parliament. It was observed that he had refused to administer the government under any other title; the name of king was expunged for that of protector; and with this and a few more amendments, the "humble petition and advice" received the sanction of the chief magistrate. The inauguration followed. On the platform, raised at the upper end of Westminster Hall, and in front of a magnificent chair of state, stood the protector; while the speaker, with his assistants, invested him with a purple mantle lined with ermine, presented him with a beautifully superbly gilt and embossed, girt sword by his side, and placed a sceptre of massive gold in his hand. As soon as the oath had been administered, Manton, his chaplain, pronounced a long and fervent prayer for a blessing on the protector, the parliament, and the people. Rising from prayer, Cromwell seated himself in a chair; on t

<sup>1</sup> "In these meetings," says Whitelock, "laying aside his greatness, he would be exceedingly familiar with us, and, by way of diversion, would make verses with us, and every one must try his fancy. He commonly called for tobacco, pipes, and a candle, and would now and then take to-

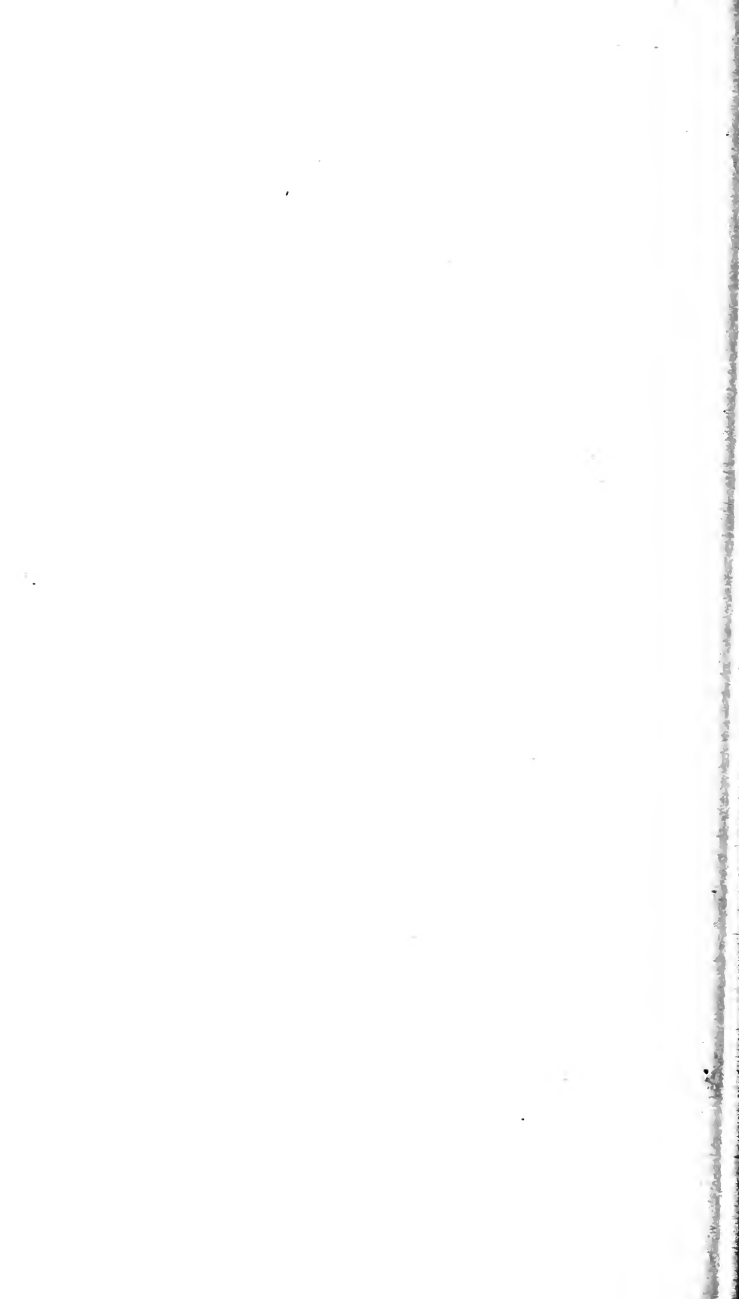
bacco himself. Then he would fall again to his serious and great business" (656).

<sup>2</sup> Thurloe, vi. 261, 267, 281, 291. Journals, April 21—May 12. Parl. Hist. 1498—1502. Ludlow, ii. 131. Clar. Papers, iii. 342.



OLIVER CROMWELL REFUSING THE TITLE OF KING.

FRANCIS



ht, at some distance, sat the French, the left, the Dutch, ambassador; on the side stood the earl of Warwick with the sword of the commonwealth, the other, the lord mayor, with that of the city; and behind arranged themselves the members of the protector's family, the lords of the council, and Lisle, Whitelock, and Montague, each of the three bearing a drawn sword. At a signal given, the trumpets sounded; the heralds proclaimed the title of the new sovereign; and the spectators shouted, "Long live his highness! God save the lord-protector!" He rose immediately, bowed to the ambassadors, and walked in state through the hall to his carriage.<sup>1</sup> That which distinguished the present from the late form of government was the return which it made towards the more ancient institutions of the country. That return, indeed, had wrung from Cromwell certain concessions repugnant to his feelings and ambition, but to which he probably was reconciled by the consideration that in the course of a few years they might be modified or repealed. The supreme authority was vested in the protector; but, instead of rendering it hereditary in his family, the post which he could obtain was the power of nominating his immediate successor. The two houses of parliament were restored; but, as if it were meant to allude to his past conduct, he was bound to leave to the house of commons the right of examining the qualifications and determining the claims of the several representatives. To him was given the power of nominating the members of the "other

house" (he dared not yet term it the house of Lords); but, in the first instance, the persons so nominated were to be approved by the house of representatives, and afterwards by the other house itself. The privilege of voting by proxy was abolished, and the right of judicature restrained within reasonable limits. In the appointment of councillors, the great officers of state, and the commanders of the forces, many of the restrictions sought to be introduced by the long parliament were enforced. In point of religion, it was enacted that a confession of faith should be agreed upon between the protector and the two houses; but that dissenters from it should enjoy liberty of conscience, and the free exercise of their worship, unless they should reject the mystery of the Trinity, or the inspiration of the Scriptures, or profess prelati, or popish, or blasphemous doctrines. The yearly revenue was fixed at one million three hundred thousand pounds, of which no part was to be raised by a land-tax; and of this sum one million was devoted to the support of the army and navy, and three hundred thousand pounds to the expenses of the civil list; but, on the remonstrance of the protector, that with so small a revenue it would be impossible to continue the war, an additional grant of six hundred thousand pounds was voted for the three following years. After the inauguration, the Commons adjourned during six months, that time might be allowed for the formation of the "other house."<sup>2</sup>

Having brought this important ses-

<sup>1</sup> Whitelock, 622. Merc. Polit. No. 369. Parl. Hist. iii. 1514, and Prestwick's Relation, App. to Burton's Diary, ii. 511. Most of the officers took the oath of fidelity to the protector. Lambert refused, and resigned his commissions, which brought him about six thousand pounds per annum. Cromwell, however, assigned to him a yearly pension of two thousand pounds.—Addow, ii. 136.

<sup>2</sup> Whitelock, 657, 663. Parl. Hist. iii. 1502—1511. In a catalogue printed at the time, the names were given of one hundred and eighty-two members of this parliament, who, it was pretended, "were sons, kinsmen, servants, and otherwise engaged unto, and had places of profit, offices, salaries, and advantages, under the protector," sharing annually among them out of the public money the incredible sum of one

sion of parliament to its conclusion, we may now revert to the miscellaneous occurrences of the year. 1. Had much credit been given to the tales of spies and informers, neither Cromwell nor his adversary, Charles Stuart, would have passed a day without the dread of assassination. But they knew that such persons are wont to invent and exaggerate, in order to enhance the value of their services; and each had, therefore, contented himself with taking no other than ordinary precautions for security.<sup>1</sup> Cromwell, however, was aware of the fierce, unrelenting disposition of the Levellers; the moment he learned that they were negotiating with the exiled king and the Spaniards, he concluded that they had sworn his destruction; and to oppose their attempts on his life, he selected one hundred and sixty brave and trusty men from the different regiments of cavalry, whom he divided into eight troops, directing that two of these troops in rotation should be always on duty near his person.<sup>2</sup> Before the end of the year, he learned that a plot had actually been organized, that assassins had been engaged, and that his death was to be the signal for a simultaneous rising of the Levellers and royalists, and the sailing of a hostile expedition from the coast of Flanders. The author of this plan was Sexby; nor will it be too

much to assert that it was not only known, but approved by the advice of Charles at Bruges. They appointed an agent to accompany the chief conspirators; they prepared to take every advantage of the murder; they expressed an unfeigned sorrow for the failure of the attempt. Indeed, Clarendon, the chief minister (he had lately been made lord chamberlain), was known to hold, that the assassination of a successful rebel usurper was an act of justifiable and meritorious loyalty.<sup>3</sup>

Sexby had found a fit instrument for his purpose in Syndercombe, a man of the most desperate courage, formerly a quarter-master in the army in Scotland, and dismissed on account of his political principles. Having admitted a man of the name of Cecil as his associate, he procured several guns which would carry a number of balls, hired lodgings in places near which the protector was likely to pass, bribed Took, one of the life guardsmen, to give information of his motions, and bought the fleetest horse for the purpose of escape. Yet all his designs were frustrated, either by the multitude of the spectators, or the vigilance of the guards, or by some unforeseen and unlucky accident. At the persuasion of Wildman he changed his plan; and on the 9th of January, about six in the evening, entered Whitehall with his two ac-

million sixteen thousand three hundred and seventeen pounds, sixteen shillings, and eightpence.

<sup>1</sup> Thurloe's voluminous papers abound with offers and warnings connected with this subject.

<sup>2</sup> Thurloe, iv. 567. Carte, Letters, ii. 81. Their pay was four and sixpence per day.—Ibid. In addition, if we may believe Clarendon, he had always several beds prepared in different chambers, so that no one knew in what particular room he would pass the night.—Hist. iii. 646.

<sup>3</sup> That both Charles and Clarendon knew of the design, and interested themselves in its execution, is plain from several letters.—Clar. Pap. iii. 311, 312, 315, 324, 327, 331, 335. Nor can there be a doubt that Cla-

rendon approved of such murders. It is indeed, true that, speaking of the murder of Ascham, when he was at Madrid, he says that he and his colleague, Lord Cottington, abhorred it.—Clar. Hist. iii. 351. Yet from his private correspondence, it appears that he wrote papers in defence of the murderers (Clar. Pap. iii. 21, 23), recommended them as "brave fellows, and honest gentlemen" (Ibid. 235, 236), and observed to Secretary Nicholas, that it was a sad and grievous thing that the princess royal had not supplied Middleton with money, "but a worse and baser thing that any man should appear in any part beyond sea under the character of an agent from the rebels, and not have his throat cut."—Ibid. 144 1652, Feb. 20.

mplices; he unlocked the door of a chapel, deposited in a pew aasket filled with inflammable materials, and lighted a match, which, was calculated, would burn six hours. His intention was that the should break out about midnight; but Took had already revealed the secret to Cromwell, and all three were apprehended as they closed the door of the chapel. Took saved his life by the discovery, Cecil by the confession of all that he knew. But Syndercombe had wisely concealed from them the names of his associates and the particulars of the plan. They knew not that certain persons within the palace had undertaken to murder the protector during the confusion likely to be caused by the conflagration, and that such measures had been taken as to render his escape almost impossible. Syndercombe was tried; the judges held that the title of protector was in law synonymous with that of king; and he was condemned to suffer the penalties of high treason. His obstinate silence defeated the anxiety of the protector to procure further information respecting the plot; and Syndercombe, whether he laid violent hands on himself, or was despatched by the order of government, was found dead in his bed, a few hours before the time appointed for his execution.<sup>1</sup>

2. The failure of this conspiracy could not have prevented the intended invasion by the royal army from Flanders, had not Charles been disappointed in his expectations from another quarter. No reasoning, no

entreaty, could quicken the characteristic slowness of the Spanish ministers. Neither fleet nor money was ready; the expedition was postponed from month to month; the season passed away, and the design was deferred till the return of the long and darksome nights of winter. But Sexby's impatience refused to submit to these delays; his fierce and implacable spirit could not be satisfied without the life of the protector. A tract had been recently printed in Holland, entitled "Killing no Murder," which, from the powerful manner in which it was written, made a deeper impression on the public mind than any other literary production of the age. After an address to Cromwell, and another to the army, both conceived in a strain of the most poignant and sarcastic irony, it proceeds to discuss the three questions: Whether the lord-protector be a tyrant? Whether it be lawful to do justice on him by killing him? and, whether this, if it be lawful, will prove of benefit to the commonwealth? Having determined each question in the affirmative, it concludes with an eulogium on the bold and patriotic spirit of Syndercombe, the rival of Brutus and Cato, and a warning that "*longus illum sequitur ordo idem petentium decus;*" that the protector's own muster-roll contains the names of those who aspire to the honour of delivering their country; that his highness is not secure at his table or in his bed; that death is at his heels wherever he moves, and that though his head

<sup>1</sup> See Thurloe, v. 774—777; vi. 7, 53; Merc. Polit. No. 345; Bates, Elen. 388;arendon Pap. iii. 324, 325, 327; Claren. Hist. iii. 646; and the several authorities cited in the State Trials, v. 842—871. The body was opened, and the surgeons declared that there existed no trace of poison in the stomach, but that the brain was inflamed and distended with blood in a greater degree than is usual in apoplexy, or any known disease. The jury, by the direction of the lord chief justice, returned

a verdict that "he, the said Miles Syndercombe, a certain poisoned powder through the nose of him, the said Miles, into the head of him, the said Miles, feloniously, wilfully, and of malice aforethought, did snuff and draw; by reason of which snuffing and drawing so as aforesaid, into the head of him, the said Miles, he the said Miles, himself did mortally poison," &c.—Ibid. 859. The Levellers and royalists maintained that he was strangled by order of Cromwell.—Clar. iii. 647.

reaches the clouds, he shall perish like his own dung, and they that have seen him shall exclaim, Where is he? Of this tract thousands of copies were sent by Sexby into England; and, though many were seized by the officers, yet many found their way into circulation.<sup>1</sup> Having obtained a sum of one thousand four hundred crowns, he followed the books to organize new plots against the life of the protector. But by this time he was too well known. All his steps in Holland were watched; his departure for England was announced; emissaries were despatched in every direction; and within a few weeks he was apprehended and incarcerated in the Tower. There he discovered, probably feigned, symptoms of insanity. To questions respecting himself he answered with apparent frankness and truth, that he had intrigued with the Spanish court, that he had supplied Syndercombe with money, that he had written the tract, "Killing no Murder;" nor was there, he said, anything unlawful in these things, for the protectorate had not then been established by any authority of parliament; but, whenever he was interrogated respecting the names and plans of his associates, his answers became wild and incoherent, more calculated to mislead than to inform, to create suspicion of the friends, than to detect the machinations of the enemies, of the government. He was never brought to trial, but died, probably by violence, in the sixth month of his imprisonment.<sup>2</sup>

3. During the winter Blake con-

tinued to blockade Cadiz: in spring he learned that the Plate fleet for Peru had sought an asylum in the harbour of Santa Cruz, in the island of Teneriffe. There the merchantmen, ten in number, were moored close to the shore, in the form of a crescent; while the six galleons their front formed a parallel line and anchor in deeper water. The entrance of the bay was commanded by the guns of the castle; seven batteries erected at intervals along the beach protected the rest of the harbour, and these were connected with each other by covered ways lined with musketry. So confident was the governor when he surveyed these preparations, that, in the pride of heart, he desired a Dutch captain to inform the English admiral that he was welcome to come whenever he durst. Blake came, examined the defences, and, according to custom, proclaimed a solemn fast. At eight the next morning Stayner took the lead in a frigate; the admiral followed in the larger ships; and the whole fleet availing itself of a favourable wind, entered the harbour under a tremendous shower of balls and shot. Each vessel immediately fell into its allotted station; and, while some engaged the shipping, the rest directed their fire against the batteries. The Spaniards, though fewer in number of ships, were superior in that of men; their hopes were supported by the success which they received from the land; and during four hours they fought with the most determined bravery. Driven from the galleons, the crew retreated to the second line of men

<sup>1</sup> Thurloe, vi. 315.

<sup>2</sup> Clarendon Papers, iii. 322, 333, 357. Merc. Pol. 39. Thurloe, vi. 33, 182, 315, 425, 560, 829. Clarendon assures us that Sexby was an illiterate person, which is a sufficient proof that he was not the real author of the tract, though he acknowledged it for his own in the Tower, probably to deceive the protector. The writer, whoever he was, kept his secret, at least

at first; for Clarendon writes to Secretaries Nicholas, that he cannot imagine who could write it.—Clar. Papers, iii. 343. By modern historians it has been attributed to Captain Titus; nor shall we think this improbable, if we recollect that Titus was in Holland, constantly in the company of Sexby, till the departure of the latter for England.—Ibid. 331, 335. Evelyn asserts in his Diary, ii. 210, 8vo.



nantmen, and renewed the contest till they were finally compelled to leave themselves on the shore. At two in the afternoon every Spanish ship was in possession of the English, and in flames. Still there remained the difficulty of working the fleet out of the harbour in the teeth of the gale. About sunset they were out of reach of the guns from the forts; the wind, by miracle, as Blake persuaded himself, veered to the south-west, and the conquerors proceeded triumphantly out to sea. This gallant action, though it failed of securing the treasure which the protector chiefly sought, raised the reputation of Blake in every part of Europe. Unfortunately the hero himself lived not to receive the congratulations of his country. He had been during a great part of three years at sea; the scurvy and dropsy wasted his constitution; and he expired in his fifty-ninth year, as his ship, the *St. George*, entered the harbour of Plymouth.<sup>1</sup>

Blake had served with distinction in the army during the civil war; and the knowledge of his talents and integrity induced the parliamentary leaders to intrust him with the command of the fleet. For maritime tactics he relied on the experience of others; his plans and his daring were exclusively his own. He may claim the peculiar praise of having dispelled an illusion which had hitherto cramped the operations of the British navy—a persuasion that it was little short of madness to expose a ship at sea to the fire from a battery on shore. The victories of Blake at

Tunis and Santa Cruz served to establish the contrary doctrine; and the seamen learned from his example to despise the danger which had hitherto been deemed so formidable. Though Cromwell prized his services, he doubted his attachment; and a suspicion existed that the protector did not regret the death of one who professed to fight for his country, not for the government. But he rendered that justice to the dead, which he might perhaps have refused to the living, hero. He publicly acknowledged his merit, honouring his bones with a funeral at the national expense, and ordering them to be interred at Westminster, in Henry the Seventh's chapel. In the next reign the coffin was taken from the vault, and deposited in the churchyard.

4. The reader is aware of Cromwell's anxiety to form a more intimate alliance with Louis XIV. For this purpose Lockhart, one of the Scottish judges, who had married his niece, and received knighthood at his hand, proceeded to France. After some discussion, a treaty, to last twelve months, was concluded;<sup>2</sup> and Sir John Reynolds landed at Calais with an auxiliary force of six thousand men, one half in the pay of the king, the other half in that of the protector. But as an associate in the war, Cromwell demanded a share in the spoil, and that share was nothing less than the possession of Mardyke and Dunkirk, as soon as they could be reduced by the allies. To this proposal the strongest opposition had been made in the French cabinet. Louis was reminded of the injuries which the

<sup>1</sup> Vaughan, ii. 176. Heath, 391, 402. Richard, 725. Journals, May 28, 29.

<sup>2</sup> Thurloe, vi. 63, 86, 115, 124. To avoid disputes, the treaty was written in the Latin language, and the precedency was given to Louis in one copy, to Cromwell in the other. In the diplomatic collection of Dumont, vi. part ii. 178, is published a second treaty, said to have been

signed on May 9th, N.S. If it were genuine, it would disclose gigantic projects of aggrandizement on the part of the two powers. But it is clearly a forgery. We have despatches from Lockhart dated on the day of the pretended signature, and other despatches for a year afterward; yet none of them make the remotest allusion to this treaty; several contain particulars inconsistent with it.

English, the natural enemies of France, had inflicted on the country in the reigns of his predecessors. Dunkirk would prove a second Calais; it would open to a foreign foe the way into the heart of his dominions. But he yielded to the superior wisdom or ascendancy of Mazarin, who replied that, if France refused the offer, it would be accepted with a similar sacrifice by Spain; that, supposing the English to be established on that coast at all, it was better that they should be there as friends than as enemies; and that their present co-operation would enable him either to drive the Spaniards out of the Netherlands, or to dictate to them the terms of peace.<sup>1</sup> The combined force was placed under the command of the celebrated Turenne, who was opposed by the Spaniards under Don Juan, with the British exiles, commanded by the duke of York, and the French exiles, by the prince of Condé. The English auxiliaries, composed of veteran regiments, supported the reputation of their country by their martial appearance and exemplary discipline; but they had few opportunities of displaying their valour; and the summer was spent in a tedious succession of marches and countermarches, accompanied with no brilliant action nor important result. Cromwell viewed the operations of the army with distrust and impatience. The French ministry seemed in no haste to redeem their pledge with respect to the reduction of Dunkirk, and to his multiplied remonstrances uniformly opposed this unanswerable objection, that, in the opinion of Turenne, the best judge, the attempt in the existing circumstances must prove ruinous to the allies. At last he would brook no longer delay; the army marched into

the neighbourhood of the town, and the fort of Mardyke capitulated after a siege of three days. But the Spaniards lay strongly intrenched behind the canal of Bergues, between Mardyke and Dunkirk; and by common consent the design was abandoned, and the siege of Gravelines substituted in its place. Scarcely however, had the combined army taken a position before it, when the sluices were opened, the country was inundated, and Turenne dismissed his forces into winter quarters. Mardyke received a garrison, partly of English, and partly of French, under the command of Sir John Reynolds; but that officer in a short time incurred the suspicion of the protector. The duke of York, from his former service in the French army, was well known to some of the French officers. They occasionally met and exchanged compliments in their rides, he from Dunkirk, they from Mardyke. By one of them Reynolds solicited permission to pay his respects to the young prince. He was accompanied by Crew, another officer; and, though he pretended that it was an accidental civility, found the opportunity of whispering an implied offer of his services in the ear of the duke. Within a few days he received an order to wait on the protector in London in company with Colonel White, who had secretly accused him; but both were lost on the Godwin Sands, through the ignorance or the stupidity of the captain.<sup>2</sup>

At home the public attention was absorbed by a new and most interesting spectacle. The parliament met on the day to which it had been adjourned, but it was now divided according to the ancient form into two houses. Sixty-two individuals had been summoned to the upper

<sup>1</sup> Œuvres de Louis XIV. i. 171.

<sup>2</sup> Thurloe, vi. 231, 267, 426, 512, 538, 542,

580, 637, 665, 676, 731. Memoirs of James, i. 317—328.

house, and the writs, as they were copies of those formerly issued by the sovereign, were held to confer in like manner the privileges of an hereditary peerage, subject to certain exceptions specified in the "petition and advice."<sup>1</sup> The Commons, at the call of the usher of the black rod, proceeded to the house of Lords, where they found his highness seated under a canopy of state. His speech began with the ancient address: "My lords and gentlemen of the House of Commons." It was short, but its brevity was compensated by its piety, and after an exposition of the eighty-fifth psalm, he referred his two houses for other particulars to Fiennes, the lord-keeper, who, in a long and tedious harangue, praised and defended the new institutions. After the departure of the Commons, the Lords spent their time in inquiries into the privileges of their house. Cromwell had summoned his two sons, Richard and Henry, seven peers of royal creation, several members of his council, some gentlemen of fortune and family, with a due proportion of lawyers and officers, and a scanty sprinkling of persons known to be disaffected to his government. Of the ancient peers two only attended, the lords Eure and Falconberg, of whom the latter had recently married Mary, the protector's daughter; and of the other members, nine were absent through business or disinclination. As their journals have not been preserved, we have little knowledge of their proceedings.<sup>2</sup>

In the lower house, the interest of the government had declined by the impolitic removal of the leading members to the house of Lords, and by the introduction of those who, having formerly been excluded by order of Cromwell, now took their seats in virtue of the article which reserved to the house the right of inquiry into the qualifications of its members. The opposition was led by two men of considerable influence and undaunted resolution, Hazlerig and Scot. Both had been excluded at the first meeting of this parliament, and both remembered the affront. To remove Hazlerig from a place where his experience and eloquence rendered him a formidable adversary, Cromwell had called him to the upper house; but he refused to obey the writ, and took his seat among the Commons.<sup>3</sup> That a new house was to be called according to the articles of the "petition and advice," no one denied; but who, it was asked, made its members lords? who gave them the privileges of the ancient peerage? who empowered them to negative the acts of that house to which they owed their existence? Was it to be borne that the children should assume the superiority over their parents; that the nominees of the protector should control the representatives of the people, the depositaries of the supreme power of the nation? It was answered that the protector had called them lords; that it was the object of "the petition and advice" to re-establish the "second estate;"

<sup>1</sup> Thurloe, vi. 752.

<sup>2</sup> Journals, Jan. 7, 20. Whitelock, 666, 668. The speech of Fiennes is reported in the Journals, Jan. 25. See the names and characters of those who attended, in "A Second Narrative of the late Parliament (so called), &c., printed in the fifth year of England's Slavery under its new Monarchy, 1658." "They spent their time in little matters, such as choosing of committees; and among other things, to consider of the privileges and jurisdiction of

their house, (good wise souls!) before they knew what their house was, or should be called."—Ibid. 7. The peers who refused to attend, were the earls of Mulgrave, Warwick, and Manchester, the Viscount Say and Sele, and the Lord Wharton.

<sup>3</sup> Hazlerig made no objection to the oath which bound him to be faithful to the protector. But the sense which he attached to it is singular: "I will be faithful," said he, "to the lord-protector's person. I will murder no man."—Burton's Diary, ii. 347.

and that, if any doubt remained, it were best to amend the "instrument," by giving to the members of the other house the title of lords, and to the protector that of king. Cromwell sought to soothe these angry spirits. He read to them lectures on the benefit, the necessity, of unanimity. Let them look abroad. The papists threatened to swallow up all the Protestants of Europe. England was the only stay, the last hope of religion. Let them look at home: the Cavaliers and the Levellers were combined to overthrow the constitution; Charles Stuart was preparing an invasion; and the Dutch had ungratefully sold him certain vessels for that purpose. Dissension would inevitably draw down ruin on themselves, their liberties, and their religion. For himself, he called God, angels, and men, to witness that he sought not the office which he held. It was forced upon him: but he had sworn to execute its duties, and he would perform what he had sworn, by preserving to every class of men their just rights, whether civil or religious.<sup>1</sup> But his advice, and entreaties, and menaces were useless. The judges repeatedly brought messages from "the Lords to the Commons," and as often were told, that "that house would return an answer by messengers of their own." Instead, however, of returning answers, they spent their whole time in debating what title and what rights ought to belong to the other house.<sup>2</sup>

<sup>1</sup> Mr. Rutt has added this speech to *Burton's Diary*, ii. 351—371. I may remark that, 1. The protector now addressed the members by the ambiguous style of "my lords and gentlemen of the two houses of parliament." 2. That he failed in proving the danger which, as he pretended, menaced Protestantism. If, in the north, the two Protestant states of Sweden and Denmark were at war with each other, more to the south the Catholic states of France and Spain were in the same situation. 3. That the vessels sold by the Dutch were six flutes which the English cruisers afterwards de-

Never, perhaps during his extraordinary career, was Cromwell involved in difficulties equal to those which surrounded him at this moment. He could raise no money without the consent of parliament, and the pay of the army in England was five, and of that in Ireland seven, months in arrear; the exiled king threatened a descent from the coast of Flanders, and the royalists throughout the kingdom were preparing to join his standard; the leaders of opposition in parliament had combined with several officers in the army to re-establish the commonwealth, "without a single person or house of lords;" and a preparatory petition for the purpose of collecting signatures was circulated through the city. Cromwell consulted his most trusty advisers, of whom some suggested a dissolution, others objected the want of money, and the danger of irritating the people. Perhaps he had already taken his resolution, though he kept it a secret within his own breast; perhaps it might be the result of some sudden and momentary impulse;<sup>3</sup> but one morning he unexpectedly threw himself into a carriage with two horses standing at the gates of Whitehall; and, beckoning to six of his guards to follow, ordered the coachman to drive to the parliament house. There he revealed his purpose to Fleetwood, and when that officer ventured to remonstrate, declared by the living God that he would dissolve the parliament. Sending for the Commons,

stroyed. 4. That from this moment he was constantly asserting with oaths that he sought not his present office. How could he justify such oaths in his own mind? Was it on the fallacious ground that what he in reality sought was the office of king, not of protector?

<sup>2</sup> *Journals*, Jan. 25, 29, Feb. 1, 3. *Burton's Diary*, ii. 371—464. *Thurloe*, i. 766; vi. 767.

<sup>3</sup> "Something happening that morning that put the protector into a rage and passion near unto madness, as those at Whitehall can witness."—*Second Narrative*, p. 8.

he addressed them in an angry and expostulating tone. "They," he said, "had placed him in the high situation in which he stood; he sought it not; there was neither man nor woman treading on English ground who could say he did. God knew that he would rather have lived under a wood side, and have tended a flock of sheep, than have undertaken the government. But, having undertaken it at their request, he had a right to look to them for aid and support. Yet some among them, God was his witness, in violation of their oaths, were attempting to establish a commonwealth interest in the army; some had received commissions to enlist men for Charles Stuart; and both had their emissaries at that moment seeking to raise a tumult, or rather a rebellion, in the city. But he was bound before God to prevent such disasters; and, therefore," he concluded, "I think it high time that an end be put to your sitting; and I do dissolve this parliament; and let God judge between me and you." "Amen, amen," responded several voices from the ranks of the opposition.<sup>1</sup>

This was the fourth parliament that Cromwell had broken. The republicans indulged their resentment in murmurs, and complaints, and menaces; but the protector, secure of the fidelity of the army, despised the feeble efforts of their vengeance, and encouraged by his vigour the timidity of his counsellors. Strong patrols of infantry and cavalry paraded the

streets, dispersing every assemblage of people in the open air, in private houses, and even in conventicles and churches, for the purpose, or under the pretext, of devotion. The colonel-major and several captains of his own regiment were cashiered;<sup>2</sup> many of the Levellers and royalists were arrested and imprisoned, or discharged upon bail; and the lord-mayor, aldermen, and common-council received from Cromwell himself an account of the danger which threatened them from the invasion meditated by Charles Stuart, and a charge to watch the haunts of the discontented, and to preserve the tranquillity of the city. At the same time his agents were busy in procuring loyal and affectionate addresses from the army, the counties, and the principal towns; and these, published in the newspapers served to overawe his enemies, and to display the stability of his power.<sup>3</sup>

The apprehension of invasion, to which Cromwell so frequently alluded, was not entirely groundless. On the return of the winter, the royalists had reminded Charles of his promise in the preceding spring; the king of Spain furnished an aid of one hundred and fifty thousand crowns; the harbour of Ostend was selected for the place of embarkation; and arms, ammunition, and transports were purchased in Holland. The prince himself, mastering for a while his habits of indolence and dissipation, appeared eager to redeem his pledge;<sup>4</sup> but the more prudent of his advisers conjured

<sup>1</sup> Journ. Feb. 4. Thurloe, vi. 778, 779, 781, 788. Parl. Hist. iii. 1525. By the oath, which Cromwell reproaches them with violating, they had sworn "to be true and faithful to the lord-protector as chief magistrate, and not to contrive, design, or attempt anything against his person or lawful authority."

<sup>2</sup> "I," says Hacker, "that had served him fourteen years, and had commanded a regiment seven years, without any trial or appeal, with the breath of his nostrils I was

outed, and lost not only my place but a dear friend to boot. Five captains under my command were outed with me, because they could not say that was a house of lords."—Burton's Diary, iii. 166.

<sup>3</sup> Thurloe, vi. 778, 781, 788; vii. 4, 21, 32, 49, 71. Parl. Hist. iii. 1528.

<sup>4</sup> Still Ormond says to Hyde, "I fear his immoderate delight in empty, effeminate, and vulgar conversations is become an irresistible part of his nature, and will never suffer him to animate his own designs, and

him not to risk his life on general assurances of support; and the marquess of Ormond, with the most chivalrous loyalty, offered to ascertain on the spot the real objects and resources of his adherents. Pretending to proceed on a mission to the court of the duke of Neuburg, that nobleman, accompanied by O'Neil, crossed the sea, landed in disguise at Westmarch on the coast of Essex, and hastened to London. There continually changing his dress and lodgings, he contrived to elude the suspicion of the spies of government, and had opportunities of conversing with men of different parties; with the royalists, who sought the restoration of the ancient monarchy; with the Levellers, who were willing that the claims of the king and the subject should be adjusted in a free parliament; with the moderate Presbyterians, who, guided by the earls of Manchester and Denbigh, with Rossiter and Sir William Waller, offered to rely on the royal promises; and the more rigid among the same religionists, who, with the lords Say and Robarts at their head, demanded the confirmation of the articles to which the late king had assented in the Isle of Wight. But from none could he procure any satisfactory assurances of support. They were unable to perform what they had promised by their agents. They had not the means, nor the courage, nor the abilities, necessary for the undertaking. The majority refused to declare themselves, till Charles

should have actually landed with a respectable force; and the most sanguine required a pledge that he would be ready to sail the moment he heard of their rising, because there was no probability of their being able, without foreign aid, to make head against the protector beyond the short space of a fortnight.<sup>1</sup>

In these conferences Ormond frequently came in contact with Sir Richard Willis, one of the sealed knot, and standing high in the confidence of Charles.<sup>2</sup> Willis uniformly disapproved of the attempt. The king's enemies, he observed, were now ready to unsheath their swords against each other: but let the royal banner be once unfurled, and they would suspend their present quarrel, to combine their efforts against the common enemy. Yet the author of this prudent advice was, if we may believe Clarendon, a traitor, though a traitor of a very singular description. He is said to have contracted with Cromwell, in consideration of an annual stipend, to reveal to him the projects of the king and the royalists; but on condition that he should have no personal communication with the protector, that he should never be compelled to mention any individual whose name he wished to keep secret, and that he should not be called upon to give evidence, or to furnish documents, for the conviction of any prisoner.<sup>3</sup> It is believed that for several years he faithfully complied with this engagement; and when he thought

others' actions, with that spirit which is requisite for his quality, and much more to his fortune."—p. 27, Jan. 7, 1658. Clar. iii. 387.

<sup>1</sup> Carte's Letters, ii. 118, 124, 130. Clar. iii. 388, 392, 395. Thurloe, i. 718.

<sup>2</sup> The knot consisted of Willis, Colonel Russell, Sir William Compton, Edward Villiers, and Mr. Broderick, according to several letters in Clarendon; according to the duke of York, and of the four first, Lord Belasyse, and Lord Loughborough.—James, i. 370.

<sup>3</sup> This is Clarendon's account. In Thurloe, i. 757, is a paper signed John Foster, supposed to be the original offer made to Thurloe by Willis. He there demands that no one but the protector should be acquainted with his employment; that he should never be brought forward as a witness; that the pardon of one dear friend should be granted to him; and that he should receive fifty pounds with the answer, five hundred pounds on his first interview with Thurloe, and five hundred pounds when he put into their hands any of the conspirators against Cromwell's person.

that Ormond had been long enough in London, he informed Cromwell of the presence of the marquess in the capital, but at the same moment conveyed advice to the marquess that orders had been issued for his apprehension. This admonition had its desired effect. Ormond stole away to Shoreham in Sussex, crossed over to Dieppe, concealed himself two months in Paris, and then, travelling in disguise through France to Geneva, that he might escape the notice of Lockhart and Mazarin, returned along the Rhine to join his master in Flanders.<sup>1</sup>

There was little in the report of Ormond to give encouragement to Charles; his last hopes were soon afterwards extinguished by the vigilance of Cromwell. The moment the thaw opened the ports of Holland, a squadron of English frigates swept the coast, captured three and drove on shore two flutes destined for the expedition, and closely blockaded the harbour of Ostend.<sup>2</sup> The design was again postponed till the winter; and the king resolved to solicit in person a supply of money at the court of the Spanish monarch. But from this journey he was dissuaded both by Hyde and by the Cardinal de Retz, who pointed out to him the superior advantage of his residence in Flanders, where he was in readiness to seize the first propitious moment which fortune should offer. In the mean time the cardinal, through his agent in Rome, solicited from the pope pecuniary aid for the king, on condition that in the event of his ascending the throne of his fathers, he should re-

lease the Catholics of his three kingdoms from the intolerable pressure of the penal laws.

The transactions of this winter, the attempt of Syndercombe, the ascendancy of the opposition in parliament, and the preparations of the royalists to receive the exiled king, added to habitual indisposition, had soured and irritated the temper of Cromwell. He saw that to bring to trial the men who had been his associates in the cause might prove a dangerous experiment; but there was nothing to deter him from wreaking his vengeance on the royalists, and convincing them of the danger of trespassing any more on his patience by their annual projects of insurrection. In every county all who had been denounced, all who were even suspected, were put under arrest; a new high court of justice was established according to the act of 1656; and Sir Henry Slingsby, Dr. Hewet, and Mr. Mordaunt, were selected for the three first victims. Slingsby, a Catholic gentleman and a prisoner at Hull, had endeavoured to corrupt the fidelity of the officers in the garrison: who, by direction of the governor, amused the credulity of the old man, till he had the imprudence to deliver to them a commission from Charles Stuart.<sup>4</sup> Dr. Hewet was an episcopalian divine, permitted to preach at St. Gregory's, and had long been one of the most active and useful of the royal agents in the vicinity of the capital. Mordaunt, a younger brother of the earl of Peterborough, had also displayed his zeal for the king, by maintaining a constant correspond-

<sup>1</sup> Clar. Hist. iii. 614—618, 667. Clarendon's narrative is so frequently inaccurate, that it is unsafe to give credit to any charge on his authority alone; but in the present instance he relates the discovery of the treachery of Willis with such circumstantial minuteness, that it requires a considerable share of incredulity to doubt of its being substantially true; and his narrative is con-

firmed by James II. (Mem. i. 370), and other documents to be noticed hereafter.

<sup>2</sup> Carte's Letters, ii. 126, 135. Clar. Papers, iii. 396.

<sup>3</sup> Carte's Letters, ii. 136—142, 145. Clar. Pap. iii. 401.

<sup>4</sup> Thurloe, vi. 777, 780, 786, 870; vii. 46, 47, 98.

ence with the marquess of Ormond, and distributing royal commissions to those who offered to raise men in favour of Charles. Of the truth of the charges brought against them, there could be no doubt; and, aware of their danger, they strongly protested against the legality of the court, demanded a trial by jury, and appealed to Magna Charta and several acts of parliament. Slingsby at last pleaded, and was condemned; Hewet, under the pretence that to plead was to betray the liberties of Englishmen, stood mute; and his silence, according to a recent act, was taken for a confession of guilt. Mordaunt was more fortunate. Stapeley, who, to save his own life, swore against him, proved an unwilling witness: and Mallory, who was to have supported the evidence of Stapeley, had four days before been bribed to abscond. This deficiency was gladly laid hold of by the majority of the judges, who gave their opinion that his guilt was not proved; and, for similar reasons, some days later acquitted two other conspirators, Sir Humphrey Bennet and Captain Woodcock. The fact is, they were weary of an office which exposed them to the censure of the public; for the court was viewed with hatred by the people. It abolished the trial by jury; it admitted no inquest or presentment by the oaths of good and faithful men; it deprived the accused of the benefit of challenge; and its proceedings were contrary to the law of treason, the peti-

tion of right, and the very oath of government taken by the protector. Cromwell, dissatisfied with these acquittals, yielded to the advice of the council, and sent the rest of the prisoners before the usual courts of law, where several were found guilty, and condemned to suffer the penalties of treason.<sup>1</sup>

Great exertions were made to save the lives of Slingsby and Hewet. In favour of the first, it was urged that he had never been suffered to compound, had never submitted to the commonwealth, and had been for years deprived both of his property and liberty, so that his conduct should be rather considered as the attempt of a prisoner of war to regain his freedom, than of a subject to overturn the government. This reasoning was urged by his nephew, Lord Falconberg, who, by his recent marriage with Mary Cromwell, was believed to possess considerable influence with her father. The interest of Dr. Hewet was espoused by a more powerful advocate—by Elizabeth, the best-beloved of Cromwell's daughters, who at the same time was in a delicate and precarious state of health. But it was in vain that she interceded for the man whose spiritual ministry she employed; Cromwell was inexorable. He resolved that blood should be shed, and that the royalists should learn to fear his resentment, since they had not been won by his forbearance. Both suffered death by decapitation.<sup>2</sup>

During the winter the gains and

<sup>1</sup> Whitelock, 673, 674. Thurloe, vii. 159, 164. State Trials, v. 871, 883, 907. These trials are more interesting in Clarendon, but much of his narrative is certainly, and more of it probably, fictitious. It is not true that Slingsby's offence was committed two years before, nor that Hewett was accused of visiting the king in Flanders, nor that Mallory escaped out of the hall on the morning of the trial. (See Claren. Hist. iii. 619—624.) Mallory's own account of his escape is in Thurloe, vii. 194—220.

<sup>2</sup> Ludlow, ii. 149. I think there is some

reason to question those sentiments of loyalty to the house of Stuart, and that affliction and displeasure on account of the execution of Hewet, which writers attribute to Elizabeth Claypole. In a letter written by her to her sister-in-law, the wife of H. Cromwell, and dated only four days after the death of Hewet, she calls on her to return thanks to God for their deliverance from Hewet's conspiracy: "for seeingly not ondy his (Cromwell's) famely would have bin ruined, but in all probabilyti the hol nation would have bin invold in blod."—June 12. Thurloe, vii. 171.



losses of the hostile armies in Flanders had been nearly balanced. If, on the one hand, the duke of York was repulsed with loss in his attempt to storm by night the works at Mardyke; on the other, the Marshal D'Aumont was made prisoner with fifteen hundred men by the Spanish governor of Ostend, who, under the pretence of delivering up the place, had decoyed him within the fortifications. In February, the offensive treaty between France and England was renewed for another year; three thousand men, drafted from different regiments, were sent by the protector to supply the deficiency in the number of his forces; and the combined army opened the campaign with the siege of Dunkirk. By the Spaniards the intelligence was received with surprise and apprehension. Deceived by false information, they had employed all their efforts to provide for the safety of Cambray. The repeated warnings given by Charles had been neglected; the extensive works at Dunkirk remained in an unfinished state; and the defence of the place had been left to its ordinary garrison of no more than one thousand men, and these but scantily supplied with stores and provisions. To repair his error, Don Juan, with the consent of his mentor, the Marquess Caracena, resolved to hazard a battle; and, collecting a force of six thousand infantry, and four thousand cavalry, encamped between the village of Zudcote and the lines of the besiegers. But Turenne, aware of the defective organization of the Spanish armies, resolved to prevent the threatened attack; and the very next morning, before the Spanish cannon and ammunition had reached the camp, the allied force was seen advancing in battle array. Don Juan hastily placed his men along a ridge of sand-hills which extended from the sea-coast to the canal, giving the command of the right wing to the duke

of York, of the left to the prince of Condé, and reserving the centre to himself. The battle was begun by the English, who found themselves opposed to their countryman, the duke of York. They were led by Major-general Morgan; for Lockhart, who acted both as ambassador and commander-in-chief, was confined by indisposition to his carriage. Their ardour to distinguish themselves in the presence of the two rival nations carried them considerably in advance of their allies; but, having halted to gain breath at the foot of the opposite sandhill, they mounted with impetuosity, received the fire of the enemy, and, at the point of the pike, drove them from their position. The duke immediately charged at the head of the Spanish cavalry; but one half of his men were mowed down by a well-directed fire of musketry; and James himself owed the preservation of his life to the temper of his armour. The advantage, however, was dearly purchased: in Lockhart's regiment scarcely an officer remained to take the command.

By this time the action had commenced on the left, where the prince of Condé, after some sharp fighting, was compelled to retreat by the bank of the canal. The centre was never engaged; for the regiment, on its extreme left, seeing itself flanked by the French in pursuit of Condé, precipitately abandoned its position, and the example was successively imitated by the whole line. But, in the meanwhile, the duke of York had rallied his broken infantry, and while they faced the English, he charged the latter in flank at the head of his company of horse-guards. Though thrown into disorder, they continued to fight, employing the butt-ends of their muskets against the swords of their adversaries, and in a few minutes several squadrons of French cavalry arrived to their aid. James was surrounded;

and, in despair of saving himself by flight, he boldly assumed the character of a French officer; rode at the head of twenty troopers toward the right of their army; and, carefully threading the different corps, arrived without exciting suspicion at the bank of the canal, by which he speedily effected his escape to Furnes.<sup>1</sup> The victory on the part of the allies was complete. The Spanish cavalry made no effort to protect the retreat of their infantry; every regiment of which was successively surrounded by the pursuers, and compelled to surrender. By Turenne and his officers the chief merit of this brilliant success was cheerfully allotted to the courage and steadiness of the English regiments; at Whitehall it was attributed to the prayers of the lord-protector, who, on that very day, observed with his council a solemn fast to implore the blessing of heaven on the operations of the allied army.<sup>2</sup>

Unable to oppose their enemies in the field, the Spanish generals proposed to retard their progress by the most obstinate defence of the different fortresses. The prince de Ligne undertook that of Ipres; the care of Newport, Bruges, and Ostend was committed to the duke of York; and Don Juan returned to Brussels to hasten new levies from the different provinces. Within a fortnight Dunkirk capitulated, and the king of France, having taken possession, delivered the keys with his own hand to the English ambassador. Gravelines was soon afterwards reduced; the

prince de Ligne suffered himself to be surprised by the superior activity of Turenne; Ipres opened its gates, and all the towns on the banks of the Lys successively submitted to the conquerors. Seldom, perhaps, had there occurred a campaign more disastrous to the Spanish arms.<sup>3</sup>

In the eyes of the superficial observer, Cromwell might now appear to have reached the zenith of power and greatness. At home he had discovered, defeated, and punished all the conspiracies against him; abroad, his army had gained laurels in the field; his fleet swept the seas; his friendship was sought by every power; and his mediation was employed in settling the differences between both Portugal and Holland, and the king of Sweden and the elector of Brandenburg. He had recently sent Lord Falconberg to compliment Louis XIV. on his arrival at Calais; and in a few days was visited by the duke of Crequi, who brought him a magnificent sword as a present from that prince, and by Mancini, with another present of tapestry from his uncle, the Cardinal Mazarin. But, above all, he was now in possession of Dunkirk, the great object of his foreign policy for the last two years, the opening through which he was to accomplish the designs of Providence on the continent. The real fact, however, was that his authority in England never rested on a more precarious footing than at the present moment; while, on the other hand, the cares and anxieties of government, joined to his apprehensions

<sup>1</sup> See the account of this battle by James himself, in his *Memoirs*, i. 338—358; also Thurloe, vii. 155, 156, 159.

<sup>2</sup> "Truly," says Thurloe, "I never was present at any such exercise, where I saw a greater spirit of faith and prayer poured forth."—*Ibid.* 158. "The Lord," says Fleetwood, "did draw forth his highness's heart, to set apart that day to seek the Lord; and indeed there was a very good spirit appearing. Whilst we were praying, they were fighting; and the Lord hath given a signal

answer. And the Lord hath not only owned us in our work there, but in our waiting upon him in our way of prayer, which is indeed our old experienced approved way in all our straits and difficulties."—*Ibid.* 159.

<sup>3</sup> James, *Memoirs*, i. 359. Thurloe, vii. 169, 176, 215. If we may believe Temple (ii. 545), Cromwell now saw his error in aiding the French, and made an offer of uniting his forces with those of Spain, provided the siege of Calais were made the first attempt of the combined army.

of personal violence, and the pressure of domestic affliction, were rapidly undermining his constitution, and hurrying him from the gay and glittering visions of ambition to the darkness and silence of the tomb.

1. Cromwell was now reduced to that situation which, to the late unfortunate monarch, had proved the source of so many calamities. His expenditure far outran his income. Though the last parliament had made provision, ample provision, as it was then thought, for the splendour of his establishment, and for all the charges of the war, he had already contracted enormous debts; his exchequer was frequently drained to the last shilling; and his ministers were compelled to go a-begging—such is the expression of the secretary of state—for the temporary loan of a few thousand pounds, with the cheerless anticipation of a refusal.<sup>1</sup> He looked on the army, the greater part of which he had quartered in the neighbourhood of the metropolis, as his chief—his only support against his enemies; and while the soldiers were comfortably clothed and fed, he might with confidence rely on their attachment; but now that their pay was in arrear, he had reason to apprehend that discontent might induce them to listen to the suggestions of those officers who sought to subvert his power. On former occasions, indeed, he had relieved himself from similar embarrassments by the imposition of taxes by his own authority; but this practice was so strongly reprobated in the petition and advice, and he had recently abjured it with so much solemnity, that he dared not repeat the experiment. He attempted to raise a loan among

the merchants and capitalists in the city; but his credit and popularity were gone; he had, by plunging into war with Spain, cut off one of the most plentiful sources of profit, the Spanish trade; and the number of prizes made by the enemy, amounting to more than a thousand,<sup>2</sup> had ruined many opulent houses. The application was eluded by a demand of security on the landed property belonging to country gentlemen. There remained a third expedient,—an application to parliament. But Cromwell, like the first Charles, had learned to dread the very name of a parliament. Three of these assemblies he had moulded according to his own plan, and yet not one of them could he render obsequious to his will. Urged, however, by the ceaseless importunities of Thurloe, he appointed nine councillors to inquire into the means of defeating the intrigues of the republicans in a future parliament; the manner of raising a permanent revenue from the estates of the royalists; and the best method of determining the succession to the protectorate. But among the nine were two who, aware of his increasing infirmities, began to cherish projects of their own aggrandizement, and who, therefore, made it their care to perplex and to prolong the deliberations. The committee sat three weeks. On the two first questions they came to no conclusion; with respect to the third, they voted, on a division, that the choice between an elective and an hereditary succession was a matter of indifference. Suspicious of their motives, Cromwell dissolved the committee.<sup>3</sup> But he substituted no council in its place; things were allowed to

<sup>1</sup> Thurloe, vii. 99, 100, 144, 295.

<sup>2</sup> Thurloe, vii. 662.

<sup>3</sup> Ibid. 146, 176, 192, 269. The committee consisted, in Thurloe's words, of Lord Fiennes, Lord Fleetwood, Lord Desborow, Lord Chamberlayne, Lord Whalley, Mr. Comptroller, Lord Goffe, Lord Cooper, and

himself (p. 192). On this selection Henry Cromwell observes: "The wise men were but seven; it seems you have made them nine. And having heard their names, I think myself better able to guess what they'll do than a much wiser man; for no very wise man can ever imagine it" (p. 217).

take their course; the embarrassment of the treasury increased; and the irresolution of the protector, joined to the dangers which threatened the government, shook the confidence of Thurloe himself. It was only when he looked up to heaven that he discovered a gleam of hope, in the persuasion that the God who had befriended Cromwell through life, would not desert him at the close of his career.<sup>1</sup>

2. To the cares of government must be added his constant dread of assassination. It is certainly extraordinary that, while so many conspiracies are said to have been formed, no attempt was actually made against his person; but the fact that such designs had existed, and the knowledge that his death was of the first importance to his enemies, convinced him that he could never be secure from danger. He multiplied his precautions. We are told that he wore defensive armour under his clothes; carried loaded pistols in his pockets; sought to remain in privacy, and, when he found it necessary to give audience, sternly watched the eyes and gestures of those who addressed him. He was careful that his own motions should not be known beforehand. His carriage was filled with attendants; a numerous escort accompanied him; and he proceeded at full speed, frequently diverging from the road to the right or left, and generally returning by a different route. In his palace he often inspected the

nightly watch, changed his bed-chamber, and was careful that, beside the principal door, there should be some other egress, for the facility of escape. He had often faced death without flinching in the field; but his spirit broke under the continuous fear of unknown and invisible foe. He passed the nights in a state of feverish anxiety; sleep fled from his pillow; and for more than a year before his death we always find the absence of rest assigned as either the cause which produced, or a circumstance which aggravated, his numerous ailments.<sup>2</sup>

3. The selfishness of ambition does not exclude the more kindly feelings of domestic affection. Cromwell was sincerely attached to his children; but, among them, he gave the preference to his daughter Elizabeth Claypole. The meek disposition of the young woman possessed singular charms for the overbearing spirit of her father; and her timid piety readily received lessons on mystical theology from the superior experience of the lord-general.<sup>3</sup> But she was now dying of a most painful and internal complaint, imperfectly understood by her physicians; and her grief for the loss of her infant child added to the poignancy of her sufferings. Cromwell abandoned the business of state that he might hasten to Hampton Court to console his favourite daughter. He frequently visited her, remained long in her apartment, and, whenever he quitted it, seemed to be absorbed

<sup>1</sup> Ibid. 153, 282, 295.

<sup>2</sup> So says Clarendon (iii. 646), Bates (Elench. 343), and Welwood (p. 94); but their testimony can prove nothing more than that such reports were current, and obtained credit, among the royalists.

<sup>3</sup> The following passage from one of Cromwell's letters to his daughter Ireton, will perhaps surprise the reader. "Your sister Claypole is (I trust in mercy) exercised with some perplexed thoughts, shee sees her owne vanitye and carnal minde, bewailinge itt, shee seeks after (as I hope

alsoe) that wch will satisfie, and thus to be a seeker, is to be of the best sect next finder, and such an one shall very faythful humble seeker bee at the end. Happy seeker, happie finder. Who ever tast that the Lord is gracious, without some sense of self-vanitie and badnesse? Who ever tasted that graciousnesse of his, a could goe lesse in desier, and lesse then pressing after full enjoyment? Deceit hart presse on: lett not husband, lett not anythinge coole thy affections after Christ &c. &c. &c.—Harris, iii. App. 515, ed 1814.

the deepest melancholy. It is not probable that the subject of their private conversation was exposed to the profane ears of strangers. We are, however, told that she expressed to him her doubts of the justice of the good old cause, that she exhorted him to restore the sovereign authority to the rightful owner, and that, occasionally, when her mind was wandering, she alarmed him by uttering cries of "blood," and predictions of vengeance.

4. Elizabeth died. The protector was already confined to his bed with the gout, and, though he had anticipated the event, some days elapsed before he recovered from the shock. A slow fever still remained, which was pronounced a bastard tertian. One of his physicians whispered to another, that his pulse was intermittent; the words caught the ears of the sick man; he turned pale, a cold perspiration covered his face; and, requesting to be placed in bed, he executed his private will. The next morning he had recovered his usual composure; and when he received the visit of his physician, ordering all his attendants to quit the room but his wife, whom he held by the hand, he said to him: "Do not think that I shall die; I am sure of the contrary." Observing the surprise which these words excited, he continued: "Say not that I have lost my reason: I tell you the truth. I know it from better authority than any which you can have from Galen or Hippocrates. It is the answer of God himself to our prayers; not to mine alone, but to those of others who have a more intimate interest in him than I have."<sup>2</sup> The same communication was made to Thurloe, and to the different members of the protector's family; nor did it fail to obtain credit among men who believed that

"in other instances he had been favoured with similar assurances, and that they had never deceived him."<sup>3</sup> Hence his chaplain Goodwin exclaimed, "O Lord, we pray not for his recovery; that thou hast granted already; what we now beg is his *speedy* recovery."<sup>4</sup>

In a few days, however, their confidence was shaken. For change of air he had removed to Whitehall, till the palace of St. James's should be ready for his reception. There his fever became a double tertian, and his strength rapidly wasted away. Who, it was asked, was to succeed him? On the day of his inauguration he had written the name of his successor within a cover sealed with the protectorial arms; but that paper had been lost or purloined, or destroyed. Thurloe undertook to suggest to him a second nomination; but the condition of the protector, who, if we believe him, was always insensible or delirious, afforded no opportunity. A suspicion, however, existed, that he had private reasons for declining to interfere in so delicate a business.<sup>5</sup>

The 30th of August was a tempestuous day: during the night the violence of the wind increased till it blew a hurricane. Trees were torn from their roots in the park, and houses unroofed in the city. This extraordinary occurrence at a moment when it was thought that the protector was dying, could not fail of exciting remarks in a superstitious age; and, though the storm reached to the coasts of the Mediterranean, in England it was universally referred to the death-bed of the protector. His friends asserted that God would not remove so great a man from this world without previously warning the nation of its approaching loss; the

<sup>1</sup> Clar. Hist. iii. 647. Bulstrode, 205. Heath, 408.

<sup>2</sup> Thurloe, vii. 321, 340, 354, 355. Bates,

Elench, 413. <sup>3</sup> Thurloe, vii. 355, 367, 376.

<sup>4</sup> Ludlow, ii. 151.

<sup>5</sup> Thurloe, 355, 365, 366.

Cavaliers more maliciously maintained that the devils, "the princes of the air," were congregating over Whitehall, that they might pounce on the protector's soul.<sup>1</sup>

On the third night afterwards, Cromwell had a lucid interval of considerable duration. It might have been expected that a man of his religious disposition would have felt some compunctious visitings, when from the bed of death he looked back on the strange eventful career of his past life. But he had adopted a doctrine admirably calculated to lull and tranquillize the misgivings of conscience. "Tell me," said he to Sterry, one of his chaplains, "Is it possible to fall from grace?" "It is not possible," replied the minister. "Then," exclaimed the dying man, "I am safe; for I know that I was once in grace." Under this impression he prayed, not for himself, but for God's people. "Lord," he said, "though a miserable and wretched creature, I am in covenant with thee through thy grace, and may and will come to thee for thy people. Thou hast made me a mean instrument to do them some good, and thee service. Many of them set too high a value upon me, though others would be glad of my death. Lord, however thou disposest of me, continue, and go on to do good for them. Teach those who look too much upon thy instruments, to depend more upon thyself, and pardon such as desire to trample upon the dust of a poor worm, for they are thy people too."<sup>2</sup>

Early in the following morning, he relapsed into a state of insensibility. It was his fortunate day, the 3rd of September, a circumstance from which his sorrowing relatives derived a new source of consolation. It was, they

observed, on the 3rd of September that he overcame the Scots at Dunbar; on that day, he also overcame the royalists at Worcester; and on the same day, he was destined to overcome his spiritual enemies, and to receive the crown of victory in heaven. About four in the afternoon he breathed his last, amidst the tears and lamentations of his attendants. "Cease to weep," exclaimed the fanatical Sterry, "you have more reason to rejoice. He was your protector here; he will prove a still more powerful protector, now that he is with Christ at the right hand of the Father." With a similar confidence in Cromwell's sanctity, though in a somewhat lower tone of enthusiasm, the grave and cautious Thurloe announced the event by letter to the deputy of Ireland. "He is gone to heaven, embalmed with the tears of his people, and upon the wings of the prayers of the saints."<sup>3</sup>

Till the commencement of the present century, when that wonderful man arose, who, by the splendour of his victories and the extent of his empire, cast all preceding adventurers into the shade, the name of Cromwell stood without a parallel in the history of civilized Europe. Men looked with a feeling of awe on the fortunate individual who, without the aid of birth, or wealth, or connections, was able to seize the government of three powerful kingdoms, and to impose the yoke of servitude on the necks of the very men who had fought in his company to emancipate themselves from the less arbitrary sway of their hereditary sovereign. That he who accomplished this was no ordinary personage, all must admit; and yet, on close investigation, we shall discover little that was sublime or dazzling in his cha-

<sup>1</sup> Clar. 646. Bulstrode, 207. Heath, 408. Noble, i. 147, note.

<sup>2</sup> Collection of Passages concerning his late Highness in Time of his Sickness,

p. 12. The author was Underwood, groom of the bedchamber. See also a letter of H. Cromwell, Thurloe, vii. 454; Ludlow, ii. 153. <sup>3</sup> Ludlow, ii. 153. Thurloe, vii. 373.

character. Cromwell was not the meteor which surprises and astounds by the rapidity and brilliancy of its course. Cool, cautious, calculating, he stole on with slow and measured pace; and, while with secret pleasure he toiled up the ascent to greatness, laboured to persuade the spectators that he was reluctantly borne forward by an exterior and resistless force, by the march of events, the necessities of the state, the will of the army, and even the decree of the Almighty. He seems to have looked upon dissimulation as the perfection of human wisdom, and to have made it the keystone of the arch on which he built his fortunes.<sup>1</sup> The aspirations of his ambition were concealed under the pretence of attachment to "the good old cause;" and his secret workings to acquire the sovereignty for himself and his family were represented as endeavours to secure for his former brethren in arms the blessings of civil and religious freedom, the two great objects which originally called them into the field. Thus his whole conduct was made up of artifice and deceit. He laid his plans long beforehand; he studied the views and dispositions of all from whose influence he had any thing to hope or fear; and he employed every expedient to win their affections, and to make them the blind unconscious tools of his policy. For this purpose he asked questions, or threw out insinuations in their hearing; now kept them aloof with an air of reserve and dignity; now put them off their guard by condescension, perhaps by buffoonery;<sup>2</sup> at one time, addressed himself to their

vanity or avarice; at another, exposed to them with tears (for tears he had at will), the calamities of the nation; and then, when he found them moulded to his purpose, instead of assenting to the advice which he had himself suggested, feigned reluctance, urged objections, and pleaded scruples of conscience. At length he yielded; but it was not till he had acquired by his resistance the praise of moderation, and the right of attributing his acquiescence to the impertinuity of others instead of his own ambition.<sup>3</sup>

Exposed as he was to the continued machinations of the royalists and Levellers, both equally eager to precipitate him from the height to which he had attained, Cromwell made it his great object to secure to himself the attachment of the army. To it he owed the acquisition, through it alone could he insure the permanence, of his power. Now, fortunately for this purpose, that army, composed as never was army before or since, revered in the lord-protector what it valued mostly in itself, the cant and practice of religious enthusiasm. The superior officers, the subalterns, the privates, all held themselves forth as professors of godliness. Among them every public breach of morality was severely punished; the exercises of religious worship were of as frequent recurrence as those of military duty;<sup>4</sup> in council, the officers always opened the proceedings with extemporary prayer; and to implore with due solemnity the protection of the Lord of Hosts, was held an indispensable

<sup>1</sup> See proofs of his dissimulation in Harris, iii. 93—103; Hutchinson, 313.

<sup>2</sup> See instances in Bates, Elenc. 344; Cowley, 95; Ludlow, i. 207; Whitelock, 356; State Trials, v. 1131, 1199.

<sup>3</sup> See Ludlow, i. 272; ii. 13, 14, 17.

<sup>4</sup> "The discipline of the army was such that a man would not be suffered to remain there, of whom we could take notice he

was guilty of such practices."—Cromwell's speech to parliament in 1654. It surprised strangers.—*Certa singulis diebus tum fundendis Deo precibus, tum audiendis Dei præconiis erant assignata tempora.*—*Paralelum Olivæ apud Harris, iii. 12. E certo ad ogni modo, che le Truppe vivono con tanta esatezza, come se fossero fraterie de' religiosi.*—Sagrado, M.S.

part of the preparation for battle. Their cause they considered the cause of God; if they fought, it was for his glory; if they conquered, it was by the might of his arm. Among these enthusiasts, Cromwell, as he held the first place in rank, was also pre-eminent in spiritual gifts.<sup>1</sup> The fervour with which he prayed, the unction with which he preached, excited their admiration and tears. They looked on him as the favourite of God, under the special guidance of the Holy Spirit, and honoured with communications from heaven; and he, on his part, was careful, by the piety of his language, by the strict decorum of his court, and by his zeal for the diffusion of godliness, to preserve and strengthen such impressions. In minds thus disposed, it was not difficult to create a persuasion that the final triumph of "their cause" depended on the authority of the general under whom they had conquered; while the full enjoyment of that religious freedom which they so highly prized rendered them less jealous of the arbitrary power which he occasionally assumed. In his public speeches, he perpetually reminded them that, if religion was not the original cause of the late civil war, yet, God "soon brought it to that issue;" that amidst the strife of battle, and the difficulties and dangers of war, the reward to which they looked was freedom of conscience; that this freedom to its full extent they enjoyed under his government, though they could never obtain it till they had placed the supreme authority in his hands.<sup>2</sup> The merit which he thus

arrogated to himself was admitted to be his due by the great body of the saints; it became the spell by which he rendered them blind to his ambition and obedient to his will; the engine with which he raised, and afterwards secured, the fabric of his greatness.

On the subject of civil freedom, the protector could not assume so bold a tone. He acknowledged, indeed, its importance; it was second only to religious freedom; but if second, then, in the event of competition, it ought to yield to the first. He contended that, under his government, every provision had been made for the preservation of the rights of individuals, so far as was consistent with the safety of the whole nation. He had reformed the Chancery, he had laboured to abolish the abuses of the law, he had placed learned and upright judges on the bench, and he had been careful in all ordinary cases that impartial justice should be administered between the parties. This indeed was true; but it was also true that by his orders men were arrested and committed without lawful cause; that juries were packed; that prisoners, acquitted at their trial, were sent into confinement beyond the jurisdiction of the courts; that taxes had been raised without the authority of parliament; that a most unconstitutional tribunal, the high court of justice, had been established; and that the major-generals had been invested with powers the most arbitrary and oppressive.<sup>3</sup> These acts of despotism put him on his defence; and in apology he pleaded,

<sup>1</sup> Religioso al estremo nell' esteriore, predica con eloquenza ai soldati, li persuade a vivere secondo le legge d' Iddio, e per render più efficace la persuasione, si serve ben spesso delle lagrime, piangendo più li peccati altrui, che li proprii.—Ibid. See also Ludlow, iii. 111.

<sup>2</sup> See in particular his speech to his second parliament, printed by Henry Hills, 1654.

<sup>3</sup> "Judge Rolles," says Challoner, "was shuffled out of his place. Three worthy lawyers were sent to the Tower. It cost them fifty pounds a-piece for pleading a client's cause. One Portman was imprisoned two or three years without cause. Several persons were taken out of their beds, and carried none knows whither."—Burton's Diary, iv. 47.



s every despot will plead, reasons of state, the necessity of sacrificing a part to preserve the whole, and his conviction, that a "people blessed by God, the regenerated ones of several judgments forming the flock and lambs of Christ, would prefer their safety to their passions, and their real security to forms." Nor was his reasoning addressed in vain to men who had surrendered their judgments into his keeping, and who felt little for the wrongs of others, as long as such wrongs were represented necessary for their own welfare. Some writers have maintained that Cromwell dissembled in religion as well as in politics; and that, when he condescended to act the part of the saint, he assumed for interested purposes a character which he otherwise despised. But this supposition is contradicted by the uniform tenor of his life. Long before he turned his

attention to the disputes between the king and the parliament, religious enthusiasm had made a deep impression on his mind;<sup>1</sup> it continually manifested itself during his long career, both in the senate and the field; and it was strikingly displayed in his speeches and prayers on the last evening of his life. It should, however, be observed, that he made his religion harmonize with his ambition. If he believed that the cause in which he had embarked was the cause of God, he also believed that God had chosen him to be the successful champion of that cause. Thus the honour of God was identified with his own advancement, and the arts, which his policy suggested, were sanctified in his eyes by the ulterior object at which he aimed—the diffusion of godliness, and the establishment of the reign of Christ among mankind.<sup>2</sup>

<sup>1</sup> Warwick, 240.

<sup>2</sup> The Venetian ambassador observes that during the protectorate London wore the appearance of a garrison town, where nothing was to be seen but the marching of soldiers, nothing to be heard but the sound of drums and trumpets. Il decoro et grandezza di Londra ha molto cangiato di faccia, e nobiltà, che la rendeva conspicua, sta

divisa per la campagna, et la delectatezza della corte la più sontuosa et la più allegre del mondo, frequentata da principali dame, et abundante nelli più scelti trattenimenti, e cangiata al presente in una perpetua marchia et contramarchia, in un incessante strepito di tamburri, e di trembe, et in stuoio numerosi di soldati et ufficiali diversi ai posti.—Sagredo. See also an intercepted letter in Thurloe, ii. 670.

## CHAPTER VIII.

RICHARD CROMWELL PROTECTOR—PARLIAMENT CALLED—DISSOLVED—MILITARY GOVERNMENT—LONG PARLIAMENT RESTORED—EXPELLED AGAIN—RE-INSTATED—MONK IN LONDON—RE-ADMISSION OF EXCLUDED MEMBERS—LONG PARLIAMENT DISSOLVED—THE CONVENTION PARLIAMENT—RESTORATION OF CHARLES II.

By his wife, Elizabeth Bourchier, Cromwell left two sons, Richard and Henry. There was a remarkable contrast in the opening career of these young men. During the civil war, Richard lived in the Temple, frequented the company of the Cavaliers, and spent his time in gaiety and

debauchery. Henry repaired to his father's quarters, and so rapid was his promotion, that at the age of twenty he held the commission of captain in the regiment of guards belonging to Fairfax, the lord-general. After the establishment of the commonwealth, Richard married, and, retiring to the

house of his father-in-law, at Hursley in Hampshire, devoted himself to the usual pursuits of a country gentleman. Henry accompanied his father in the reduction of Ireland, which country he afterwards governed, first with the rank of major-general, afterwards with that of lord-deputy. It was not till the second year of the protectorate that Cromwell seemed to recollect that he had an elder son. He made him a lord of trade, then chancellor of the university of Oxford, and lastly a member of the new house of peers. As these honours were far inferior to those which he lavished on other persons connected with his family, it was inferred that he entertained a mean opinion of Richard's abilities. A more probable conclusion is, that he feared to alarm the jealousy of his officers, and carefully abstained from doing that which might confirm the general suspicion, that he designed to make the protectorship hereditary in his family.<sup>1</sup>

The moment he expired, the council assembled, and the result of their deliberation was an order to proclaim Richard Cromwell protector, on the ground that he had been declared by his late highness his successor in that dignity.<sup>2</sup> Not a murmur of opposition was heard; the ceremony was performed in all places after the

usual manner of announcing the accession of a new sovereign; and addresses of condolence and congratulation poured in from the army and navy, from one hundred congregational churches, and from the boroughs, cities, and counties. These compositions were drawn up in the highest strain of adulation, adorned with forced allusions from Scripture, and with all the extravagance of Oriental hyperbole. "The sun was set, but no night had followed. They had lost the nursing father, whose hand the yoke of bondage had been broken from the necks and consciences of the godly. Providence by one sad stroke had taken away the breath from their nostrils, and smitten the head from their shoulders; but had given them in return the noblest branch of that renowned stock, a prince distinguished by the lovely composition of his person, but still more by the eminent qualities of his mind. The late protector had been a Moses to lead God's people out of the land of Egypt; his son would be a Joshua to conduct them into a more full possession of truth and righteousness. Elijah had been taken into heaven: Elisha remained on earth, the inheritor of his mantle and his spirit!"<sup>3</sup>

<sup>1</sup> "The Lord knows my desire was for Harry and his brother to have lived private lives in the country, and Harry knows this very well; and how difficultly I was persuaded to give him his commission for Ireland."—Letter to Fleetwood, 22nd June, 1655.

<sup>2</sup> There appears good reason to doubt this assertion. Thurloe indeed (vii. 372) informs Henry Cromwell that his father named Richard to succeed on the preceding Monday. But his letter was written after the proclamation of Richard, and its contents are irreconcilable with the letters written before it. We have one from Lord Falconberg, dated on Monday, saying that no nomination had been made, and that Thurloe had promised to suggest it, but probably would not perform his promise

(ibid. 365); and another from Thurloe himself to Henry Cromwell, stating the same thing as to the nomination.—Ibid. 364. It may perhaps be said that Richard was named on the Monday after the letters were written; but there is a second letter from Thurloe, dated on the Tuesday, stating that the protector was still incapable of public business, and that matters would, he feared, remain till the death of his highness in the same state as he described them in his letter of Monday.—Ibid. 366. It was afterwards said that the nomination took place on the night before the protector's death, in the presence of four of the council (Falconberg in Thurloe, 375, and Barwick, ibid. 415); but the latter adds that many doubt whether it ever took place at all.

<sup>3</sup> The Scottish ministers in Edinburgh

The royalists, who had persuaded themselves that the whole fabric of the protectorial power would fall in pieces on the death of Cromwell, beheld with amazement the general acquiescence in the succession of Richard; and the foreign princes, who had deemed it prudent to solicit the friendship of the father, now hastened to offer their congratulations to his son. Yet, fair and tranquil as the prospect appeared, an experienced eye might easily detect the elements of an approaching storm. Meetings were clandestinely held by the officers; doubts were whispered of the nomination of Richard by his father; and an opinion was encouraged among the military, that, as the commonwealth was the work of the army, so the chief office in the commonwealth belonged to the commander of the army. On this account the protectorship had been bestowed on Cromwell; but his son was one who had never drawn his sword in the cause; and to suffer the supreme power to devolve on him was to disgrace, to disinherit, the men who had suffered so severely, and bled so profusely, in the contest.

These complaints had probably been suggested, they were certainly fomented, by Fleetwood and his friends, the colonels Cooper, Berry, and Sydenham. Fleetwood was brave in the field; but irresolute in council; eager for the acquisition of power, but continually checked by scruples of conscience; attached by principle to republicanism, but ready to acquiesce in every change, under the pretence of submission to the decrees of Providence. Cromwell, who knew the man, had raised him to the second command in the army, and fed his

ambition with distant and delusive hopes of succeeding to the supreme magistracy. The protector died, and Fleetwood, instead of acting, hesitated, prayed, and consulted; the propitious moment was suffered to pass by; he assented to the opinion of the council in favour of Richard; and then, repenting of his weakness, sought to indemnify himself for the loss by confining the authority of the protector to the civil administration, and procuring for himself the sole uncontrolled command of the army. Under the late government, the meetings of military officers had been discountenanced and forbidden; now they were encouraged to meet and consult; and, in a body of more than two hundred individuals, they presented to Richard a petition, by which they demanded that no officer should be deprived, but by sentence of a court-martial, and that the chief command of the forces, and the disposal of commissions, should be conferred on some person whose past services had proved his attachment to the cause. There were not wanting those who advised the protector to extinguish the hopes of the factious at once by arresting and imprisoning the chiefs; but more moderate counsels prevailed, and in a firm but conciliatory speech, the composition of Secretary Thurloe, he replied that, to gratify their wishes, he had appointed his relative, Fleetwood, lieutenant-general of all the forces; but that to divest himself of the chief command, and of the right of giving or resuming commissions, would be to act in defiance of the "petition and advice," the instrument by which he held the supreme authority. For a short time they appeared satisfied; but the chief

instead of joining in these addresses, prayed on the following Sunday, "that the Lord would be merciful to the exiled, and those that were in captivity, and cause them to return with sheaves of joy; that he would

deliver all his people from the yoke of Pharaoh, and task-masters of Egypt, and that he would cut off their oppressors, and hasten the time of their deliverance."—Thurloe, vii. 416.

officers continued to hold meetings in the chapel at St. James's ostensibly for the purpose of prayer, but in reality for the convenience of deliberation. Fresh jealousies were excited; it was said that another commander (Henry Cromwell was meant) would be placed above Fleetwood; Thurloe, Pierrepont, and St. John, were denounced as evil counsellors; and it became evident to all attentive observers that the two parties must soon come into collision. The protector could depend on the armies in Ireland and Scotland. In Ireland, his brother Henry governed without an opponent; in Scotland, Monk, by his judicious separation of the troops, and his vigilance in the enforcement of discipline, had deprived the discontented of the means of holding meetings and of corresponding with each other. In England he was assured of the services of eight colonels, and therefore, as it was erroneously supposed, of their respective regiments, forming one half of the regular force. But his opponents were masters of the other half, constituted the majority in the council, and daily augmented their numbers by the accession of men who secretly leaned to republican principles, or sought to make an interest in that party which they considered the more likely to prevail in the approaching struggle.<sup>1</sup>

From the notice of these intrigues the public attention was withdrawn by the obsequies of the late protector. It was resolved that they should exceed in magnificence those of any former sovereign, and with that view they were conducted according to the ceremonial observed at the interment

of Philip II. of Spain. Somerset House was selected for the first part of the exhibition. The spectators having passed through three rooms hung with black cloth, were admitted into the funereal chamber; where, surrounded with wax-lights, was seen an effigy of Cromwell clothed in royal robes, and lying on a bed of state, which covered, or was supposed to cover, the coffin. On each side lay different parts of his armour: in one hand was placed the sceptre, in the other the globe; and behind the head an imperial crown rested on a cushion in a chair of state. But in defiance of every precaution, it became necessary to inter the body before the appointed day; and the coffin was secretly deposited at night in a vault at the west end of the middle aisle of Westminster Abbey, under a gorgeous cenotaph which had recently been erected. The effigy was now removed to a more spacious chamber; it rose from a recumbent to an erect posture; and stood before the spectators not only with the emblems of royalty in its hands, but with the crown upon its head. For eight weeks this pageant was exhibited to the public. As the day appointed for the funeral obsequies approached rumours of an intended insurrection during the ceremony were circulated but guards from the most trusty regiments lined the streets; the procession, consisting of the principal persons in the city and army, the officers of state, the foreign ambassadors, and the members of the protector's family passed along without interruption and the effigy, which in lieu of the corpse was borne on a car, was placed with due solemnity, in the cenotaph

<sup>1</sup> For these particulars, see the letters in Thurloe, vii. 386, 406, 413, 415, 424, 426, 427, 428, 447, 450, 452, 453, 454, 463, 490, 491, 492, 493, 495, 496, 497, 498, 500, 510, 511. So great was the jealousy between the parties, that Richard and his brother Henry dared not correspond by letter. "I

doubt not all the letters will be opened which come either to or from your highness, which can be suspected to contain business" (454). For the principles now professed by the Levellers, see Appendix YYY.

already mentioned. Thus did fortune sport with the ambitious prospects of Cromwell. The honours of royalty which she refused to him during his life, she lavished on his remains after death; and then, in the course of a few months, resuming her gifts, exchanged the crown for a halter, and the royal monument in the abbey for an ignominious grave at Tyburn.<sup>1</sup>

Before the reader proceeds to the more important transactions at home, he may take a rapid view of the relations existing between England and foreign states. The war which had so long raged between the rival crowns of France and Spain was hastening to its termination; to Louis the aid of England appeared no longer a matter of consequence; and the auxiliary treaty between the two countries, which had been renewed from year to year, was suffered to expire at the appointed time. But in the north of Europe there was much to claim the attention of the new protector; for the king of Sweden, after a short peace, had again unsheathed the sword against his enemy the king of Denmark. The commercial interests of the maritime states were deeply involved in the issue of this contest; both England and Holland prepared to aid their respective allies; and a Dutch squadron joined the Danish, while an English division, under the command of Ayscue, sailed to the assistance of the Swedish monarch. The severity of the winter forced Ayscue to return; but as soon as the navigation of the Sound was open, two powerful fleets were despatched to the Baltic, one by the protector, the other by the States; and to

Montague, the English admiral, was intrusted the delicate and difficult commission, not only of watching the proceedings of the Dutch, but also of compelling them to observe peace towards the Swedes, without giving them occasion to commence hostilities against himself. In this he was successful; but no offer of mediation could reconcile the contending monarchs; and we shall find Montague still cruising in the Baltic at the time when Richard, from whom he derived his commission, will be forced to abdicate the protectorial dignity.<sup>2</sup>

In a few days after the funeral of his father, to the surprise of the public, the protector summoned a parliament. How, it was asked, could Richard hope to control such an assembly, when the genius and authority of Oliver had proved unequal to the attempt? The difficulty was acknowledged; but the arrears of the army, the exhaustion of the treasury, and the necessity of seeking support against the designs of the officers, compelled him to hazard the experiment; and he flattered himself with the hope of success, by avoiding the rock on which, in the opinion of his advisers, the policy of his father had split. Oliver had adopted the plan of representation prepared by the long parliament before its dissolution, a plan which, by disfranchising the lesser boroughs, and multiplying the members of the counties, had rendered the elections more independent of the government: Richard, under the pretence of a boon to the nation, reverted to the ancient system; and, if we may credit the calculation of his opponents, no fewer than one hundred and sixty members were returned from the

<sup>1</sup> Thurloe, vi. 523, 529. Carrington apud Noble, i. 360—369. The charge for black cloth alone on this occasion was six thousand nine hundred and twenty-nine pounds, six shillings, and fivepence.—Biblioth. Stow. ii. 448. I do not notice the childish

stories about stealing of the protector's body.

<sup>2</sup> Burton's Diary, iii. 576. Thurloe, vol. vii. passim. Carte's Letters, ii. 157—182. Londorp, viii. 635, 708. Dumont, vi. 244, 252, 260.

boroughs by the interest of the court and its supporters. But to adopt the same plan in the conquered countries of Scotland and Ireland would have been dangerous; thirty representatives were therefore summoned from each; and as the elections were conducted under the eyes of the commanders of the forces, the members, with one solitary exception, proved themselves the obsequious servants of government.<sup>1</sup>

It was, however, taken as no favourable omen, that when the protector, at the opening of parliament, commanded the attendance of the Commons in the house of Lords, nearly one-half of the members refused to obey. They were unwilling to sanction by their presence the existence of an authority, the legality of which they intended to dispute; or to admit the superior rank of the new peers, the representatives of the protector, over themselves, the representatives of the people. As soon as the lower house was constituted, it divided itself into three distinct parties. 1. The protectorists formed about one-half of the members. They had received instructions to adhere inviolably to the provisions of the "humble petition and advice," and to consider the government by a single person, with the aid of two houses, as the unalterable basis of the constitution. 2. The republicans, who did not amount to fifty, but compensated for deficiency in number by their energy and eloquence. Vane, Hazlerig, Lambert, Ludlow, Nevil, Bradshaw, and Scot, were ready debaters, skilled in the forms of the house, and always on the watch to take advantage of the want

of knowledge or of experience on the part of their adversaries. With them voted Fairfax, who, after a long retirement, appeared once more on the stage. He constantly sat by the side and echoed the opinions of Hazlerig, and so artfully did he act his part, so firmly did he attach their confidence, that, though a royalist at heart, he was designed by them for the office of lord-general, in the event of the expulsion or the abdication of Richard. 3. The "moderates or neutrals" held in number the medium between the protectorists and republicans. Of these, some wavered between the two parties; but many were concealed Cavaliers, who, in obedience to the command of Charles, had obtained seats in the house, or young men who, without any fixed political principles, suffered themselves to be guided by the suggestions of the Cavaliers. To the latter, Hyde had sent instructions that they should embarrass the plans of the protector by denouncing to the house the illegal acts committed under the late administration; by impeaching Thurloe and the principal officers of state; by fomenting the dissension between the courtiers and the republicans; and by throwing their weight into the scale sometimes in favour of one, sometimes of the other party, as might appear most conducive to the interests of the royal exile.<sup>2</sup>

The Lords, aware of the insecurity on which they stood, were careful not to provoke the hostility of the Commons. They sent no messages; they passed no bills; but exchanging matters of state for questions of religion, contrived to spend their

<sup>1</sup> Thurloe, vii. 541, 550. Ludlow, ii. 170. Bethel, Brief Narrative, 340. England's Confusion (p. 4), London, 1659.

<sup>2</sup> Thurloe, i. 766; vii. 562, 604, 605, 609, 615, 616. Clarend. Pap. iii. 423, 424, 425, 428, 432, 434, 436. There were forty-seven republicans; from one hundred to one

hundred and forty counterfeit republican and neutrals, seventy-two lawyers, and above one hundred placemen.—Ibid. 440. They began with a day of fasting and humiliation within the house, and four ministers with praying and preaching, occupied them from nine till six.—Burton's Diary and Journals, Feb. 4.

time in discussing the form of a national catechism, the sinfulness of theatrical entertainments, and the papal corruptions supposed to exist in the Book of Common Prayer.<sup>1</sup> In the lower house, the first subject which called forth the strength of the different parties was a bill, which, under the pretence of recognising Richard Cromwell for the rightful successor to his father, would have pledged the parliament to an acquiescence in the existing form of government. The men of republican principles instantly took the alarm. To Richard personally they made no objection; they respected his private character, and wished well to the prosperity of his family; but where, they asked, was the proof that the provisions of the "humble petition and advice" had been observed? where the deed of nomination by his father? where the witnesses to the signature?—Then what was the "humble petition and advice" itself? An instrument of no force in a matter of such high concernment, and passed by a very small majority in a house, out of which one hundred members lawfully chosen, had been unlawfully excluded. Lastly, what right had the Commons to admit a negative voice, either in another house or in a single person? Such a voice was destructive of the sovereignty of the people exercised by their representatives. The people had sent them to parliament with power to make laws for the national welfare, but not to annihilate the first and most valuable right of their constituents. Each day the debate grew more animated and personal; charges were made, and recriminations followed: the republicans enumerated the acts of misrule and oppression under the government of the late protector; the courtiers

balanced the account with similar instances from the proceedings of their adversaries during the sway of the long parliament; the orators, amidst the multitude of subjects incidentally introduced, lost sight of the original question; and the speaker, after a debate of eight days, declared that he was bewildered in a labyrinth of confusion, out of which he could discover no issue. Weariness at last induced the combatants to listen to a compromise, that the recognition of Richard as protector should form part of a future bill, but that at the same time, his prerogative should be so limited as to secure the liberties of the people. Each party expressed its satisfaction. The republicans had still the field open for the advocacy of their favourite doctrines; the protectorists had advanced a step, and trusted that it would lead them to the acquisition of greater advantages.<sup>2</sup>

From the office of protector, the members proceeded to inquire into the constitution and powers of the other house; and this question, as it was intimately connected with the former, was debated with equal warmth and pertinacity. The opposition appealed to the "engagement," which many of the members had subscribed; contended that the right of calling a second house had been personal to the late protector, and did not descend to his successors; urged the folly of yielding a negative voice on their proceedings to a body of counsellors of their own creation; and pretended to foretell that a protector with a yearly income of one million three hundred thousand pounds, and a house of lords selected by himself, must inevitably become, in the course of a few years, master of the liberties of the people. When, at the end of nine days, the speaker was

<sup>1</sup> Thurloe, 559, 609, 615.

<sup>2</sup> Journals, Feb. 1, 14. Thurloe, 603, 609,

610, 615, 617. Clar. Pap. iii. 424, 426, 429. In Burton's Diary the debate occupies almost two hundred pages (iii. 87—287).

going to put the question, Sir Richard Temple, a concealed royalist, demanded that the sixty members from Scotland and Ireland, all in the interest of the court, should withdraw. It was, he said, doubtful, from the illegality of their election, whether they had any right to sit at all; it was certain that, as the representatives of other nations, they could not claim to vote on a question of such high importance to the people of England. Thus another bone of contention was thrown between the parties; eleven days were consumed before the Scottish and Irish members could obtain permission to vote, and then five more expired before the question respecting the other house was determined. The new lords had little reason to be gratified with the result. They were acknowledged, indeed, as a house of parliament for the present; but there was no admission of their claim of the peerage, or of a negative voice, or of a right to sit in subsequent parliaments. The Commons consented "to transact business with them" (a new phrase of undefined meaning), pending the parliament, but with a saving of the rights of the ancient peers, who had been faithful to the cause; and, in addition, a few days later, they resolved that, in the transaction of business, no superiority should be admitted in the other house, nor message received from it, unless brought by the members themselves.<sup>1</sup>

In these instances, the recognition of the protector, and of the two houses, the royalists, with some ex-

ceptions, had voted in favour of the court, under the impression that such a form of government was one step towards the restoration of the king. But on all other questions, whenever there was a prospect of throwing impediments in the way of the ministry or of inflaming the discontent of the people, they zealously lent their aid to the republican party. It was proved that, while the revenue had been doubled, the expenditure had grown in a greater proportion; complaints were made of oppression, waste, embezzlement, and tyranny in the collection of the excise; the inhumanity of selling obnoxious individuals for slaves to the West-India planters was severely reprobated;<sup>2</sup> instances of extortion were daily announced to the house by the committee of grievances; an impeachment was ordered against Boteler, accused of oppression in his office of major-general; and another threatened against Thurloe for illegal conduct in his capacity of secretary of state. But while these proceedings awakened the hopes and gratified the resentments of the people, they at the same time spread alarm through the army; every man conscious of having abused the power of the sword began to tremble for his own safety; and an unusual ferment, the sure presage of military violence, was observable at the head-quarters of the several regiments.

Hitherto the general officers had been divided between Whitehall and Wallingford House, the residences of Richard and of Fleetwood. At

<sup>1</sup> Journals, Feb. 18, March 28, April 5, 6, 8. Thurloe, 615, 626, 633, 636, 640, 647. Clar. Pap. iii. 429, 432. Burton's Diary, iii. 317-369, 403-424, 510-594; iv. 7-41, 46-147, 163-243, 293, 351, 375.

<sup>2</sup> Clar. Pap. iii. 429, 432. Thurloe, 647. Burton's Diary, iii. 448; iv. 255, 263, 301, 403, 429. One petition stated that seventy persons, who had been apprehended on account of the Salisbury rising, after a year's imprisonment, had been sold at Barbadoes for "1550 pounds' weight of sugar apiece,

more or less, according to their working faculties." Among them were divines, officers, and gentlemen, who were represented as "grinding at the mills, attending at the furnaces, and digging in that scorching island, being bought and sold still from one planter to another, or attached as horses or beasts for the debts of their masters, being whipped at the whipping-posts as rogues at their masters' pleasure, and sleeping in sties worse than hogs in England."—Ibid. 256. See also Thurloe, i. 745.



Whitehall, the Lord Falconberg, brother-in-law to the protector, Charles Howard, whom Oliver had created a viscount,<sup>1</sup> Ingoldsby, Whalley, Goffe, and a few others, formed a military council for the purpose of maintaining the ascendancy of Richard in the army. At Wallingford House, Fleetwood and his friends consulted how they might deprive him of the command, and reduce him to the situation of a civil magistrate; but now a third and more numerous council appeared at St. James's, consisting of most of the inferior officers, and guided by the secret intrigues of Lambert, who, holding no commission himself, abstained from sitting among them, and by the open influence of Desborough, a bold and reckless man, who began to despise the weak and wavering conduct of Fleetwood. Here originated the plan of a general council of officers, which was followed by the adoption of "the humble representation and petition," an instrument composed in language too moderate to give reasonable cause of offence, but intended to suggest much more than it was thought prudent to express. It made no allusion to the disputed claim of the protector, or the subjects of strife between the two houses; but it complained bitterly of the contempt into which the good old cause had sunk, of the threats held out, and the prosecutions instituted, against the patriots who had distinguished themselves in its support, and of the privations to which the military were reduced by a system that kept their pay so many months in arrear. In conclusion, it prayed for the redress of these grievances, and stated the attachment of the sub-

scribers to the cause for which they had bled, and their readiness to stand by the protector and parliament in its defence.<sup>2</sup> This paper, with six hundred signatures, was presented to Richard, who received it with an air of cheerfulness, and forwarded it to the lower house. There it was read, laid on the table, and scornfully neglected. But the military leaders treated the house with equal scorn; having obtained the consent of the protector, they established a permanent council of general officers; and then, instead of fulfilling the expectations with which they had lulled his jealousy, successively voted, that the common cause was in danger, that the command of the army ought to be vested in a person possessing its confidence, and that every officer should be called upon to testify his approbation of the death of Charles I., and of the subsequent proceedings of the military; a measure levelled against the meeting at Whitehall, of which the members were charged with a secret leaning to the cause of royalty.<sup>3</sup> This was sufficiently alarming; but, in addition, the officers of the trained bands signified their adhesion to the "representation" of the army; and more than six hundred privates of the regiment formerly commanded by Colonel Pride published their determination to stand by their officers in the maintenance "of the old cause."<sup>4</sup> The friends of the protector saw that it was time to act with energy; and, by their influence in the lower house, carried the following votes: that no military meetings should be held without the joint consent of the protector and the parliament, and that every officer

<sup>1</sup> Viscount Howard of Morpeth, July 20, 1657, afterwards created Baron Dacre, Viscount Howard of Morpeth, and earl of Carlisle, by Charles II., 30 April, 1681.

<sup>2</sup> "The Humble Representation and Peti-

tion, printed by H. Hills, 1659."—Thurloe, 659.

<sup>3</sup> Thurloe, 662. Ludlow, ii. 174.

<sup>4</sup> The Humble Representation and Petition of Field Officers, &c. of the Trained Bands. London, 1659. Burton's Diary, iv. 338, note.

should forfeit his commission who would not promise, under his signature, never to disturb the sitting, or infringe the freedom of parliament. These votes met, indeed, with a violent opposition in the "other house," in which many of the members had been chosen from the military; but the courtiers, anxious to secure the victory, proposed another and declaratory vote in the Commons, that the command of the army was vested in the three estates, to be exercised by the protector. By the officers this motion was considered as an open declaration of war: they instantly met; and Desborough, in their name, informed Richard that the crisis was at last come; the parliament must be dissolved, either by the civil authority, or by the power of the sword. He might make his election. If he chose the first, the army would provide for his dignity and support; if he did not, he would be abandoned to his fate, and fall friendless and unpitied.<sup>1</sup>

The protector called a council of his confidential advisers. Whitelock opposed the dissolution, on the ground that a grant of money might yet appease the discontent of the military. Thurloe, Broghill, Fiennes, and Wolseley maintained, on the contrary, that the dissension between the parliament and the army was irreconcilable; and that on the first shock between them, the Cavaliers would rise simultaneously in the cause of Charles Stuart. A commission was accordingly signed by Richard, and the usher of the black rod repeatedly summoned the Commons to attend in the other house. But true to their former vote of receiving no message brought by inferior officers, they refused to obey; some members proposed to declare it

treason to put force on the representatives of the nation, others to pronounce all proceedings void whenever a portion of the members should be excluded by violence; at last they adjourned for three days, and accompanied the speaker to his carriage in the face of the soldiery assembled at the door. These proceedings, however, did not prevent Fiennes, the head commissioner, from dissolving the parliament; and the important intelligence was communicated to the three nations by proclamation in the same afternoon.<sup>2</sup>

Whether the consequences of this measure, so fatal to the interests of Richard, were foreseen by his advisers, may be doubted. It appears that Thurloe had for several days been negotiating both with the republican and the military leaders. He had tempted some of the former with the offer of place and emolument, to strengthen the party of the protector; to the latter he had proposed that Richard, in imitation of his father on one occasion, should raise money for the payment of the army by the power of the sword, and without the aid of parliament.<sup>3</sup> But these intrigues were now at an end; by the dissolution Richard had signed his own deposition; though he continued to reside at Whitehall, the government fell into abeyance; even the officers, who had hitherto frequented his court, abandoned him, some to appease, by their attendance at Wallingford House, the resentment of their adversaries; the others, to provide, by their absence, for their own safety. If the supreme authority resided anywhere, it was with Fleetwood, who now held the nominal command of the army; but he and his associates were controlled both by the meeting of officers at St. James's, and by the consultations of

<sup>1</sup> Thurloe, 555, 557, 558, 662. Burton's Diary, iv. 448—463, 472—490. Ludlow, ii. 176, 178.

<sup>2</sup> Whitelock, 677. England's Confusion, 9. Clarendon Papers, 451, 456. Ludlow, ii. 174. Merc. Pol. 564. <sup>3</sup> Thurloe, 659, 661.

the republican party in the city; and therefore contented themselves with depriving the friends of Richard of their commissions, and with giving their regiments to the men who had been cashiered by his father.<sup>1</sup> Unable to agree on any form of government among themselves, they sought to come to an understanding with the republican leaders. These demanded the restoration of the long parliament, on the ground that, as its interruption by Cromwell had been illegal, it was still the supreme authority in the nation; and the officers, unwilling to forfeit the privileges of their new peerage, insisted on the reproduction of the other house, as a co-ordinate authority, under the less objectionable name of a senate. But the country was now in a state of anarchy; the intentions of the armies in Scotland and Ireland remained uncertain; and the royalists, both Presbyterians and Cavaliers, were exerting themselves to improve the general confusion to the advantage of the exiled king. As a last resource, the officers, by an instrument in which they regretted their past errors and backsliding, invited the members of the long parliament to resume the trust of which they had been unrighteously deprived. With some difficulty, two-and-forty were privately collected in the Painted Chamber; Lenthall, the former speaker, after much entreaty, put himself at their head, and the whole body passed into the house through two lines of officers, some of whom were the very individuals by

whom, six years before, they had been ignominiously expelled.<sup>2</sup>

The reader will recollect that, on a former occasion, in the year 1648, the Presbyterian members of the long parliament had been excluded by the army. Of these, one hundred and ninety-four were still alive, eighty of whom actually resided in the capital. That they had as good a right to resume their seats as the members who had been expelled by Cromwell could hardly be doubted; but they were royalists, still adhering to the principles which they professed during the treaty in the Isle of Wight, and from their number, had they been admitted, would have instantly outvoted the advocates of republicanism. They assembled in Westminster Hall; and a deputation of fourteen, with Sir George Booth, Prynne, and Annesley at their head, proceeded to the house. The doors were closed in their faces; a company of soldiers, the keepers, as they were sarcastically called, of the liberties of England, filled the lobby; and a resolution was passed that no former member, who had not subscribed the engagement, should sit till further order of parliament. The attempt, however, though it failed of success, produced its effect. It served to countenance a belief that the sitting members were mere tools of the military, and supplied the royalists with the means of masking their real designs under the popular pretence of vindicating the freedom of parliament.<sup>3</sup>

By gradual additions, the house at

<sup>1</sup> See the Humble Remonstrance from four hundred Non-commissioned Officers and Privates of Major-General Goffe's Regiment (so called) of Foot. London, 1659.

<sup>2</sup> Ludlow, 179—186. Whitelock, 677. England's Confusion, 9.

<sup>3</sup> Journ. May 9. Loyalty Banished, 3. England's Confusion, 12. On the 9th, Prynne found his way into the house, and maintained his right against his opponents till dinner-time. After dinner he returned, but was excluded by the military. He was

careful, however, to inform the public of the particulars, and moreover undertook to prove that the long parliament expired at the death of the king; 1. On the authority of the doctrine laid down in the law books; 2. Because all writs of summons abate by the king's death in parliament; 3. Because the parliament is called by a king regnant, and is *his*, the king regnant's, parliament, and deliberates on *his* business; 4. Because the parliament is a corporation, consisting of king, lords, and commons, and if one of

last amounted to seventy members, who, while they were ridiculed by their adversaries with the appellation of the "Rump," constituted themselves the supreme authority in the three kingdoms. They appointed, first, a committee of safety, and then a council of state, notified to the foreign ministers their restoration to power, and, to satisfy the people, promised by a printed declaration to establish a form of government which should secure civil and religious liberty, without a single person, or kingship, or house of lords. The farce of addresses was renewed; the "children of Zion," the asserters of the good old cause, clamorously displayed their joy; and Heaven was fatigued with prayers for the prosperity and permanence of the new government.<sup>1</sup>

That government at first depended for its existence on the good-will of the military in the neighbourhood of London; gradually it obtained promises of support from the forces at a distance. 1. Monk, with his officers, wrote to the speaker, congratulating him and his colleagues on their restoration to power, and hypocritically thanking them for their condescension in taking up so heavy a burthen; but, at the same time, reminding them of the services of Oliver Cromwell, and of the debt of gratitude which the nation owed to his family.<sup>2</sup> 2. Lockhart hastened to tender the services of the regiments in Flanders, and received in return a renewal of his credentials as ambassador, with a commission to attend the conferences between the ministers of France and Spain at Fuentarabia. 3. Montague followed with a letter from the fleet; but his professions of attachment were received with distrust. To balance his

influence with the seamen, Lawson received the command of a squadron destined to cruise in the Channel; and, to watch his conduct in the Baltic, three commissioners, with Algeron Sydney at their head, were joined with him in his mission to the two northern courts.<sup>3</sup> 4. There still remained the army in Ireland. From Henry Cromwell, a soldier possessing the affections of the military, and believed to inherit the abilities of his father, an obstinate, and perhaps successful resistance, was anticipated. But he wanted decision. Three parties had presented themselves to his choice; to earn by the promptness of his acquiescence, the gratitude of the new government; or to maintain by arms the right of his deposed brother; or to declare, as he was strongly solicited to declare, in favour of Charles Stuart. Much time was lost in consultation; at length the thirst of resentment, with the lure of reward, determined him to unfurl the royal standard;<sup>4</sup> then the arrival of letters from England threw him back into his former state of irresolution; and, while he thus wavered from project to project, some of his officers ventured to profess their attachment to the commonwealth, the privates betrayed a disinclination to separate their cause from that of their comrades in England, and Sir Hardress Waller, in the interest of the parliament, surprised the castle of Dublin. The last stroke reduced Henry at once to the condition of a suppliant; he signified his submission by a letter to the speaker, obeyed the commands of the house to appear before the council, and, having explained to them the state of Ireland, was graciously permitted to retire into the obscurity

the three be extinct, the body corporate no longer exists.—See *Loyalty Banished*, and *A true and perfect Narrative of what was done and spoken by and between Mr. Prynne, &c.*, 1650.

<sup>1</sup> See the Declarations of the Army and

the Parliament in the Journals, May 7.

<sup>2</sup> Whitelock, 678.

<sup>3</sup> Thurloe, 669, 670. Ludlow, ii. 199. Journals, May 7, 9, 18, 26, 31.

<sup>4</sup> Carte's Letters, ii. 242. Clar. Pap. 500, 501, 516.

of private life. The civil administration of the island devolved on five commissioners, and the command of the army was given to Ludlow, with the rank of lieutenant-general of the horse.<sup>1</sup>

But the republican leaders soon discovered that they had not been called to repose on a bed of roses. The officers at Wallingford House began to dictate to the men whom they had made their nominal masters, and forwarded to them fifteen demands, under the modest title of "the things which they had on their minds," when they restored the long parliament.<sup>2</sup> The house took them successively into consideration. A committee was appointed to report the form of government the best calculated to secure the liberties of the people; the duration of the existing parliament was limited to twelve months; freedom of worship was extended to all believers in the Scriptures and the doctrine of the Trinity, with the usual exception of prelatists and papists; and an act of oblivion, after many debates, was passed, but so encumbered with provisos and exceptions, that it served rather to irritate than appease.<sup>3</sup> The officers had requested that lands of inheritance, to the annual value of ten thousand pounds, should be settled on Richard Cromwell, and a yearly pension of eight thousand pounds on her "highness dowager," his mother. But it was observed in the house that, though Richard exercised no authority, he continued to occupy the state apartments at Whitehall; and a suspicion

existed that he was kept there as an object of terror, to intimate to the members that the same power could again set him up, which had so recently brought him down. By repeated messages he was ordered to retire; and, on his promise to obey, the parliament granted him the privilege of freedom from arrest during six months; transferred his private debts, amounting to twenty-nine thousand six hundred and forty pounds, to the account of the nation; gave him two thousand pounds as a relief to his present necessities, and voted that a yearly income of ten thousand pounds should be settled on him and his heirs, a grant easily made on paper, but never carried into execution.<sup>4</sup>

But the principal source of disquietude still remained. Among the fifteen articles presented to the house, the twelfth appeared, not in the shape of a request, but of a declaration, that the officers unanimously owned Fleetwood as "commander-in-chief of the land forces in England." It was the point for which they had contended under Richard; and Ludlow, Vane, and Salloway earnestly employed their colleagues to connive at what it was evidently dangerous to oppose. But the lessons of prudence were thrown away on the rigid republicanism of Hazlerig, Sydney, Neville, and their associates, who contended that to be silent was to acknowledge in the council of officers an authority independent of the parliament. They undertook to remodel the constitution of the army. The office of

<sup>1</sup> Thurloe, vii. 683, 684. Journals, June 14, 27, July 4, 17. Henry Cromwell resided on his estate of Swinney Abbey, near Soban, in Cambridgeshire, till his death in 1674.—Noble, i. 227.

<sup>2</sup> See the Humble Petition and Address of the Officers, printed by Henry Hills, 1659.

<sup>3</sup> Declaration of General Council of Officers, 27th of October, p. 5. For the different forms of government suggested by different protectors, see Ludlow, ii. 206.

<sup>4</sup> Journals, May 16, 25, July 4, 12, 16.—Ludlow (ii. 198) makes the present twenty thousand pounds: but the sum of two thousand pounds is written at length in the Journals; May 25. While he was at Whitehall, he entertained proposals from the royalists, consented to accept a title and twenty thousand pounds a year, and designed to escape to the fleet under Montague, but was too strictly watched to effect his purpose.—Clar. Pap. iii. 475, 477, 478.

lord-general was abolished; no intermediate rank between the lieutenant-general and the colonels was admitted; Fleetwood was named lieutenant-general, with the chief command in England and Scotland, but limited in its duration to a short period, revocable at pleasure, and deprived of several of those powers which had hitherto been annexed to it. All military commissions were revoked, and an order was made that a committee of nine members should recommend the persons to be officers in each regiment; that their respective merits should be canvassed in the house; and that those who had passed this ordeal should receive their commissions at the table from the hand of the speaker. The object of this arrangement was plain: to make void the declaration of the military, to weed out men of doubtful fidelity, and to render the others dependent for their situations on the pleasure of the house. Fleetwood, with his adherents, resolved never to submit to the degradation, while the privates amused themselves with ridiculing the age and infirmities of him whom they called their new lord-general, the speaker Lenthall; but Hazlerig prevailed on Colonel Hacker, with his officers, to conform; their example gradually drew others; and at length, the most discontented, though with shame and reluctance, condescended to go through this humbling ceremony. The republicans congratulated each other on their victory; they had only accelerated their defeat.<sup>1</sup>

Ever since the death of Oliver, the exiled king had watched with intense interest the course of events in England; and each day added a new stimulus to his hopes of a favourable issue. The unsettled state of the

<sup>1</sup> Journals, *passim*. Ludlow, ii. 197. Declaration of Officers, 6. Thurloe, 679. Clarendon, Hist. iii. 665.

nation, the dissensions among his enemies, the flattering representations of his friends, and the offers of co-operation from men who had hitherto opposed his claims, persuaded him that the day of his restoration was at hand. That the opportunity might not be forfeited by his own backwardness, he announced to the leaders of the royalists his intention of coming to England, and of hazarding his life in the company of his faithful subjects. There was scarcely a county in which the majority of the nobility and gentry did not engage to rally round his standard; the first day of August was fixed for the general rising; and it was determined in the council at Brussels that Charles should repair in disguise to the coast of Bretagne, where he might procure a passage into Wales or Cornwall; that the duke of York, with six hundred veterans furnished by the prince of Condé, should attempt to land from Boulogne on the coast of Kent; and that the duke of Gloucester should follow from Ostend with the royal army of four thousand men, under the Marshal Marsin. Unfortunately his concerns in England had been hitherto conducted by a council called "the Knot," at the head of which was Sir Richard Willis. Willis, the reader is aware, was a traitor; but it was only of late that the eyes of Charles had been opened to his perfidy by Morland, the secretary of Thurloe, who, to make his own peace, sent to the court at Bruges some of the original communications in the writing of Willis. This discovery astonished and perplexed the king. To make public the conduct of the traitor was to provoke him to further disclosures: to conceal it, was to connive at the destruction of his friends, and the ruin of his own prospects. He first instructed his correspondents to be reserved in their communications with "the Knot;" he then or-

dered Willis to meet him on a certain day at Calais; and, when this order was disregarded, openly forbade the royalists to give to the traitor information, or to follow his advice.<sup>1</sup>

But these precautions came too late. After the deposition of the protector, Willis had continued to communicate with Thurloe, who with the intelligence which he thus obtained, was enabled to purchase the forbearance of his former opponents. At an early period in July, the council was in possession of the plan of the royalists. Reinforcements were immediately demanded from the armies in Flanders and Ireland; directions were issued for a levy of fourteen regiments of one thousand men each; measures were taken for calling out the militia; numerous arrests were made in the city and every part of the country; and the known Cavaliers were compelled to leave the metropolis, and to produce security for their peaceable behaviour. These proceedings seemed to justify Willis in representing the attempt as hopeless; and, at his persuasion, "the Knot" by circular letters forbade the rising, two days before the appointed time. The royalists were thus thrown into irremediable confusion. Many remained quiet at their homes; many assembled in arms, and dispersed on account of the absence of their associates; in some counties the leaders were intercepted in their way to the place of rendezvous; in others as soon as they

met, they were surrounded or charged by a superior force. In Cheshire alone was the royal standard successfully unfurled by Sir George Booth, a person of considerable influence in the county, and a recent convert to the cause of the Stuarts. In the letter which he circulated, he was careful to make no mention of the king, but called on the people to defend their rights against the tyranny of an insolent soldiery and a pretended parliament. "Let the nation freely choose its representatives, and those representatives as freely sit without awe or force of soldiery." This was all that he sought: in the determination of such an assembly, whatever that determination might be, both he and his friends would cheerfully acquiesce.<sup>2</sup> It was in effect a rising on the Presbyterian interest; and the proceedings were in a great measure controlled by a committee of ministers, who scornfully rejected the aid of the Catholics, and received with jealousy Sir Thomas Middleton, though a known Presbyterian, because he openly avowed himself a royalist.

At Chester, the parliamentary garrison retired into the castle, and the insurgents took possession of the city. Each day brought to them a new accession of strength; and their apparent success taught them to augur equally well of the expected attempts of their confederates throughout the kingdom. But the unwelcome truth could not long be concealed; and

<sup>1</sup> Clar. Pap. iii. 514, 517, 518, 520, 524, 526, 529, 531, 535, 536. Willis maintained his innocence, and found many to believe him. Echard (p. 729) has published a letter with Morland's signature, in which he is made to say that he never sent any of the letters of Willis to the king, nor even so much as knew his name; whence Harris (ii. 215) infers that the whole charge is false. That, however, it was true, no one can doubt who will examine the proofs in the Clarendon Papers (iii. 518, 526, 529, 533, 535, 536, 542, 549, 556, 558, 562, 563, 574, 583,

585), and in Carte's Collection of Letters (ii. 220, 256, 284). Indeed, the letter from Willis of the 9th of May, 1660, soliciting the king's pardon, leaves no room for doubt.—Clar. Pap. 643. That Morland was the informer, and, consequently, the letter in Echard is a forgery, is also evident from the reward which he received at the restoration, and from his own admission to Pepys.—See Pepys, i. 79, 82, 133, 8vo. See also "Life of James II." 370.

<sup>2</sup> Parl. Hist. xxiii. 107.

when they learned that they stood alone, that every other rising had been either prevented or instantly suppressed, and that Lambert was hastening against them with four regiments of cavalry and three of foot, their confidence was exchanged for despair; every gentleman who had risked his life in the attempt claimed a right to give his advice; and their counsels, from fear, inexperience, and misinformation, became fluctuating and contradictory. After much hesitation, they resolved to proceed to Nantwich and defend the passage of the Weever; but so rapid had been the march of the enemy, who sent forward part of the infantry on horseback, that the advance was already arrived in the neighbourhood; and while the royalists lay unsuspecting of danger in the town, Lambert forced the passage of the river at Winnington. In haste, they fled out of Nantwich into the nearest fields; but here they found that most of their ammunition was still at Chester; and, on the suggestion that the position was unfavourable, hastened to take possession of a neighbouring eminence. Colonel Morgan, with his troop, attempted to keep the enemy in check; he fell, with thirty men; and the rest of the insurgents, at the approach of their adversaries, turned their backs and fled. Three hundred were made prisoners in the pursuit, and few of the leaders had the good fortune to escape. The earl of Derby, who had raised men in Lancashire to join the royalists, was taken in the disguise of a servant. Booth, dressed as a female, and riding on a pillion, took the direct road for London, but betrayed himself at Newton Pagnell

by his awkwardness in alighting from the horse. Middleton, who was eighty years old, fled to Chirk Castle; and, after a defence of a few days, capitulated, on condition that he should have two months to make his peace with the parliament.<sup>1</sup>

The news of this disaster reached the duke of York at Boulogne, fortunately on the very evening on which he was to have embarked with his men. Charles received it at Rochelle, whither he had been compelled to proceed in search of a vessel to convey him to Wales. Abandoning the hopeless project, he instantly continued his journey to the congress at Fuentarabia, with the delusive expectation that, on the conclusion of peace between the two crowns, he should obtain a supply of money, and perhaps still more substantial aid, from a personal interview with the ministers, Cardinal Mazarin and Don Louis de Haro.<sup>2</sup> Montague, who had but recently become a proselyte to the royal cause, was drawn by his zeal into the most imminent danger. As soon as he heard of the insurrection, he brought back the fleet from the Sound, in defiance of his brother commissioners, with the intention of blockading the mouth of the Thames, and of facilitating the transportation of troops. On his arrival he learned the failure of his hopes; but boldly faced the danger, appeared before the council, and assigned the want of provisions as the cause of his return. They heard him with distrust; but it was deemed prudent to dissemble, and he received permission to withdraw.<sup>3</sup>

To reward Lambert for this complete, though almost bloodless vic-

<sup>1</sup> Clar. Hist. iii. 672—675. Clar. Pap. iii. 673, 674. Ludlow, ii. 223. Whitelock, 683. Carte's Letters, 194, 202. Lambert's Letter, printed for Thomas Neucombe, 1659.

<sup>2</sup> Both promised to aid him secretly, but

not in such manner as to give offence to the ruling party in England.—Clar. Pap. iii. 642.

<sup>3</sup> Journals, Sept. 16. Clar. Pap. iii. 551. Carte's Letters, ii. 210, 236. Pepys' Memoirs, i. 157.



tory, the parliament voted him the sum of one thousand pounds, which he immediately distributed among his officers. But while they recompensed his services, they were not the less jealous of his ambition. They remembered how instrumental he had been in raising Cromwell to the protectorate; they knew his influence in the army; and they feared his control over the timid, wavering mind of Fleetwood, whom he appeared to govern in the same manner as Cromwell had governed Fairfax. It had been hoped that his absence on the late expedition would afford them leisure to gain the officers remaining in the capital; but the unexpected rapidity of his success had defeated their policy; and, in a short time, the intrigue which had been interrupted by the insurrection was resumed. While Lambert hastened back to the capital, his army followed by slow marches; and at Derby the officers subscribed a petition which had been clandestinely forwarded to them from Wallingford House. In it they complained that adequate rewards were not conferred on the deserving; and demanded that the office of commander-in-chief should be given to Fleetwood without limitation of time, and the rank of major-general to their victorious leader; that no officer should be deprived of his commission without the judgment of a court-martial; and that the government should be settled in a house of representatives and a permanent senate. Hazlerig, a man of stern republican principles, and of a temper hasty, morose, and ungovernable, obtained a sight of this paper, denounced it as an attempt to subvert the parliament, and moved that Lambert, its author, should be sent to the Tower; but his violence was

checked by the declaration of Fleetwood, that Lambert knew nothing of its origin; and the house contented itself with ordering all copies of the obnoxious petition to be delivered up, and with resolving that "to augment the number of general officers was needless, chargeable, and dangerous."<sup>1</sup> From that moment a breach was inevitable. The house, to gratify the soldiers, had advanced their daily pay; and with the view of discharging their arrears, had raised the monthly assessment from thirty-five thousand pounds to one hundred thousand pounds.<sup>2</sup> But the military leaders were not to be diverted from their purpose. Meetings were daily and nightly held at Wallingford House; and another petition with two hundred and thirty signatures was presented by Desborough, accompanied by all the field-officers in the metropolis. In most points it was similar to the former; but it contained a demand that, whosoever should afterwards "groundlessly and causelessly inform the house against their servants, thereby creating jealousies, and casting scandalous imputations upon them, should be brought to examination, justice, and condign punishment." This was a sufficient intimation to Hazlerig and his party to provide for their own safety. Three regiments, through the medium of their officers, had already made the tender of their services for the protection of the house; Monk from Scotland, and Ludlow from Ireland, wrote that their respective armies were animated with similar sentiments; and a vote was passed and ordered to be published, declaring it to be treason to levy money on the people without the previous consent of parliament; a measure which, as all the existing taxes were to expire on

<sup>1</sup> Journ. Aug. 23, Sept. 22, 23. Ludlow, ii. 225, 227, 233, 244.

<sup>2</sup> Ibid. May 31, Aug. 18, Sept. 1.

the first day of the ensuing year, made the military dependent for their future subsistence on the pleasure of the party. Hazlerig, thus fortified, deemed himself a match for his adversaries; the next morning he boldly threw down the gauntlet; by one vote, Lambert, Desborough, six colonels, and one major, were deprived of their commissions for having subscribed the copy of the petition sent to Colonel Okey; and, by a second, Fleetwood was dismissed from his office of commander-in-chief, and made president of a board of seven members established for the government of the army. Aware, however, that he might expect resistance, the republican chieftain called his friends around him during the night; and at the dawn of day it was discovered that he had taken military possession of King-street and the Palace-yard with two regiments of foot and four troops of horse, who protested aloud that they would live and die with the parliament.<sup>1</sup>

Lambert mustered about three thousand men. His first care was to intercept the access of members to the house, and to prevent the egress of the militia from the city. He then marched to Westminster. Meeting the speaker, who was attended by his guard, he ordered the officer on duty to dismount, gave the command to Major Creed, one of those who had been deprived of their commissions by the preceding vote, and scornfully directed him to conduct the "lord-general" to Whitehall, whence he was permitted to return to his own house. In Westminster, the two parties faced each other; but the ardour of the privates did not correspond with that of the

leaders; and, having so often fought in the same ranks, they showed no disposition to imbrue their hands in each other's blood. In the mean time the council of state assembled: on the one side Lambert and Desborough, on the other Hazlerig and Morley, appeared to support their pretensions; much time was spent in complaint and recrimination, much in hopeless attempts to reconcile the parties; but the cause of the military continued to make converts; the advocates of "the rump," aware that to resist was fruitless, consented to yield; and it was stipulated that the house should cease to sit, that the council of officers should provide for the public peace, arrange a new form of government, and submit it to the approbation of a new parliament. An order, that the forces on both sides should retire to their respective quarters, was gladly obeyed; the men mixed together as friends and brothers, and reciprocally promised never more to draw the sword against each other.<sup>2</sup>

Thus a second time the supreme authority devolved on the meeting of officers at Wallingford House. They immediately established their favourite plan for the government of the army. The office of commander-in-chief, in its plenitude of power, was restored to Fleetwood; the rank of major-general of the forces in Great Britain was given to Lambert; and all those officers who refused to subscribe a new engagement, were removed from their commands. At the same time they annulled by their supreme authority all proceedings in parliament on the 10th, 11th, and 12th of October, vindicated their own conduct in a publication with the

<sup>1</sup> Journals, Sept. 28, Oct. 5, 10, 11, 12. Ludlow, ii. 229, 247. Carte's Letters, ii. 246. Thurloe, vii. 755. Declaration of General Council of Officers, 9—16. True Narrative of the Proceedings in Parliament, Council of State, &c., published by special order, 1659. Printed by John Redmayne.

<sup>2</sup> Whitelock, 685. Journals, Oct. 13. Clar. Pap. iii. 581, 590. Ludlow, ii. 247—251. Ludlow's account differs considerably from that by Whitelock. But the former was in Ireland, the latter present at the council.

title of "The Army's Plea,"<sup>1</sup> vested the provisional exercise of the civil authority in a committee of safety, of twenty-three members, and denounced the penalties of treason against all who should refuse to obey its orders, or should venture to levy forces without its permission. An attempt was even made to replace Richard Cromwell in the protectorial dignity; for this purpose he came from Hampshire to London, escorted by three troops of horse; but his supporters in the meeting were outvoted by a small majority, and he retired to Hampton Court.<sup>2</sup>

Of all the changes which had surprised and perplexed the nation since the death of the last king, none had been received with such general disapprobation [as the present. It was not that men lamented the removal of the Rump; but they feared the capricious and arbitrary rule of the army, and when they contrasted their unsettled state with the tranquillity formerly enjoyed under the monarchy, many were not backward in the expression of their wishes for the restoration of the ancient line of their princes. The royalists laboured to improve this favourable disposition; yet their efforts might have been fruitless, had the military been united among themselves. But among the officers there were several who had already made their peace with Charles by the promise of their

services, and many who secretly retained a strong attachment to Hazlerig and his party in opposition to Lambert. In Ireland, Barrow, who had been sent as their representative from Wallingford House, found the army so divided and wavering, that each faction alternately obtained a short and precarious superiority; and in Scotland, Cobbet, who arrived there on a similar mission, was, with seventeen other officers who approved of his proposals, imprisoned by order of Monk.<sup>3</sup>

From this moment the conduct of Monk will claim a considerable share of the reader's attention. Ever since the march of Cromwell in pursuit of the king to Worcester, he had commanded in Scotland; where, instead of concerning himself with the intrigues and parties in England, he appeared to have no other occupation than the duties of his place, to preserve the discipline of his army, and enforce the obedience of the Scots. His despatches to Cromwell from Scotland form a striking contrast with those from the other officers of the time. There is in them no parade of piety, no flattery of the protector, no solicitation for favours. They are short, dry, and uninteresting, confined entirely to matters of business, and those only of indispensable necessity. In effect, the distinctive characteristic of the man was an impenetrable secrecy.<sup>4</sup> Whatever were his pre-

<sup>1</sup> See Declaration of the General Council of Officers, 17. The Army's Plea for its Present Practice, printed by Henry Hills, printer to the army, 1659, is in many parts powerfully written. The principal argument is, that as the parliament, though bound by the solemn league and covenant to defend the king's person, honour, and dignity, did not afterwards scruple to arraign, condemn, and execute him because he had broken his trust; so the army, though they had engaged to be true and faithful to the parliament, might lawfully rise against it, when they found that it did not preserve the just rights and liberties of the people. This condition was implied in the engagement; otherwise the making of the engagement

would have been a sin, and the keeping thereof would have been a sin also, and so an adding of sin to sin.

<sup>2</sup> Whitelock, 685, 686. Ludlow, ii. 250, 286, 287. Clar. Pap. 591. At the restoration, Richard, to escape from his creditors, fled to the continent; and, after an expatriation of almost twenty years, returned to England to the neighbourhood of Cheshunt, where he died in 1713, at the age of eighty-six.—Noble, i. 228.

<sup>3</sup> Ludlow, ii. 237, 252, 259, 262, 300. Clar. Pap. iii. 591. Carte's Letters, 266.

<sup>4</sup> "His natural taciturnity was such, that most of his friends, who thought they knew him best, looked upon George Monk to have no other craft in him than that of a plain

dilections or opinions, his wishes or designs, he kept them locked up within his own breast. He had no confidant, nor did he ever permit himself to be surprised into an unguarded avowal. Hence all parties, royalists, protectorists, and republicans, claimed him for their own, though that claim was grounded on *their* hopes, not on *his* conduct. Charles had been induced to make to him repeatedly the most tempting offers, which were supported by the solicitations of his wife and his domestic chaplain; Monk listened to them without displeasure, though he never unbosomed himself to the agents or to his chaplain so far as to put himself in their power. Cromwell had obtained some information of these intrigues; but, unable to discover any real ground of suspicion, he contented himself with putting Monk on his guard by a bantering postscript to one of his letters. "Tis said," he added, "there is a cunning fellow in Scotland, called George Monk, who lies in wait there to serve Charles Stuart; pray use your diligence to take him and send him up to me."<sup>1</sup> After the fall of the protector Richard, he became an object of greater distrust. To undermine his power, Fleetwood ordered two regiments of horse attached to the Scottish army to return to England; and the republicans, when the military commissions were issued by the speaker, removed a great number of his officers, and supplied their places with creatures of their own. Monk felt these affronts: discontent urged him to seek revenge; and when he understood that Booth was at the head of a considerable force, he dictated a letter to the

speaker, complaining of the proceedings of parliament, and declaring that, as they had abandoned the real principles of the old cause, they must not expect the support of his army. His object was to animate the insurgents and embarrass their adversaries; but, on the very morning on which the letter was to be submitted for signature to his principal officers, the news of Lambert's victory arrived; the dangerous instrument was instantly destroyed, and the secret most religiously kept by the few who had been privy to the intention of the general.<sup>2</sup>

To this abortive attempt Monk, notwithstanding his wariness, had been stimulated by his brother, a clergyman of Cornwall, who visited him with a message from Sir John Grenville by commission from Charles Stuart. After the failure of Booth, the general dismissed him with a letter of congratulation to the parliament, but without any answer to Grenville, and under an oath to keep secret whatever he had learnt respecting the past, or the intended projects of his brother.<sup>3</sup> But the moment that Monk heard of the expulsion of the members, and of the superior rank conferred on Lambert, he determined to appear openly as the patron of the vanquished, under the alluring, though ambiguous, title of "asserter of the ancient laws and liberties of the country." Accordingly, he secured with trusty garrisons the castle of Edinburgh and the citadel of Leith, sent a strong detachment to occupy Berwick, and took the necessary measures to raise and discipline a numerous force of cavalry. At Leith was held a general council of

soldier, who would obey the parliament's orders, and see that his own were obeyed."—Price, *Mystery and Method of his Majesty's happy Restoration, in Select Tracts relating to the Civil Wars in England*, published by Baron Maseres, ii. 700.

<sup>1</sup> Price, 712.

<sup>2</sup> Id. 711, 716, 721.

<sup>3</sup> All that Grenville could learn from the

messenger was, that his brother regretted the failure of Booth, and would oppose the arbitrary attempts of the military in England; an answer which, though favourable as far as it went, still left the king in uncertainty as to his real intentions.—Clar. Pap. iii. 618.

officers; they approved of his object, engaged to stand by him, and announced their determination by letters directed to Lenthall, the speaker, to the council at Wallingford House, and to the commanders of the fleet in the Downs, and of the army in Ireland. It excited, however, no small surprise, that the general, while he thus professed to espouse the defence of the parliament, cashiered all the officers introduced by the parliament into his army, and restored all those who had been expelled. The more discerning began to suspect his real intentions;<sup>1</sup> but Hazlerig and his party were too elated to dwell on the circumstance, and, under the promise of his support, began to organize the means of resistance against their military oppressors.

Monk soon discovered that he was embarked in a most hazardous undertaking. The answers to his letters disapproved of his conduct; and the knowledge of these answers kindled among his followers a spirit of disaffection which led to numerous desertions. From the general of an army obedient to his commands, he had dwindled into the leader of a volunteer force, which it was necessary to coax and persuade. Two councils were formed, one of the colonels of the longest standing, the other of all the commissioned officers. The first perused the public despatches received by the general, and wrote the answers, which were signed by him as the chairman; the other was consulted on all measures respecting the conduct of the army, and confirmed or rejected the opinion of the colonels

by the majority of voices. But if Monk was controlled by this arrangement, it served to screen him from suspicion. The measures adopted were taken as the result of the general will.

To the men at Wallingford House it became of the first importance to win by intimidation, or to reduce by force, this formidable opponent. Lambert marched against him from London at the head of seven thousand men; but the mind of the major-general was distracted by doubts and suspicions; and, before his departure, he exacted a solemn promise from Fleetwood to agree to no accommodation, either with the king, or with Hazlerig, till he had previously received the advice and concurrence of Lambert himself.<sup>2</sup> To Monk delay was as necessary as expedition was desirable to his opponents. In point of numbers and experience, the force under his command was no match for that led by Lambert, but his magazines and treasury were amply supplied, while his adversary possessed not money enough to keep his army together for more than a few weeks. Before the major-general reached Newcastle, he met three deputies from Monk on their way to treat with the council in the capital. As no arguments could induce them to open the negotiation with him, he allowed them to proceed, and impatiently awaited the result. After much discussion, an agreement was concluded in London; but Monk, instead of ratifying it with his signature, discovered, or pretended to discover, in it much that was obscure or ambiguous, or contrary to the

<sup>1</sup> Ludlow, ii. 269. Whitelock, 686, 689, 691. Price, 736, 743. Skinner, 106—109. Monk loudly asserted the contrary. "I do call God to witness," he says in the letter to the speaker, Oct. 20, "that the asserting of a commonwealth is the only intent of my heart."—True Narrative, 28. When Price remonstrated with him, he replied: "You see who are about me and write these things. I must not show any dislike of them. I perceive they are jealous enough

of me already."—Price, 746. The fact probably was, that Monk was neither royalist nor republican: that he sought only his own interest, and had determined to watch every turn of affairs, and to declare at last in favour of that party which appeared most likely to obtain the superiority.

<sup>2</sup> See the Conferences of Ludlow and Whitelock with Fleetwood, Ludlow ii. 277; Whitelock, 690.

instructions received by the deputies; his council agreed with him in opinion; and a second negotiation was opened with Lambert at Newcastle, to obtain from him an explanation of the meaning of the officers in the metropolis. Thus delay was added to delay; and Monk improved the time to dismiss even the privates whose sentiments were suspected, and to fill up the vacancies in the regiments of infantry by levies among the Scots. At the same time he called a convention of the Scottish estates at Berwick, of two representatives from each county and one from each borough, recommended to them the peace of the country during his absence, and obtained from them the grant of a year's arrears of their taxes, amounting to sixty thousand pounds, in addition to the excise and customs. He then fixed his head-quarters at Coldstream.<sup>1</sup>

In the mean while the detention of Lambert in the north by the artifices of Monk had given occasion to many important events in the south. Within the city several encounters had taken place between the military and the apprentices; a free parliament had become the general cry; and the citizens exhorted each other to pay no taxes imposed by any other authority. Lawson, though he wavered at first, declared against the army, and advanced with his squadron up the river as far as Gravesend. Hazlerig and Morley were admitted into Portsmouth by the governor, were joined by the force sent against them by Fleetwood, and marched towards London, that they might open a communication with the fleet in the river. Alarm produced in the committee of safety the most contra-

dictory counsels. A voice ventured to suggest the restoration of Charles Stuart; but it was replied that their offences against the family of Stuart were of too black a dye to be forgiven; that the king might be lavish of promises now that he stood in need of their services; but that the vengeance of parliament would absolve him from the obligation, when the monarchy should once be established. The final resolution was to call a new parliament against the 24th of January, and to appoint twenty-one conservators of the public peace during the interval. But they reckoned on an authority which they no longer possessed. The fidelity of the common soldiers had been shaken by the letters of Monk, and the declaration of Lawson. Putting themselves under the command of the officers who had been lately dismissed, they mustered in Lincoln's Inn Fields, marched before the house of Lenthall in Chancery Lane, and saluted him with three volleys of musketry as the representative of the parliament and lord-general of the army. Desborough, abandoned by his regiment, fled in despair towards Lambert; and Fleetwood, who for some days had done nothing but weep and pray, and complain that "the Lord had spit in his face," tamely endeavoured to disarm by submission the resentment of his adversaries. He sought the speaker, fell on his knees before him, and surrendered his commission.<sup>3</sup>

Thus the Rump was again triumphant. The members, with Lenthall at their head, resumed possession of the house amidst the loud acclamations of the soldiery. Their first care was to establish a committee for the government of the army, and to order

<sup>1</sup> Price, 741—744. Whitelock, 688, 699. Ludlow, 269, 271, 273. Skinner, 161, 164.

<sup>2</sup> The posts occupied by the army within the city were, "St. Paul's Church, the Royall Exchange, Peeter-house in Aldersgate-street, and Bernet's Castle, Gresham Coledge, Sion Coledge. Without London,

were the Musses, Sumersett-house, Whitehall, St. James's, Scotland-yard."—MS. Diary by Thomas Ruge.

<sup>3</sup> Ludlow, 268, 276, 282, 287, 289, 290, 296, 298. Whitelock, 689, 690, 691. Clar. Pap. 625, 629, 636, 641, 647.

the regiments in the north to separate and march to their respective quarters. Of those among their colleagues who had supported the late committee of safety, they excused some, and punished others by suspension, or exclusion, or imprisonment; orders were sent to Lambert, and the most active of his associates, to withdraw from the army to their homes, and then instructions were given to the magistrates to take them into custody. A council of state was appointed, and into the oath to be taken by the members was introduced a new and most comprehensive abjuration of kingship and the family of Stuart. All officers commissioned during the interruption by any other authority than that of Monk were broken; the army was entirely remodelled; and the time of the house was daily occupied by the continued introduction of officers to receive their commissions in person from the hand of the speaker.<sup>1</sup>

In the mean while, Monk, to subdue or disperse the army of Lambert, had raised up a new and formidable enemy in his rear. Lord Fairfax was become a convert to the cause of monarchy; to him the numerous royalists in Yorkshire looked up as leader; and he, on the solemn assurance of Monk that he would join him within twelve days or perish in the attempt, undertook to call together his friends, and to surprise the city of York. On the first day of the new year, each performed his promise. The gates of York were thrown open to Fairfax by the Cavaliers confined within its walls;<sup>2</sup> and Monk, with his army, crossed the Tweed on his march against the advanced posts of the enemy. Thus the flame of civil war was again kindled in the north:

within two days it was extinguished. The messenger from parliament ordered Lambert's forces to withdraw to their respective quarters. Dispirited by the defection of the military in the south, they dared not disobey: at Northallerton the officers bade adieu with tears to their general; and Lambert retired in privacy to a house which he possessed in the county. Still, though the weather was severe, though the roads were deeply covered with snow, Monk continued his march; and, at York, spent five days in consultation with Fairfax; but to the advice of that nobleman, that he should remain there, assume the command of their united forces, and proclaim the king, he replied that, in the present temper of his officers, it would prove a dangerous, a pernicious, experiment. On the arrival of what he had long expected, an invitation to Westminster, he resumed his march, and Fairfax, having received the thanks of the parliament, disbanded his insurrectionary force.<sup>3</sup>

At York, the general had caned an officer who charged him with the design of restoring the kingly government; at Nottingham, he prevented with difficulty the officers from signing an engagement to obey the parliament in all things "except the bringing in of Charles Stuart;" and at Leicester, he was compelled to suffer a letter to be written in his name to the petitioners from Devonshire, stating his opinion that the monarchy could not be re-established, representing the danger of recalling the members excluded in 1648, and inculcating the duty of obedience to the parliament as it was then constituted.<sup>4</sup> Here he was met by two of the most active members, Scot and

<sup>1</sup> Journals, Dec. 26, Jan. 31.

<sup>2</sup> That the rising under Fairfax was in reality a rising of royalists, and prompted by the promises of Monk, is plain from the narrative of Monkton, in the Lans-

downe MSS. No. 988, f. 320, 334. See also Price, 743.

<sup>3</sup> Price, 749—753. Skinner, 196, 200, 205. Journals, Jan. 6.

<sup>4</sup> Price, 754. Kennet's Register, 32.

Robinson, who had been commissioned to accompany him during his journey, under the pretence of doing him honour, but, in reality, to sound his disposition, and to act as spies on his conduct. He received them with respect as the representatives of the sovereign authority; and so flattered were they by his attentions, so duped by his wariness, that they could not see through the veil which he spread over his intentions. As he advanced, he received at every stage addresses from boroughs, cities, and counties, praying him to restore the excluded members, and to procure a free and a full parliament. With much affectation of humility, Monk referred the deputies to the two delegates of the supreme power, who haughtily rebuked them for their officiousness, while the friends of Monk laboured to keep alive their hopes by remote hints and obscure predictions.<sup>1</sup>

To lull the jealousy of the parliament, Monk had taken with him from York no more than five thousand men, a force considerably inferior to that which was quartered in London and Westminster. But from St. Alban's he wrote to the speaker, requesting that five of the regiments in the capital might be removed before his arrival, alleging the danger of quarrels and seduction, if his troops were allowed to mix with those who had been so recently engaged in rebellion. The order was instantly made; but the men refused to obey. Why, they asked, were they to leave their quarters for the accommodation of strangers? Why were they to be sent from the capital, while their pay was several weeks in arrear? The royalists laboured to inflame the mutineers, and Lambert was on the watch, prepared to place himself at

<sup>1</sup> Price, 754. Merc. Polit. No. 604. Philips, 595. Journals, Jan. 16.

<sup>2</sup> Price, 755, 757, 758. Jour. Jan. 30. Skinner, 219—221. Philips, 594, 595, 596. Clar. Pap. iii. 666, 668. Pepys, i. 19, 21.

their head; but the distribution of a sum of money appeased their murmurs; they consented to march; and the next morning the general entered at the head of his army, and proceeded to the quarters assigned to him at Whitehall.<sup>2</sup>

Soon after his arrival, he was invited to attend and receive the thanks of the house. A chair had been placed for him within the bar: he stood uncovered behind it; and, in reply to the speaker, extenuated his own services, related the answers which he had given to the addresses, warned the parliament against a multiplicity of oaths and engagements, prayed them not to give any share of power to the Cavaliers or fanatics, and recommended to their care the settlement of Ireland, and the administration of justice in Scotland. If there was much in this speech to please, there was also much that gave offence. Scot observed that the servant had already learned to give directions to his masters.<sup>3</sup>

As a member of the council of state, he was summoned to abjure the house of Stuart, according to the late order of parliament. He demurred. Seven of the counsellors, he observed, had not yet abjured, and he wished to know their reasons, for the satisfaction of his own conscience. Experience had shown that such oaths were violated as easily as they were taken, and to him it appeared an offence against Providence to swear never to acquiesce in that which Providence might possibly ordain. He had given the strongest proofs of his devotion to parliament: if these were not sufficient, let them try him again; he was ready to give more.<sup>4</sup>

The sincerity of this declaration

<sup>3</sup> Journals, Feb. 6. New Parl. Hist. iii. 1575. Philips, 597. Price, 759. The Lord-general Monk, his Speech. Printed by J. Maccok, 1660.

<sup>4</sup> Gumble, 228, Price, 759, 760. Philips,



was soon put to the test. The loyal party in the city, especially among the moderate Presbyterians, had long been on the increase. At the last elections the common council had been filled with members of a new character; and the declaration which they issued demanded "a full and free parliament, according to the ancient and fundamental laws of the land." Of the assembly sitting in Westminster, as it contained no representative from the city, no notice was taken; the taxes which it had imposed were not paid; and the common council, as if it had been an independent authority, received and answered addresses from the neighbouring counties. This contumacy, in the opinion of the parliamentary leaders, called for prompt and exemplary punishment; and it was artfully suggested that, by making Monk the minister of their vengeance, they would open a wide breach between him and their opponents. Two hours after midnight he received an order to march into the city, to arrest eleven of the principal citizens, to remove the posts and chains which had lately been fixed in the streets, and to destroy the portcullises and the gates. After a moment's hesitation, he resolved to obey, rather than hazard the loss of his commission. The citizens received him with groans and hisses; the soldiers murmured; the officers tendered their resignations. He merely replied that his orders left nothing to his discretion; but the reply was made with a

sternness of tone, and a gloominess of countenance, which showed, and probably was intended to show, that he acted with reluctance and with self-reproach.<sup>1</sup>

As soon as the posts and chains were removed, Monk suggested, in a letter to the speaker, that enough had been done to subdue the refractory spirit of the citizens. But the parliamentary leaders were not satisfied: they voted that he should execute his former orders; and the demolition of the gates and portcullises was effected. The soldiers loudly proclaimed their discontent: the general, mortified and ashamed, though he had been instructed to quarter them in the city, led them back to Whitehall.<sup>2</sup> There, on the review of these proceedings, he thought that he discovered proofs of a design, first to commit him with the citizens, and then to discard him entirely; for the house, while he was so ungraciously employed, had received, with a show of favour, a petition from the celebrated Praise-God Barebone, praying that no man might sit in parliament, or hold any public office, who refused to abjure the pretensions of Charles Stuart, or of any other single person. Now this was the very case of the general, and his suspicions were confirmed by the reasoning of his confidential advisers. With their aid, a letter to the speaker was prepared the same evening, and approved the next morning by the council of officers. In it the latter were made to complain that they had

595. About this time, a parcel of letters to the king, written by different persons in different ciphers, and intrusted to the care of a Mr. Leonard, was intercepted by Lockhart at Dunkirk, and sent by him to the council. When the writers were first told that the letters had been deciphered, they laughed at the information as of a thing impracticable; but were soon undeceived by the decipherer, who sent to them by the son of the bishop of Ely copies of their letters in cipher, with a correct interlineary explanation of each. They were astonished and alarmed; and to save themselves from

the consequences of the discovery, purchased of him two of the original letters at the price of three hundred pounds.—Compare Barwick's Life, 171, and App. 402, 412, 415, 422, with the correspondence on the subject in the Clarendon Papers, iii. 668, 681, 696, 700, 715. After this, all letters of importance were conveyed through the hands of Mrs. Mary Knatchbull, the abbess of the English convent in Gand.

<sup>1</sup> Journ. Feb. 9. Price, 761. Ludlow, ii. 336. Clar. Pap. iii. 674, 691. Gumble, 236. Skinner, 231—237.

<sup>2</sup> Journ. Feb. 9. Philips, 599.

been rendered the instruments of personal resentment against the citizens, and to require that by the following Friday every vacancy in the house should be filled up, preparatory to its subsequent dissolution and the calling of a new parliament. Without waiting for an answer, Monk marched back into Finsbury Fields: at his request, a common council (that body had recently been dissolved by a vote of the parliament) was summoned; and the citizens heard from the mouth of the general that he, who yesterday had come among them as an enemy by the orders of others, was come that day as a friend by his own choice; and that his object was to unite his fortune with theirs, and by their assistance to obtain a full and free parliament for the nation. This speech was received with the loudest acclamations. The bells were tolled; the soldiers were feasted; bonfires were lighted; and among the frolics of the night was "the roasting of the rump," a practical joke which long lived in the traditions of the city. Scot and Robinson, who had been sent to lead back the general to Whitehall, slunk away in secrecy, that they might escape the indignation of the populace.<sup>1</sup>

At Westminster, the parliamentary leaders affected a calmness and intrepidity which they did not feel. Of the insult offered to their authority they took no notice; but, as an admonition to Monk, they brought in a bill to appoint his rival Fleetwood commander-in-chief in England and Scotland. The intervention of the Sunday allowed more sober counsels to prevail: they solicited the general to return to Whitehall; they com-

pleted the bill for the qualifications of candidates and electors; and, on the day fixed by the letter of the officers, ordered writs to be issued for the filling up of the vacancies in the representation. This measure had been forced upon them; yet they had the ingenuity to make it subservient to their own interest, by inserting a provision in the act, that no man should choose or be chosen, who had not already bound himself to support a republican form of government. But immediately the members excluded in 1648 brought forward their claim to sit, and Monk assumed the appearance of the most perfect indifference between the parties. At his invitation, nine of the leaders on each side argued the question before him and his officers; and the result was, that the latter expressed their willingness to support the secluded members, on condition that they should pledge themselves to settle the government of the army, to raise money to pay the arrears, to issue writs for a new parliament to sit on the 20th of April, and to dissolve themselves before that period. The general returned to Whitehall: the secluded members attended his summons; and, after a long speech, declaratory of his persuasion that a republican form of government and a moderate presbyterian kirk were necessary to secure and perpetuate the tranquillity of the nation, he advised them to go and resume their seats. Accompanied by a great number of officers, they walked to the house; the guard, under the command of Sir Anthony Ashley Cooper, opened to let them pass; and no opposition was made by the speaker

<sup>1</sup> Price, 765—768. Clar. Pap. iii. 681, 692, 714. Ludlow, 337. Gumble, 249. Skinner, 237—243. Old Parl. Hist. xxii. 91. Pepys, i. 24, 25. "At Strand-bridge I could at one time tell thirty-one fires; in King-street, seven or eight, and all along burning, and roasting, and drinking for rumps; there being rumps tied upon sticks, and car-

ried up and down. The butchers at the May-pole in the Strand rang a peal with their knives, when they were going to sacrifice their rump. On Ludgate-hill there was one turning of the spit that had a rump tied to it, and another basting of it. Indeed it was past imagination."—Ibid. 28.

or the members.<sup>1</sup> Hazlerig, however, and the more devoted of his adherents, rose and withdrew—a fortunate secession for the royalists; otherwise, with the addition of those among the restored members who adhered to a commonwealth, the republicans might on many questions have still commanded a majority.<sup>2</sup>

To the Cavaliers, the conduct of Monk on this occasion proved a source of the most distressing perplexity. On the one hand, by introducing the secluded members he had greatly advanced the cause of royalty. For though Holles, Pierrepoint, Popham, and their friends still professed the doctrines which they had maintained during the treaty in the Isle of Wight, though they manifested the same hatred of popery and prelacy, though they still inculcated the necessity of limiting the prerogative in the choice of the officers of state and in the command of the army, yet they were royalists by principle, and had, several of them, made the most solemn promises to the exiled king of labouring strenuously for his restoration. On the other hand, that Monk, at the very time when he gave the law without control, should declare so loudly in favour of a republican government and a presbyterian kirk, could not fail to alarm both Charles and his abettors.<sup>3</sup> Neither was this the only instance: to all, Cavaliers or republicans, who approached him to discover his intentions, he uniformly professed the same sentiments, occasionally confirming his professions with oaths and imprecations. To explain this inconsistency between the tendency of his actions and the purport of his language, we are told by those whom he

admitted to his private counsels, that it was forced upon him by the necessity of his situation; that, without it, he must have forfeited the confidence of the army, which believed its safety and interest to be intimately linked with the existence of the commonwealth. According to Ludlow, the best soldier and statesman in the opposite party, Monk had in view an additional object, to deceive the suspicions and divert the vigilance of his adversaries; and so successfully had he imposed on the credulity of many (Hazlerig himself was of the number), that, in defiance of every warning, they blindly trusted to his sincerity, till their eyes were opened by the introduction of the secluded members.<sup>4</sup>

In parliament the Presbyterian party now ruled without opposition. They annulled all votes relative to their own expulsion from the house in 1648; they selected a new council of state, in which the most influential members were royalists; they appointed Monk commander-in-chief of the forces in the three kingdoms, and joint commander of the fleet with Admiral Montague; they granted him the sum of twenty thousand pounds in lieu of the palace at Hampton Court, settled on him by the republican party; they discharged from confinement, and freed from the penalty of sequestration, Sir George Booth and his associates, a great number of Cavaliers, and the Scottish lords taken after the battle at Worcester; they restored the common council, borrowed sixty thousand pounds for the immediate pay of the army, declared the Presbyterian confession of faith to be that of the Church of England, ordered copies of the solemn league

<sup>1</sup> Journals, Feb. 11, 13, 15, 17, 21. Price, 768—773. Ludlow, ii. 345, 351, 353. Skinner, 256—264. Clar. Pap. 663, 682, 683. Gumble, 260, 263. Philips, 600. The number of secluded members then living was one hundred and ninety-four, of members sitting or allowed to sit by the orders of the

house, eighty-nine.—“A Declaration of the True State of the Matter of Fact,” 57.

<sup>2</sup> Hutchinson, 362.

<sup>3</sup> Clar. Hist. iii. 720, 721, 723, 724; Papers, iii. 698.

<sup>4</sup> Price, 773. Ludlow, 349, 355. Clar. Pap. iii. 678, 697, 703, 711.

and covenant to be hung up in all churches, offered rewards for the apprehension of Catholic priests, urged the execution of the laws against Catholic recusants, and fixed the 15th of March for their own dissolution, the 25th of April for the meeting of a new parliament.<sup>1</sup>

Here, however, a serious difficulty arose. The house of Commons (according to the doctrine of the secluded members, it could be nothing more) was but a single branch of the legislature. By what right could it pretend to summon a parliament? Ought not the house of Lords, the peers, who had been excluded in 1649, to concur? Or rather, to proceed according to law, ought not the king either to appoint a commission to hold a parliament, as was usually done in Ireland, or to name a guardian invested with such power, as was the practice formerly, when our monarchs occasionally resided in France? But, on this point, Monk was inflexible. He placed guards at the door of the house of Lords to prevent the entrance of the peers; and he refused to listen to any expedient which might imply an acknowledgment of the royal authority. To the arguments urged by others, he replied, that the parliament according to law determined by the death of Charles I.; that the present house could justify its sitting on no other ground but that of necessity, which did not apply to the house of Lords;

and that it was in vain to expect the submission of the army to a parliament called by royal authority. The military had, with reluctance, consented to the restoration of the secluded members; and to ask more of them at present was to hazard all the advantages which had hitherto been obtained.<sup>2</sup>

Encouraged by the downfall of the republicans, the royalists throughout the country expressed their sentiments without restraint. In some places Charles was proclaimed by the populace; several ministers openly prayed for him in the churches; the common council, in their address, declared themselves not averse to his restoration; and the house itself was induced to repeal the celebrated engagement in favour of a commonwealth, without a single person or a house of peers, and to embody under trusty officers the militia of the city and the counties, as a counterpoise to the republican interest in the army. The judges of the late king, and the purchasers of forfeited property, began to tremble. They first tempted the ambition of the lord-general with the offer of the sovereign authority.<sup>3</sup> Rejected by him, they appealed to the military; they represented the loss of their arrears, and of the property which they had acquired, as the infallible consequences of the restoration of the royal exile; and they so far wrought on the fears of the officers, that an engagement to oppose

<sup>1</sup> Journals, passim.

<sup>2</sup> Clar. Pap. iii. 704. Ludlow, 364, 365. Price, 773.

<sup>3</sup> Gumble, 270. Two offers of assistance were made to the general, on the supposition that he might aspire to the supreme power; one from the republicans, which I have mentioned; another from Bordeaux, the French ambassador, in the name of Cardinal Mazarin. On one of these offers he was questioned by Sir Anthony Ashley Cooper in the council of state. If we may believe Clarges, one of his secret advisers, it was respecting the former which Clarges mentioned to Cooper. With respect to the offer from Bordeaux, he tells us that it was

made through Clarges himself, and scornfully rejected by Monk, who nevertheless consented to receive a visit from Bordeaux, on condition that the subject should not be mentioned.—Philips, 602, 604. Locke, on the contrary, asserts, that Monk accepted the offer of the French minister; that his wife, through loyalty to the king, betrayed the secret; and that Cooper put to the general such searching questions that he was confused, and, in proof of his fidelity, took away the commissions of several officers of whom the council was jealous.—Memoirs of Shaftesbury, in Kennet's Register 86. Locke, ix. 279. See Appendix, ZZZ.

all attempts to set up a single person was presented to Monk for his signature, with a request that he would solicit the concurrence of the parliament. A second council of officers was held the next morning; the general urged the inexpediency of troubling the house with new questions, when it was on the point of dissolving itself; and by the address and influence of his friends, though with considerable difficulty, he procured the suppression of the obnoxious paper. In a short time he ordered the several officers to join their respective regiments, appointed a commission to inspect and reform the different corps, expelled all the officers whose sentiments he had reason to distrust, and then demanded and obtained from the army an engagement to abstain from all interference in matters of state, and to submit all things to the authority of the new parliament.<sup>1</sup>

Nineteen years and a half had now elapsed since the Long parliament first assembled—years of revolution and bloodshed, during which the nation had made the trial of almost every form of government, to return at last to that form from which it had previously departed. On the 16th of March, one day later than was originally fixed, its existence, which had been illegally prolonged since the death of Charles I., was terminated by its own act.<sup>2</sup> The reader is already acquainted with its history. For the glorious stand which it made against the encroachments of the crown, it deserves both admiration and gratitude; its subsequent proceedings assumed a more ambiguous character; ultimately they led to anarchy and military despotism. But, whatever were its merits or demerits, of both posterity has reaped the benefit. To the first, we are indebted for many of the

rights which we now enjoy; by the second, we are warned of the evils which result from political changes effected by violence, and in opposition to the habits and predilections of the people.

Monk had now spent more than two months in England, and still his intentions were covered with a veil of mystery, which no ingenuity, either of the royalists or of the republicans, could penetrate. Sir John Grenville, with whom the reader is already acquainted, paid frequent visits to him at St. James's; but the object of the Cavalier was suspected, and his attempts to obtain a private interview were defeated by the caution of the general. After the dissolution, Morrice, the confidential friend of both, brought them together, and Grenville delivered to Monk a most flattering letter from the king. He received and perused it with respect. This was, he observed, the first occasion on which he could express with safety his devotion to the royal cause; but he was still surrounded with men of hostile or doubtful sentiments; the most profound secrecy was still necessary; Grenville might confer in private with Morrice, and must consent to be himself the bearer of the general's answer. The heads of that answer were reduced to writing. In it Monk prayed the king to send him a conciliatory letter, which, at the proper season, he might lay before the parliament; for himself he asked nothing; he would not name, as he was desired, his reward; it was not for him to strike a bargain with his sovereign; but, if he might express his opinion, he advised Charles to promise a general or nearly general pardon, liberty of conscience, the confirmation of the national sales, and the payment of the arrears due to the army. As soon as this paper had

<sup>1</sup> Philips, 603, 606. Price, 781. Kennet's Reg. 113. Thurloe, vii. 852, 859, 870. Pepys,

i. 43. Skinner, 279—284.

<sup>2</sup> Journals,

March 16.

been read, he threw it into the fire, and bade Grenville rely on his memory for its contents.<sup>1</sup>

By Charles at Brussels the messenger was received as an angel from heaven. The doubts which had so long tormented his mind were suddenly removed; the crown, contrary to expectation, was offered without previous conditions; and nothing more was required than that he should aid with his pen the efforts of the general; but when he communicated the glad tidings to Ormond, Hyde, and Nicholas, these counsellors discovered that the advice, suggested by Monk, was derogatory to the interests of the throne and the personal character of the monarch, and composed a royal declaration which, while it professed to make to the nation the promises recommended by Monk, in reality neutralized their effect, by subjecting them to such limitations as might afterwards be imposed by the wisdom of parliament. This paper was enclosed within a letter to the speaker of the house of Commons; another letter was addressed to the house of Lords; a third to Monk and the army; a fourth to Montague and the navy; and a fifth to the lord mayor and the city. To the general, open copies were transmitted, that he might deliver or destroy the originals as he thought fit. Notwithstanding the alterations made at Brussels, he professed himself satisfied with the declaration, and ordered Grenville to keep the papers in his custody, till the proper season should arrive.<sup>2</sup>

<sup>1</sup> Clar. Hist. iii. 734—736. Price, 785. Philips, 605. Clar. Pap. iii. 706, 711. From the last authorities it is plain that Mordaunt was intrusted with the secret as well as Grenville—also a Mr. Herne, probably a fictitious name.

<sup>2</sup> Clar. iii. 737—740, 742—751. Price, 790. Monk had been assured, probably by the French ambassador, that the Spaniards intended to detain the king at Brussels as a hostage for the restoration of Jamaica and Dunkirk. On this account he insisted that

In the mean while, the writs for the new parliament had been issued; and as there was no court to influence, no interference of the military to control the elections, the result may be fairly taken to express the sense of the country. The republicans, the Cavaliers, the Presbyterians, all made every effort in their power to procure the return of members of congenial sentiments. Of the three parties, the last was beyond comparison the most powerful, had not division paralyzed its influence. The more rigid Presbyterians, though they opposed the advocates of the commonwealth because they were sectaries, equally deprecated the return of the king, because they feared the restoration of episcopacy. A much greater number, who still adhered with constancy to the solemn league and covenant, deemed themselves bound by it to replace the king on the throne, but under the limitations proposed during the treaty in the Isle of Wight. Others, and these the most active and influential, saw no danger to be feared from a moderate episcopacy; and, anxious to obtain honours and preferment, laboured by the fervour of their present loyalty to deserve the forgiveness of their past transgressions. These joined with the Cavaliers; their united efforts bore down all opposition; and, in most places, their adversaries either shrunk from the contest or were rejected by overwhelming majorities.<sup>3</sup>

But the republicans sought for aid in another direction. Their emissaries penetrated into the quarters

the king should leave the Spanish territory, and Charles, having informed the governor of his intention to visit Breda, left Brussels about two hours, if Clarendon be correct, before an order was issued for his detention. The several letters, though written and signed at Brussels, were dated from Breda, and given to Grenville the moment the king placed his foot on the Dutch territory.—Clar. 740.

<sup>3</sup> Thurloe, vii. 866, 887. Price, 787. Carte's Letters, ii. 326. Clar. Pap. iii. 705, 714, 726,

of the military, where they lamented the approaching ruin of the good old cause, regretted that so many sacrifices had been made, so much blood had been shed in vain, and again insinuated, to the officers, that they would forfeit the lands which they had purchased; to the privates, that they would be disbanded and lose their arrears.<sup>1</sup> A spirit of discontent began to spread through several corps, and a great number of officers repaired to the metropolis. But Monk, though he still professed himself a friend to republican government, now ventured to assume a bolder tone. The militia of the city, amounting to fourteen thousand men, was already embodied under his command; he had in his pocket a commission from Charles, appointing him lord-general over all the military in the three kingdoms; and he had resolved, should circumstances compel him to throw off the mask, to proclaim the king, and to summon every faithful subject to repair to the royal standard. He first ordered the officers to return to their posts; he then directed the promise of submission to the new parliament to be tendered to the privates, and every man who refused to make it was immediately discharged.<sup>2</sup> At the same time, the friends of the commonwealth resolved to oppose Lambert, once the idol of the soldiery, to Monk. Lambert, indeed, was a prisoner in the Tower, confined by order of the council, because he had refused to give security for his peaceable behaviour; but, with the aid of a rope, he descended from the window of his bed-chamber, was received by eight watermen in a barge, and found a secure asylum in the city. The citizens, however, were too loyal to listen to the suggestions

of the party; he left his concealment, hastened into Warwickshire, solicited, but in vain, the co-operation of Ludlow, collected from the discontented regiments six troops of horse and some companies of foot, and expected in a few days to see himself at the head of a formidable force. But Ingoldsby, who, of a regicide, was become a royalist, met him near Daventry with an equal number; a troop of Lambert's men under the command of the younger Hazlerig, passed over to his opponents; and the others, when he gave the word to charge, pointed their pistols to the ground. The unfortunate commander immediately turned and fled; Ingoldsby followed; the ploughed land gave the advantage to the stronger horse; the fugitive was overtaken, and, after an ineffectual effort to awaken the pity of his former comrade, submitted to his fate. He was conducted back to the Tower, at the time when the trained bands, the volunteers, and the auxiliaries raised in the city, passed in review before the general in Hyde Park. The auxiliaries drank the king's health on their knees; Lambert was at the moment driven under Tyburn; and the spectators hailed with shouts and exclamations the disgrace of the prisoner.<sup>3</sup>

The Convention parliament (so it was called, because it had not been legally summoned) met on the appointed day, the 25th of April. The Presbyterians, by artful management, placed Sir Harbottle Grimstone, one of their party, in the chair; but the Cavaliers, with their adherents, formed a powerful majority, and the new speaker, instead of undertaking to stem, had the prudence to go along with, the stream. Monk sat as repre-

party on the other" (721, 722).

<sup>1</sup> Thurloe, vii. 870. <sup>2</sup> Clar. Pap. iii. 715.

730, 731, 733. It appears that many of the royalists were much too active. "When the complaint was made to Monk, he turned it off with a jest, that as there is a fanatic party on the one side, so there is a frantic

<sup>3</sup> Kennet's Reg. 120. Price, 792, 794. Ludlow, 379. Philips, 607. Clar. Pap. iii. 735.

sentative of Devonshire, his native county.

To neutralize the influence of the Cavaliers among the Commons, the Presbyterian peers who sat in 1648, assembled in the house of Lords, and chose the earl of Manchester for their speaker. But what right had they exclusively to constitute a house of parliament? They had not been summoned in the usual manner by writ; they could not sit as a part of the long parliament, which was now at least defunct; and, if they founded their pretensions on their birthright, as *consilarii nati*, other peers were in possession of the same privilege. The question was propounded to the lord-general, who replied that he had no authority to determine the claims of any individual. Encouraged by this answer, a few of the excluded peers attempted to take their seats, and met with no opposition; the example was imitated by others, and in a few days the Presbyterian lords did not amount to more than one-fifth of the house. Still, however, to avoid cavil, the peers who sat in the king's parliament at Oxford, as well as those whose patents bore date after the commencement of the civil war, abstained for the present from demanding admission.<sup>1</sup>

Monk continued to dissemble. By his direction Grenville applied to a member, who was entering the council-chamber, for an opportunity of speaking to the lord-general. Monk came to the door, received from him a letter, and, recognising on its seal the royal arms, commanded the guards to take care that the bearer did not depart. In a few minutes Grenville was called in, interrogated by the president as to the manner in which he became possessed of the letter, and ordered to be taken into custody. "That is unnecessary," said Monk; "I find that he is my near kinsman, and I will be security for his appearance."

The ice was now broken. Grenville was treated not as a prisoner, but a confidential servant of the sovereign. He delivered to the two houses the letters addressed to them, and received in return a vote of thanks, with a present of five hundred pounds. The letter for the army was read by Monk to his officers; that for the navy by Montague to the captains under his command; and that for the city by the lord mayor to the common council in the Guildhall. Each of these bodies voted an address of thanks and congratulation to the king.

The paper which accompanied the letters to the two houses,—1. granted a free and general pardon to all persons, excepting such as might afterwards be excepted by parliament; ordaining that every division of party should cease, and inviting all who were the subjects of the same sovereign to live in union and harmony: 2. it declared a liberty to tender consciences, and that no man should be disquieted or called in question for differences of opinion in matters of religion which did not disturb the peace of the kingdom, and promised moreover the royal assent to such acts of parliament as should be offered for the full granting of that indulgence: 3. it alluded to the actions at law to which the actual possessors of estates purchased by them or granted to them during the revolution might be liable, and purposed to leave the settlement of all such differences to the wisdom of parliament, which could best provide for the just satisfaction of the parties concerned: lastly, it promised to liquidate the arrears of the army under General Monk, and to retain the officers and men in the royal service upon the same pay and conditions which they actually enjoyed. This was the celebrated declaration from Breda, the royal charter on the faith of which Charles

<sup>1</sup> Lords' Journ. xi. 4, 5, 6.



was permitted to ascend the throne of his fathers.<sup>1</sup>

Encouraged by the bursts of loyalty with which the king's letters and declaration had been received, his agents made it their great object to procure his return to England before limitations could be put on the prerogative. From the Lords, so numerous were the Cavaliers in the upper house, no opposition could be feared; and the temper already displayed by the Commons was calculated to satisfy the wishes of the most ardent champions of royalty. The two houses voted, that by the ancient and fundamental laws of the realm the government was and ought to be by king, lords, and commons; they invited Charles to come and receive the crown to which he was born; and, to relieve his more urgent necessities, they sent him a present of fifty thousand pounds, with ten thousand pounds for his brother the duke of York, and five thousand pounds for the duke of Gloucester. They ordered the arms and symbols of the commonwealth to be effaced, the name of the king to be introduced into the public worship, and his succession to be proclaimed as having commenced from the day of his father's death.<sup>2</sup> Hale, the celebrated lawyer, ventured, with Prynne, to call upon the house of Commons to pause in their enthusiasm, and attend to the interests of the nation. The first moved the appointment of a committee to inquire what propositions had been offered by the long parliament, and what concessions had been made by the last king in 1648; the latter urged the favourable opportunity of coming to a mutual and permanent understanding on all those claims which had been hitherto

subjects of controversy between the two houses and the crown. But Monk rose, and strongly objected to an inquiry which might revive the fears and jealousies, the animosities and bloodshed, of the years that were past. Let the king return while all was peace and harmony. He would come alone; he could bring no army with him; he would be as much at their mercy in Westminster as in Breda. Limitations, if limitations were necessary, might be prepared in the interval, and offered to him after his arrival. At the conclusion of this speech, the house resounded with the acclamations of the Cavaliers; and the advocates of the inquiry, awed by the authority of the general and the clamour of their opponents, deemed it prudent to desist.<sup>3</sup>

Charles was as eager to accept, as the houses had been to vote, the address of invitation. From Breda he had gone to the Hague, where the States, anxious to atone for their former neglect, entertained him with unusual magnificence. The fleet, under Montague,<sup>4</sup> had anchored in the Bay of Scheveling; and Charles, as soon as the weather permitted, set sail for Dover; where Monk, at the head of the nobility and gentry from the neighbouring counties, waited to receive the new sovereign. Every eye was fixed on their meeting; and the cheerful, though dignified, condescension of the king, and the dutiful, respectful homage of the general, provoked the applause of the spectators. Charles embraced him as his benefactor, bade him walk by his side, and took him into the royal carriage. From Dover to the capital the king's progress bore the appearance of a triumphal procession. The roads were covered with crowds of people anxious

<sup>1</sup> Lords' Journ. xi. 7, 10.

<sup>2</sup> Journals of both houses.

<sup>3</sup> Burnet, i. 88. Ludlow, iii. 8, 9.

<sup>4</sup> Montague had long been in correspond-

ence with the king, and disapproved of the dissimulation of Monk, so far as to call him in private a "thick-skulled fool;" but thought it necessary to flatter him, as he could hinder the business.—Pepys, i. 69.

to testify their loyalty, while they gratified their curiosity. On Blackheath he was received by the army in battle array, and greeted with acclamations as he passed through the ranks; in St. George's Fields the lord mayor and aldermen invited him to partake of a splendid collation in a tent prepared for the purpose; from London Bridge to Whitehall the houses were hung with tapestry, and the streets lined by the trained bands, the regulars, and the officers who had served under Charles I. The king was preceded by troops of horsemen, to the amount of three thousand persons, in splendid dresses, attended by trumpeters and footmen; then came the lord mayor, carrying the naked sword; after him the lord-general and the duke of Buckingham; and lastly the king himself, riding between his two brothers. The cavalcade was closed by the general's life-guard, five regiments of horse, and two troops of noblemen and gentlemen. At Whitehall Charles dismissed the lord mayor, and received in succession the two houses, whose speakers addressed him in strains of the most impassioned loyalty, and were answered by him with protestations of attachment to the interests and liberties of his subjects. It was late in the evening before the ceremonies of this important day were concluded; when Charles observed to some of his confidants, "It must surely have been my fault that I did not come before; for I have met with no one to-day who did not protest that he always wished for my restoration."<sup>2</sup>

That the re-establishment of royalty was a blessing to the country, will hardly be denied. It presented the best, perhaps the only, means of restoring public tranquillity amidst the confusion and distrust, the animosities

and hatreds, the parties and interests, which had been generated by the events of the civil war, and by a rapid succession of opposite and ephemeral governments. To Monk belongs the merit of having, by his foresight and caution, effected this desirable object without bloodshed or violence; but to his dispraise it must also be recorded, that he effected it without any previous stipulation on the part of the exiled monarch. Never had so fair an opportunity been offered of establishing a compact between the sovereign and the people, of determining, by mutual consent, the legal rights of the crown, and of securing from future encroachment the freedom of the people. That Charles would have consented to such conditions, we have sufficient evidence; but when the measure was proposed, the lord-general declared himself its most determined opponent. It may have been, that his cautious mind figured to itself danger in delay; it is more probable that he sought to give additional value to his services in the eyes of the new sovereign. But, whatever were the motives of his conduct, the result was, that the king ascended the throne unfettered with conditions, and thence inferred that he was entitled to all the powers claimed by his father at the commencement of the civil war. In a few years the consequence became manifest. It was found that, by the negligence or perfidy of Monk, a door had been left open to the recurrence of dissension between the crown and the people; and that very circumstance which Charles had hailed as the consummation of his good fortune, served only to prepare the way for a second revolution, which ended in the permanent exclusion of his family from the government of these kingdoms.

<sup>1</sup> Whitelock, 702. Kennet's Reg. 163. Clarendon's Hist. iii. 772. Clarendon's Life

by Himself, Continuation, p. 7, 8. Evelyn's Diary, ii. 148.

## APPENDIX.

## NOTE PPP, p. 58.

NOTHING more clearly shows the readiness of Charles to engage in intrigue, and the subtleties and falsehood to which he could occasionally descend, than the history of Glamorgan's mission to Ireland. In this note I purpose to lay before the reader the substance of the several documents relating to the transaction.

On the 1st of April, 1644, the king gave to him, by the name of Edward Somerset, alias Plantagenet, Lord Herbert, Baron Beaufort, &c., a commission under the great seal, appointing him commander-in-chief of three armies of Englishmen, Irishmen, and foreigners; authorizing him to raise moneys on the securities of the royal wardships, customs, woods, &c.; furnishing him with patents of nobility from the title of marquis to that of baronet, to be filled up with names at his discretion; promising to give the princess Elizabeth to his son Plantagenet in marriage, with a dower of three hundred thousand pounds, a sum which did not much exceed what Herbert and his father had already spent in the king's service, and in addition to confer on Herbert himself the title of duke of Somerset, with the George and blue ribbon.—From the Nuncio's Memoirs in Birch's Inquiry, p. 22.

This commission was granted in consequence of an understanding with the deputies from the confederate

Catholics, who were then at Oxford, and its object is fully explained by Herbert himself in a letter to Clarendon, to be laid before Charles II., and dated June 11, 1660. "For his majesty's better information, through your favour, and by the channel of your lordship's understanding things rightly, give me leave to acquaint you with one chief key, wherewith to open the secret passages between his late majesty and myself, in order to his service; which was no other than a real exposing of myself to any expense or difficulty, rather than his just design should not take place; or, in taking effect, that his honour should suffer; an effect you may justly say, relishing more of a passionate and blind affection to his majesty's service, than of discretion and care of myself. This made me take a resolution that he should have seemed angry with me at my return out of Ireland, until I had brought him into a posture and power to own his commands, to make good his instructions, and to reward my faithfulness and zeal therein.

"Your lordship may well wonder, and the king too, at the amplitude of my commission. But when you have understood the height of his majesty's design, you will soon be satisfied that nothing less could have made me capable to effect it; being that one army of ten thousand men was to have come out of Ireland through

North Wales ; another, of a like number at least, under my command in chief, have expected my return in South Wales, which Sir Henry Gage was to have commanded as lieutenant-general ; and a third should have consisted of a matter of six thousand men ; two thousand of which were to have been Liegeois, commanded by Sir Francis Edmonds ; two thousand Lorrainers, to have been commanded by Colonel Browne ; and two thousand of such French, English, Scots, and Irish, as could be drawn out of Flanders and Holland. And the six thousand were to have been, by the prince of Orange's assistance, in the associated counties ; and the governor of Lyne, cousin german to Major Bacon, major of my own regiment, was to have delivered the town unto them.

“The maintenance of this army of foreigners was to have come from the pope, and such Catholick princes as he should have drawn into it, having engaged to afford and procure thirty thousand pounds a month ; out of which the foreign army was first to be provided for, and the remainder to be divided among the other armies. And for this purpose had I power to treat with the pope and Catholick princes with particular advantages promised to Catholicks for the quiet enjoying their religion, without the penalties which the statutes in force had power to inflict upon them. And my instructions for this purpose, and my powers to treat and conclude thereupon, were signed by the king under his pocket signet, with blanks for me to put in the names of pope or princes, to the end the king might have a starting-hole to deny the having given me such commissions, if excepted against by his own subjects ; leaving me as it were at stake, who for his majesty's sake was willing to undergo it, trusting to his word alone.”—Clarendon Papers, ii. 201, 202.

But his departure was delayed by Ormond's objections to the conditions of peace ; and the king, to relieve himself from the difficulty, proposed

to Herbert to proceed to Ireland, and grant privately to the Catholics those concessions which the lord-lieutenant hesitated to make, on condition of receiving in return an army of ten thousand men for the royal service. In consequence, on the 27th of December, Charles announced to Ormond that Herbert was going to Ireland under an engagement to further the peace.—Carte, ii. App. p. 5.

1645, January 2nd. Glamorgan (he was now honoured with the title of earl of Glamorgan) received these instructions. “First you may ingage y<sup>r</sup> estate, interest and creditt that we will most really and punctually performe any our promises to the Irish, and as it is necessary to conclude a peace suddainely, soe whatsoever shall be consented unto by our lieutenant the marquis of Ormond, We will dye a thousand deaths rather than disannull or breakit ; and if vpon necessity any thing be to be condescended unto, and yet the lord marquis not willing to be seene therein, as not fit for us at the present publickely to owne, doe you endeavour to supply the same.”—Century of Inventions by Mr. Partington, original letters and official papers, xxxv. Then follows a promise to perform any promise made by him to Ormond or others, &c.

January 6. He received a commission to levy any number of men in Ireland and other parts beyond the sea, with power to appoint officers, receive the king's rents, &c.—Birch, p. 18, from the Nuncio's Memoirs, fol. 713.

January 12. He received another warrant of a most extraordinary description, which I shall transcribe from a MS. copy in my possession, attested with the earl's signature, and probably the very same which he gave to Ormond after his arrest and imprisonment.

“CHARLES REX.

“Charles by the grace of God king of England Scotland France and Ire-

land Defender of the Fayth, &c. To our Right trusty and Right well belloved Cossin Edward Earle of Glamorgan greetinge. Whereas we haue had sufficient and ample testimony of y<sup>r</sup> aproued wisdom and fideliti. Soe great is the confidence we repose in yo<sup>w</sup> as that whatsoeuer yo<sup>w</sup> shall perform as warranted only under our signe manuall pockett signett or private marke or even by woorde of mouthe w<sup>th</sup>out further cerimonii, wee doo in the worde of a kinge and a cristian promis to make good to all intents and purposes as effectually as if your authoriti from us had binne under our great seale of England w<sup>th</sup> this advantage that wee shall esteem our self farr the moore obliged to yo<sup>w</sup> for y<sup>r</sup> gallantry in not standing upon such nice tearms to doe us service w<sup>h</sup> we shall God willing rewarde. And althoughe yo<sup>w</sup> exceed what law can warrant or any power of ours reach unto, as not knowinge what yo<sup>w</sup> may haue need of, yet it being for our service, wee oblige ourself not only to give yo<sup>w</sup> our pardon, but to mantayne the same w<sup>th</sup> all our might and power, and though, either by accident yo<sup>w</sup> loose or by any other occasion yo<sup>w</sup> shall deem necessary to deposit any of our warrants and so wante them at yo<sup>r</sup> returne, we faythfully promise to make them good at your returne, and to supply any thinge wheerin they shall be founde defective, it not being convenient for us at this time to dispute upon them, for of what wee haue heer sett downe yo<sup>w</sup> may rest confident, if theer be fayth or truth in man; proceed theerfor cheerfully, spedelj, and bouldly, and for yo<sup>r</sup> so doinge this shal be yo<sup>r</sup> sufficient warrant. Giuen at our Court at Oxford under our signe manuall and privat signet this 12 of Januarj 1644.

“GLAMORGAN.

“To our Right trustj and Right well beloved cosin Edward Earle of Glamorgan.”

Indorsed, “The Earle of Glamorgan’s further authoritj.”

Feb. 12. Glamorgan had left Ox-

ford, and was raising money in Wales, when Charles sent him other despatches, and with them a letter desiring him to hasten to Ireland. In it he acknowledges the danger of the undertaking, that Glamorgan had already spent above a million of crowns in his service, and that he was bound in gratitude to take care of him next to his own wife and children. “What I can further thinke at this pit is to send y<sup>w</sup> the blew ribben, and a warrant for the title of duke of Somerset, both w<sup>ch</sup> accept and make vse of at your discretion, and if you should deferre y<sup>e</sup> publishing of either for a whyle to avoyde envye, and my being importuned by others, yet I promise yo<sup>r</sup> antiquitie for y<sup>e</sup> one and your pattent for the other shall bear date with the warrants.”—*Century of Inventions*, p. xxxiv. On the 18th of August, 1660, the marquess of Hertford complained that this patent was injurious to him, as he claimed the title of Somerset. Glamorgan, then marquess of Worcester, readily surrendered it on the 3rd of September, and his son was created duke of Beaufort.

On March 12, the king wrote to him the following letter:—

“HERBERT,

“I wonder you are not yet gone for Ireland; but since you have stayed all this time, I hope these will ouertake you, whereby you will the more see the great trust and confidence I repose in your integrity, of which I have had soe long and so good experience; commanding yow to deale with all ingenuity and freedome with our lieutenant of Ireland the marquess of Ormond, and on the word of a king and a Christian I will make good any thing which our lieutenant shall be induced unto upon your persuasion; and if you find it fitting, you may privately shew him these, which I intend not as obligatory to him, but to myselfe, and for both your encouragements and warrantise, in whom I repose my cheefest hopes, not having in all my kingdomes two such sub-

jects; whose endeavours joining, I am confident to be soone drawn out of the mire I am now enforced to wallow in."—Century of Inventions, xxxviii.

What were the writings meant by the word "*these*," which Glamorgan might show to Ormond if he thought fitting? Probably the following warrant, dated at Oxford on the same day.

"CHARLES R.

"Charles by the Grace of God King of England Scotland France and Ireland Defender of the Fayth &c. To our right trusty and right welbeloved Cosin Edward earle of Glamorgan Greeting. We reposing great and espittial trust, and confidence in y<sup>r</sup> approved wisdom, and fidelity doe by these (as firmly as under our great seale to all intents and purposes) Authorise and give you power to treate and conclude w<sup>th</sup> the Confederat Romaine Catholikes in our Kingdom of Ireland, if vpon necessity any thing be to be condescended vnto wherein our Lieutenant can not so well be seene in as not fitt for vs at the present publicly to owne, and therefore we charge you to proceede according to this our warrant w<sup>th</sup> all possible secrecie, and for whatsoever you shall engage your selfe, vpon such valuable considerations as you in y<sup>r</sup> iudgement shall deeme fitt, we promise in the word of a King and a Christian to ratifie and performe the same, that shall be graunted by you, and vnder your hand and seale, the sayd confederat Catholikes having by theyr supplies testified theyre zeale to our service, and this shall be in eache particular to you a sufficient warrant. Given at our Court at Oxford, under our signett and Royall signature the twelwe day of Marche in the twentieth year of our Raigne 1644.

"To our Right Trusty and right welbeloved Cosin, Edward Earle of Glamorgan."

Some writers have attempted to dispute the authenticity of this war-

rant, because though it was inserted verbatim in Glamorgan's treaty with the confederates, he did not produce it at the requisition of the council at Dublin, under the excuse that he had deposited it with the Catholics at Kilkenny. But that this was the truth, appears from the Nuncio's Memoirs: "a sua majestate mandatum habuit, cujus originale regiâ manu subscriptum Glamorganæ comes deposuit apud confederatos Catholicos" (fol. 1292, apud Birch, 215); and if better authority be required, I have in my possession the original warrant itself, with the king's signature and private seal, bearing the arms of the three kingdoms, a crown above, and C. R. on the sides, and indcrsed in the same handwriting with the body of the warrant, "The Earle of Glamorgan's espittial warrant for Ireland." Of this original the above is a correct copy.

April 30. The king having heard that Rinuccini had been appointed nuncio, and was on his way to Ireland, sent to Glamorgan a letter for that prelate and another for the pope. The contents of the second are unknown; the first is copied in the Nuncio's Memoirs: "Nous ne doutons point, que les choses n'yront bien, et que les bonnes intentions commencés par effect du dernier pape ne s'accompliront par celuys icy, et par vos moyens, en notre royaume d'Irlande et de Angleterre."—Birch 28. He then requests the nuncio to join with Glamorgan, and promises to accomplish on the return of the latter, whatever they shall have resolved together.—Ibid.

The king, on his return to Oxford, after the disastrous campaign of 1645, still placed his principal reliance on the mission of Glamorgan; and, to induce the court of Rome to listen to the proposals of that envoy, wrote with his own hand the two following letters, of which the originals still exist in the Archivio Vaticano, one to the pope himself, the other to Cardinal Spada, requesting of both to give credit to Glamorgan or his

messenger, and engaging the royal word to fulfil whatever should be agreed upon by Glamorgan, in the name of his sovereign :—

“ BEATISSIME PATER,

“ Tot tantaque testimonia fidelitatis et affectus consanguinei nostri comitis Glamorganiaë jamdudum accepimus, eamque in illo fiduciam merito reponimus, ut Sanctitas Vestra ei fidem merito præbere possit in quacumque re, de qua per se vel per alium nostro nomine cum Sanctitate Vestra tractaturus sit. Quæcumque vero ab ipso certo statuta fuerint, ea munire et confirmare pollicemur. In cujus testimonium brevissimas has scripsimus, manu et sigillo nostro munitas, qui nihil (potius) habemus in votis, quam ut favore vestro in eum statum redigamur, quo palam profiteamur nos.

“ Sanctitatis Vestræ

“ Humilimum et obedientissimum servum “ CHARLES R.

“ Apud Curiam nostram,

“ Oxoniaë, Oct. 20, 1645.”

*Superscription*—

“ Beatissimo Patri Innocentio decimo Pontifici Maximo.”

“ Eminentissime Domine, Pauca scripsimus Beatissimo Patri, de fide adhibenda consanguineo nostro comiti Glamorganiaë, et cuilibet ab eo delegato, quem ut Eminentia vestra pariter omni favore prosequatur, rogamus; certoque credat nos ratum habituros quicquid a prædicto comite, vel suo delegato, cum Sanctissimo Patre vel Eminentia vestra transactum fuerit.

“ Eminentiaë Vestræ,

“ Fidelissimus Amicus,

“ CHARLES R.

“ Apud Curiam nostram,

“ Oxoniaë, Oct. 20, 1645.”

*Superscription*—

“ Eminentissimo Domino et Consanguineo nostro, Dño Cardinali Spada.”

After the discovery of the whole

proceeding, the king, on January 29th, 1646, sent a message to the two houses in England, in which he declares (with what truth the reader may judge) that Glamorgan had a commission to raise men, and “to that purpose only;” that he had no commission to treat of anything else without the privity and directions of Ormond; that he had never sent any information of his having made any treaty with the Catholics, and that he (the king) disavowed him in his proceedings, and had ordered the Irish council to proceed against him by due course of law.—Charles’s Works, 555.

Two days later, January 31, having acknowledged to the council at Dublin that he had informed Glamorgan of the secret instructions given to Ormond, and desired him to use his influence with the Catholics to persuade them to moderate their demands, he proceeds: “To this end (and with the strictest limitations that we could enjoin him, merely to those particulars concerning which we had given you secret instructions, as also even in that to do nothing but by your especial directions) it is possible we might have thought fit to have given unto the said earl of Glamorgan such a credential as might give him credit with the Roman Catholics, in case you should find occasion to make use of him, either as a farther assurance unto them of what you should privately promise, or in case you should judge it necessary to manage those matters for their greater confidence apart by him, of whom, in regard of his religion and interest, they might be less jealous. This is all, and the very bottom of what we might have possibly entrusted unto the said earl of Glamorgan in this affair.”—Carte’s Ormond, iii. 446. How this declaration is to be reconciled with the last, I know not.

With this letter to the council he sent two others. One was addressed to Ormond, asserting on the word of a Christian that he never intended Glamorgan to treat of anything with-

out Ormond's knowledge and approbation, as he was always diffident of the earl's judgment, but at the same time commanding him to suspend the execution of any sentence which might be pronounced against that nobleman. — Carte, ii. App. p. 12. The second, dated Feb. 3, was to Glamorgan himself, in these words:—

“GLAMORGAN,

“I must clearly tell you, both you and I have been abused in this business: for you have been drawn to consent to conditions much beyond your instructions, and your treaty had been divulged to all the world. If you had advised 'with my lord lieutenant, as you promised me, all this had been helped. But we must look forward. Wherefore, in a word, I have commanded as much favour to be shewn to you as may possibly stand with my service or safety; and if you will yet trust my advice—which I have commanded Digby to give you freely—I will bring you so off that you may still be useful to me, and I shall be able to recompence you for your affection; if not, I cannot tell what to say. But I will not doubt your compliance in this, since it so highly concerns the good of all my crowns, my own particular, and to make me have still means to shew myself

“Your most assured Friend,

“CHARLES R.

“Oxford, Feb. 3, 1645-6.”

—*Warner*, 360.

In this letter Charles, in his own defence, pretends to blame Glamorgan: probably as a blind to Ormond and Digby, through whom it was sent. Soon afterwards, on February 28th, he despatched Sir J. Winter to him with full instructions, and the following consolatory epistle:—

“HERBERT,

“I am confident that this honest trusty bearer will give you good satisfaction why I have not in euerie thing done as you desired, the wante of

confidence in you being so farre from being y<sup>e</sup> cause thereof, that I am euery day more and more confirmed in the trust that I have of you, for beleeeve me, it is not in the power of any to make you suffer in my opinion by ill offices; but of this and diuers other things I have given so full instructions that I will saye no more, but that I am

“Yo<sup>r</sup> most assured constant Friend,

“CHARLES R.”

—*Century of Inventions*, xxxix.

April 5th he wrote to him again.

“GLAMORGAN,

“I have no time, nor do you expect that I shall make unnecessary repetitions to you. Wherefore, referring you to Digby for business, this is only to give you assurance of my constant friendship to you: which, considering the general defection of common honesty, is in a sort requisite. Howbeit, I know you cannot but be confident of my making good all instructions and promises to you and the nuncio.

“Your most assured constant  
Friend,

“CHARLES R.”

—*Warner*, 373.

On the following day the king sent him another short letter.

“HERBERT,

“As I doubt not but you have too much courage to be dismayed or discouraged at the usage you have had, so I assure you that my estimation of you is nothing diminished by it, but rather begets in me a desire of revenge and reparation to us both; for in this I hold myself equally interested with you. Wherefore, not doubting of your accustomed care and industry in my service, I assure you of the continuance of my favour and protection to you, and that in deeds more than words, I shall shew myself to be

“Your most assured constant  
Friend,

“CHARLES R.”

—*Warner*, 374.



If after the perusal of these documents any doubt can remain of the authenticity of Glamorgan's commission, it must be done away by the following passage from Clarendon's correspondence with secretary Nicholas. Speaking of his intended history, he says, "I must tell you, I care not how little I say in that business of Ireland, since those strange powers and instructions given to your favourite Glamorgan, which appears to me so inexcusable to justice, piety, and prudence. And I fear there is very much in that transaction of Ireland, both before and since, that you and I were never thought wise enough to be advised with in. Oh, Mr. Secretary, those stratagems have given me more sad hours than all the misfortunes in war which have befallen the king, and look like the effects of God's anger towards us."—Clarendon Papers, ii. 337.

It appears that the king, even after he had been delivered by the Scots to the parliament, still hoped to derive benefit from the exertions of Glamorgan. About the beginning of June, 1647, Sir John Somerset, the brother of that nobleman, arrived in Rome with a letter from Charles to Innocent X. The letter is not probably in existence; but the answer of the pontiff shows that the king had solicited pecuniary assistance, and, as

an inducement, had held out some hint of a disposition on his part to admit the papal supremacy and the Catholic creed. Less than this cannot be inferred from the language of Innocent. *Literæ illæ præcipuam tuam alacritatem ac propensionem ad obediendum Deo in nobis, qui ejus vices gerimus, luculenter declarant. . . . . a majestate tua enixe poscimus, ut quod velle cœpit, mox et facto perficiat . . . . . ut aliquo id aggrediaris argumento, quo te te ad Catholicam fidem recepisse intelligamus.* Undoubtedly Charles was making the same experiment with the pontiff which he had just made with his Presbyterian subjects; and as, to propitiate them, he had undertaken to study the Presbyterian doctrines, so he hoped to draw money from Innocent by professing an inclination in favour of the Catholic creed. But the attempt failed. The answer was, indeed, complimentary: it expressed the joy of the pontiff at the perusal of his letter, and exhorted him to persevere in the inquiry till he should come to the discovery of the truth; but it disposed of his request, as Urban had previously disposed of a similar request, by stating that it was inconsistent with the duty of the pope to spend the treasures of his church in the support of any but Catholic princes. This answer is dated 29th June, 1647.

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NOTE QQQ, p. 67.

1. The ordinances had distinguished two classes of delinquents, the one religious, the other political. The first comprised all Catholic recusants, all persons whomsoever, who, having attained the age of twenty-one, should refuse to abjure upon oath the doctrines peculiar to the Catholic creed. These were reputed papists, and had been made to forfeit two-thirds of their real and personal estates, which

were seized for the benefit of the kingdom by the commissioners of sequestration appointed in each particular county. The second comprehended all persons who were known to have fought against the parliament, or to have aided the royal party with money, men, provisions, advice, or information; and of these the whole estates, both real and personal, had been sequestrated, with the sole ex-

ception of one-fifth allotted for the support of their wives and children, if the latter were educated in the Protestant religion.—Elsynge's Ordinances, 3, 22, et seq.

2. These sequestrated estates not only furnished a yearly income, but also a ready supply on every sudden emergency. Thus, when Colonel Harvey refused to march till his regiment had received the arrears of its pay, amounting to three thousand pounds, an ordinance was immediately passed to raise the money by the sale of woods belonging to Lord Petre, in the county of Essex.—Journals, vi. 519. When a complaint was made of a scarcity of timber for the repairs of the navy, the two houses authorized certain shipwrights to fell two thousand five hundred oak trees on the estates of delinquents in Kent and Essex.—Ibid. 520. When the Scots demanded a month's pay for their army, the committee at Goldsmiths' Hall procured the money by offering for sale such property of delinquents as they judged expedient, the lands at eight, the houses at six, years' purchase.—Journals of Commons, June 10, 24, 1644.

3. But the difficulty of procuring ready money by sales induced the commissioners to look out for some other expedient; and when the sum of fifteen thousand pounds was wanted to put the army of Fairfax in motion, it was raised without delay by offering to delinquents the restoration of their sequestrated estates, on the immediate payment of a certain fine.—Commons' Journals, Sept. 13, 1644. The success of this experiment encouraged them to hold out a similar indulgence to such persons as were willing to quit the royal party, provided they were not Catholics, and would take the oath of abjuration of the Catholic doctrine.—Ibid. March 6, August 12, 1645; May 4, June 26, Sept. 3, 1646. Afterwards, on the termination of the war, the great majority of the royalists were admitted to make their compositions with the committee. Of the fines required, the greater number amounted to one-tenth, many to one-sixth, and a few to one-third of the whole property, both real and personal, of the delinquents.—(See the Journals of both houses for the years 1647, 1648.)

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NOTE RRR, p. 119.

On the day after the king's execution appeared a work, entitled "ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ, or the Portraiture of his Sacred Majesty in his Solitude and Sufferings." It professed to be written by Charles himself; a faithful exposition of his own thoughts on the principal events of his reign, accompanied with such pious effusions as the recollection suggested to his mind. It was calculated to create a deep sensation in favour of the royal sufferer, and is said to have passed through fifty editions in the course of the first year. During the commonwealth,

Milton made a feeble attempt to disprove the king's claim to the composition of the book: after the restoration, Dr. Gauden, a clergyman of Bocking, in Essex, came forward and declared himself the real author. But he advanced his pretensions with secrecy, and received as the price of his silence, first the bishopric of Exeter, and afterwards, when he complained of the poverty of that see, the richer bishopric of Worcester.

After the death of Gauden his pretensions began to transpire, and became the subject of an interesting controversy between his friends and

the admirers of Charles. But many documents have been published since, which were then unknown, particularly the letters of Gauden to the earl of Clarendon (Clarendon Papers, iii. App. xxvi.—xxx., xcv.), and others from him to the earl of Bristol (Maty's Review, ii. 253. Clarendon Papers, iii. App. xcvi.; and Mr. Todd, *Memoirs of Bishop Walton*, i. 138). These have so firmly established Gauden's claim, that, whoever denies it must be prepared to pronounce that prelate an impostor, to believe that the bishops Morley and Duppa gave false evidence in his favour, and to explain how it happened, that those, the most interested to maintain the right of the king, namely Charles II., his brother the duke of York, and the two earls of Clarendon and Bristol, yielded to the deception. These difficulties, however,

have not appalled Dr. Wordsworth, who, in a recent publication of more than four hundred pages, entitled, "Who wrote ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ?" has collected with patient industry every particle of evidence which can bear upon the subject; and after a most minute and laborious investigation, has concluded by adjudging the work to the king, and pronouncing the bishop an impudent impostor. Still my incredulity is not subdued. There is much in the ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ itself which forbids me to believe that Charles was the real author, though the latter, whoever he were, may have occasionally consulted and copied the royal papers; and the claim of Gauden appears too firmly established to be shaken by the imperfect and conjectural improbabilities which have hitherto been produced against it.

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NOTE SSS, p. 136.

*The Massacres at Drogheda and Wexford.*

I. Drogheda was taken by storm on the 11th of September, 1649. Cromwell, on his return to Dublin, despatched two official accounts of his success; one to Bradshaw, president of the council of state; a second to Lenthall, the speaker of parliament. They were dated on the 16th and 17th of September; which probably ought to have been the 17th and 18th, for he repeatedly makes such mistakes in numbering the days of that month. These two documents on several accounts deserve the attention of the reader.

1. Both mention a massacre, but with this difference, that whereas the earlier seems to confine it to the men in arms against the commonwealth, the second towards the end notices, incidentally as it were, the additional slaughter of a thousand of the townspeople in the church of St.

Peter. In the first, Cromwell, as if he doubted how the shedding of so much blood would be taken, appears to shift the origin of the massacre from himself to the soldiery, who considered the refusal of quarter as a matter of course, after the summons which had been sent into the town on the preceding day; but in the next despatch he assumes a bolder tone, and takes upon himself all the blame or merit of the proceeding. "Our men were ordered *by me* to put them all to the sword."—"I forbade them to spare any that were in arms." In the first, to reconcile the council to the slaughter, he pronounces it "a marvellous great mercy;" for the enemy had lost by it their best officers and prime soldiers: in the next he openly betrays his own misgivings, acknowledging that "such actions cannot but work remorse and

regret without sufficient grounds ;” and alleging as sufficient grounds in the present case—1. that it was a righteous judgment of God on barbarous wretches who had imbued their hands in so much innocent blood ; and 2. that it would tend to prevent the effusion of blood for the future.

2. Now the insinuation conveyed in the first of these reasons, that the major part of the garrison had been engaged in the outbreak of the rebellion and its accompanying horrors, was in all probability a falsehood ; for the major part of the garrison was not composed of native soldiers, but of Englishmen serving under the marquess of Ormond, the king’s lord-lieutenant. This is plain from the evidence of persons who cannot be supposed ignorant of the fact ; the evidence of the royalist Clarendon (*History*, vol. iii. part i. p. 323), and of the republican Ludlow, who soon afterwards was made general of the horse, and became Cromwell’s deputy in the government of the island (*Ludlow*, *Memoirs*, i. 301). But, however groundless the insinuation might be, it served Cromwell’s purpose ; it would array in his favour the fanaticism of the more godly of his party.

For the massacre of the townspeople in the church he offers a similar apology, equally calculated to interest the feelings of the saints. “They had had the insolence on the last Lord’s day to thrust out the Protestants, and to have the mass said there.” Now this remark plainly includes a paralogism. The persons who had ordered the mass to be said there on the 9th of September were undoubtedly the civil or military authorities in the town. Theirs was the guilt, if guilt it were, and theirs should have been the punishment. Yet his argument supposes that the unarmed individuals whose blood was shed there on the 12th, were the very persons who had set up the mass on the 9th.

3. We know not how far this

second massacre was originated or encouraged by Cromwell. It is well known that in the sack of towns it is not always in the power of the commander to restrain the fury of the assailants, who abuse the license of victory to gratify the most brutal of their passions. But here we have no reason to suppose that Cromwell made any effort to save the lives of the unarmed and the innocent. Both the commander and his men had a common religious duty to perform. They were come, in his own language, “to ask an account of the innocent blood which had been shed,”—to “do execution on the enemies of God’s cause.” Hence, in the case of a resisting city, they included the old man, the female, and the child, in the same category with the armed combatant, and consigned all to the same fate.

4. Of the proceedings of the victors during that night we are ignorant ; but it does not suggest a very favourable notion of their forbearance, that in the following morning the great church of St. Peter’s was filled with crowds of townspeople of both sexes, and of every age and condition. The majority of the women and children sought protection within the body of the church ; a select party of females, belonging to the first families in the town, procured access to the crypts under the choir, which seemed to offer more favourable chances of concealment and safety. But the sacred edifice afforded no asylum to either. The carnage began within the church at an early hour ; and, when it was completed, the bloodhounds tracked their prey into the vaults beneath the pavement. Among the men who thus descended into these subterranean recesses, was Thomas Wood, at that time a subaltern, afterwards a captain in Ingoldsby’s regiment. He found there, according to his own narrative, “the flower and choicest of the women and ladies belonging to the town, amongst whom a most handsome virgin, arrayed in costly and gorgeous apparel, kneeled down

to him with tears and prayers to save her life; and being stricken with a profound pitie, he took her under his arme, and went with her out of the church with intentions to put her over the works to shift for herself; but a soldier perceiving his intention, he ran his sword up her belly or fundament. Whereupon Mr. Wood, seeing her gasping, took away her money, jewels, &c., and flung her down over the works." (See the Life of Anthony a Wood, p. xx., in the edition by Bliss, of 1813. Thomas was the brother of Anthony, the Oxford historian.) "He told them also that 3,000 at least, besides some women and children, were, after the assailants had *taken part, and afterwards all the towne*, put to the sword on the 11th and 12th of September, 1649. He told them that when they were to make their way up to the lofts and galleries of the church, and up to the tower, where the enemy had fled, each of the assailants would take up a child, and use as a buckler of defence, when they ascended the steps, to keep themselves from being shot or brained."—Wood, *ibid.* These anecdotes, from the mouth of one who was an eyewitness of, probably a participator in, the horrors of that day, will enable the reader to form an adequate notion of the thirst for blood which stimulated the soldiery, and of the cruelties which they exercised on their defenceless victims.

5. The terms of indignation and abhorrence in which the sack of Drogheda was described by the royalists of that period are well known. I shall add here another testimony; not that it affords more important information, but because I am not aware that it has ever met the eye of more recent historians; the testimony of Bruodin, an Irish friar, of great eminence and authority in the Franciscan order. "*Quinque diebus continuis hæc laniena (qua, nullo habito locorum, sexus, religionis aut ætatis discrimine, juvenes et virgines lactantes æque ac senio confecti, barbarorum gladiis ubique trucidati sunt)*

*duravit. Quatuor millia Catholicorum virorum (ut de infinita multitudine religiosorum, fœminarum, puerorum, puellarum et infantium nihil dicam) in civitate gladius impiorum rebellium illa expugnatione devoravit.*"—*Propugnaculum Cathol. Veritatis*, lib. iv. c. 14, p. 678.

6. Here another question occurs. How did Cromwell obtain possession of Drogheda? for there appears in his despatches a studied evasion of the particulars necessary to give a clear view of the transaction. The narrative is so confused that it provokes a suspicion of cunning and concealment on the part of the writer. The royalists affirmed that the place was won through promises of quarter which were afterwards perfidiously violated, and their assertion is supported by the testimony of Ormond in an official letter written from the neighbourhood to Lord Byron. "Cromwell," he says, "having been twice beaten from the breach, carried it the third time, all his officers and soldiers promising quarter to such as would lay down their arms, and performing it as long as any place held out, which encouraged others to yield; but when they had all once in their power, and feared no hurt that could be done them, then the word no quarter went round, and the soldiers were, many of them, forced against their wills to kill their prisoners. The governor and all his officers were killed in cold blood, except some few of least consideration that escaped by miracle."—Sept. 29, *Carte's Letters*, ii. 412. It is possible, though not very probable, that Ormond suffered himself to be misled by false information. It should, however, be observed, that there is nothing in his account positively contradicted by Cromwell's despatch. Cromwell had not forbidden the granting of quarter before the storm. It was afterwards, "in the heat of the action," that he issued this order. But at what part of the action? On what account? What had happened to provoke him to issue it? He tells us that within the

breach the garrison had thrown up three intrenchments; two of which were soon carried, but the third, that on the Mill-Mount, was exceedingly strong, having a good graft, and strongly palisaded. For additional particulars we must have recourse to other authority, from which we learn that within this work was posted a body of picked soldiers with everything requisite for a vigorous defence, so that it could not have been taken by force without the loss of some hundreds of men on the part of the assailants. It so happened, however, that the latter entered it without opposition, and "Colonel Axtell, with some twelve of his men, went up to the top of the mount, and demanded of the governor the surrender of it, who was verystubborn, speaking very big words, but at length was persuaded to go into the windmill at the top of the mount, and as many more of the chiefest of them as it could contain, *where they were disarmed, and afterwards all slain.*"—Perfect Diurnal from Oct. 1 to Oct. 8. Now Cromwell in his despatch says, "The governor, Sir Arthur Ashton, and divers considerable officers, being there (on the Mill-Mount), our men, getting up to them, were ordered by me to put them all to the sword." In my opinion this passage affords a strong corroboration of the charge made by Ormond. If the reader compare it with the passage already quoted from the Diurnal, he will find it difficult to suppress a suspicion that Axtell and his men had obtained a footing on the Mill-Mount through the offer of quarter; and that this was the reason why Cromwell, when he knew that they had obtained possession, issued an order forbidding the granting of quarter on any account. The consequence was, that the governor and his officers went into the mill, and were there disarmed, and afterwards all slain. The other prisoners were treated in same manner as their officers.

7. Ormond adds, in the same letter, that the sack of the town lasted

during five days, meaning, probably, from September 11 to September 15, or 16, inclusively. The same is asserted by most of the royalists. But how could that be, when the storm began on the 11th, and the army marched from Drogheda on the 15th? The question may perhaps be solved by a circumstance accidentally mentioned by Dr. Bates, that on the departure of the army, several individuals who had hitherto succeeded in concealing themselves, crept out of their hiding-places, but did not elude the vigilance of the garrison, by whom they were put to the sword.—Bates's Rise and Progress, part ii. p. 27.

II. 1. It did not require many days to transmit intelligence from Dublin to the government; for the admiralty had contracted with a Captain Rich, that for the monthly sum of twenty-two pounds he should constantly have two swift-sailing vessels, stationed, one at Holyhead, the other at Dublin, ready to put to sea on the arrival of despatches for the service of the state.—Lords' Journ. ix. 617. From an accidental entry in Whitelock, it would appear that the letters from Cromwell reached London on the 27th of September; on the 28th, parliament, without any cause assigned in the Journals, was adjourned to October 2nd, and on that day the official account of the massacre at Drogheda was made public. At the same time an order was obtained from the parliament, that "a letter should be written to the lord lieutenant of Ireland, to be communicated to the officers there, that the house doth approve of the execution done at Drogheda, both as an act of justice to them and mercy to others, who may be warned by it" (Journals, vi. 301), which are the very reasons alleged by Cromwell in his despatch. His conduct was now sanctioned by the highest authority; and from that moment the saints in the army rejoiced to indulge the yearnings of their zeal for the cause of God, by shedding the blood of the Irish enemy.

Nor had they long to wait for the opportunity. On the 1st of October he arrived in the neighbourhood of Wexford, on the 9th he opened a cannonade on the castle, which completely commanded the town. On the 11th, Synnot, the military governor, offered to capitulate; four commissioners, one of whom was Stafford, the captain of the castle, waited on Cromwell to arrange the terms. He was dissatisfied with their demands, pronounced them "abominable," and detained them till he had prepared his answer. By that answer he granted life and liberty to the soldiers; life, but not liberty, to the commissioned officers, and freedom from pillage to the inhabitants, subject, however, to the decision of parliament with respect to their real property. He required an immediate acceptance of these terms, and the delivery to him of six hostages within an hour.—(Compare the letter of October 16 in the King's Pamphlets, No. 442, with the document published by Mr. Carlyle, ii. 79, which appears to me nothing more than a rough and incorrect draft of an intended answer.) But Stafford was a traitor. In the interval, being "fairly treated," he accepted, without communication with the governor, the terms granted by Cromwell, and opened the gates of the fortress to the enemy. From the castle they scaled an undefended wall in the vicinity, and poured into the town. A paper containing the terms was now delivered to the other three commissioners; but "their commissioners this while not having hearts to put themselves into the town again with our offer."—*Ibid.* Letter of October 16. Thus Synnot and the other authorities remained in ignorance of Cromwell's decision.

2. At the first alarm the garrison and burghers assembled in the market-place, to which they were accompanied or followed by crowds of old men, women, and children. For a while the progress of the enemy was retarded by barricades of cables. At

the entrance of the market-place they met with "a stiff resistance," as it is called by Cromwell. The action lasted about an hour; but the assailants receiving continual reinforcements, obtained at last full possession of the place, and put to the sword every human being found upon it. The governor and the mayor perished with the rest.

3. But how could these bloody proceedings be reconciled with the terms of capitulation which had been already granted? If we may believe Cromwell's official account, a matchless specimen of craft and mystification, *he* was not to blame that they had been broken. He was perfectly innocent of all that had happened. Could he not then have ordered his men to keep within the castle, or have recalled them when they forced an entrance into the town? Undoubtedly he might; but the pious man was unwilling to put himself in opposition to God. "His study had been to preserve the place from plunder, that it might be of more use to the commonwealth and the army." But he saw "that God would not have it so." The events which so quickly followed each other, were to him a proof that God in his righteous judgment had doomed the town and its defendants to destruction; on which account he "thought it not good, nor just, to restrain off the soldiers from their right of pillage, nor from doing of execution on the enemy."—Letter of 16th of October. He concludes his despatch to the government with these words:—"Thus it has pleased God to give into your hands this other mercy, for which, as for all, we pray God may have all the glory. Indeed, your instruments are poor and weak, and can do nothing but through believing, and that is the gift of God also."—*Cary's Memorials*, ii. 180. Did then the fanatic believe that perfidy and cruelty were gifts of God? for at Wexford he could not plead, as at Drogheda, that his summons had been contemptuously rejected. It had been accepted, and he had himself

dictated the terms of capitulation. Was he not obliged to carry them into execution, even if, as was pretended in defiance of all probability, his men had taken possession of the castle, and forced an entrance into the town without his knowledge or connivance? Would any honest man have released himself from such obligation under the flimsy pretext that it would be acting against the will of God to recall the soldiers and prevent them from doing execution on the enemy?

4. Cromwell's ministers of the divine will performed their part at Wexford, as they had done at Drogheda, doing execution, not on the armed combatants only, but on the women and children also. Of these helpless victims many had congregated round the great cross. It was a natural consequence in such an emergency. Hitherto they had been accustomed to kneel at the foot of that cross in prayer, now, with life itself at stake, they would instinctively press towards it to escape from the swords of the enemy. But, as far as regards the atrocity of the thing, it makes little difference on what particular spot they were murdered. You cannot relieve the memory of Cromwell from the odium of such murder, but by proving, what it is impossible to prove, that at Wexford the women and children were specially excepted out of the general massacre.

5. I have already copied Bruodin's description of the sack of Drogheda: here I may transcribe his account of the sack of Wexford. "Ipse strategus regicidarum terrestri itinere Dublinium prætergressus, Wexfordiam (modicam quidem, et maritimam, munitam et opulentam civitatem) versus castra movet, occupatoque insperate, proditione cujus-

dam perfidi ducis castro, quod mœnibus imminebat, in civitatem irruit: opposuere se viriliter aggressori præsidarii simul cum civibus, pugnantumque est ardentissime per unius horæ spatium inter partes in foro, sed impari congressu, nam cives fere omnes una cum militibus, sine status, sexus, aut ætatis discrimine, Cromwelli gladius absumpsit."—Bruodin, Propag. l. iv. c. 14, p. 679. The following is a more valuable document, from the "humble petition of the ancient natives of the town of Wexford," to Charles II., July 4, 1660. "Yet soe it is, may it please your Majestie, that after all the resistance they could make, the said usurper, having a great armie by sea and land before the said toune, did on the 9th of October, 1649, soe powerfully assault them, that he entered the toune, and put man, woman, and child, to a very few, to the sword, where among the rest the governor lost his life, and others of the soldiers and inhabitants to the number of 1,500 persons."—Gale's Corporation System in Ireland, App. p. cxxvi.

6. My object in these remarks has been to enable the reader to form a correct notion of the manner in which Cromwell conducted the war in Ireland. They will give little satisfaction to the worshippers of the hero. But his character is not a mere matter of taste or sympathy. It is a question of historic inquiry. Much indeed has been written to vindicate him from the imputation of cruelty at Drogheda and Wexford; but of the arguments hitherto adduced in his defence, it will be no presumption to affirm that there is not one among them which can bear the test of dispassionate investigation.



## NOTE TTT, p. 162.

The following pensions were afterwards granted to different persons instrumental in facilitating the king's escape. Unless it be mentioned otherwise, the pension is for life :—

To Jane Lane (Lady Fisher) ..	£1000
Thomas Lane, the father ..	500
Charles Gifford, Esq. ..	300
Francis Mansell, Esq. ..	200
Thomas Whitgrave, Esq. ..	200
Catharine Gunter, for 21 years .. .. .	200
Joan Harford .. .. .	50

To Eleanor Sampson .. ..	£50
Francis Reynolds .. ..	200
John and Anne Rogers, and heirs male .. ..	100
Anne Bird .. .. .	30
Sir Thomas Wyndham, and heirs, for ever ..	600
William Ellesdun, during pleasure .. .. .	100
Robert Swan, during the king's life .. .. .	80
Lady Anne Wyndham ..	400
Juliana Hest .. .. .	30
—Clarendon Corres. i. 656.	

## NOTE VVV, p. 176.

*The Act for the Settlement of Ireland.*

Whereas the parliament of England after expense of much blood and treasure for suppression of the horrid rebellion in Ireland have by the good hand of God vpon their vndertakings brought that affaure to such an issue as that a totall reducmt and settlement of that nation may with Gods blessing be speedily effected. To the end therefore that the people of that nation may knowe that it is not the intention of the Parliament to extirpat that wholl nation, but that mercie and pardon both as to life and estate may bee extended to all husbandmen, plowmen, labourers, artificers, and others of the inferior sort, in manner as is heereafter declared, they submitting themselves to the Parliament of the Commonwealth of England and living peaceably and obediently vnder their government, and that others alsoe of a higher ranke and quality may knowe the Parliament's intention concerning them according to the respective demerits and considerations under

which they fall, Bee it enacted and declared by this present Parliament and by the authority of the same, That all and every person and persons of the Irish nation comprehended in any of the following Qualifications shal bee lyable vnto the penalties and forfeitures herein mentioned and contained or bee made capable of the mercy and pardon therein extended respectively according as is heereafter expressed and declared, that is to saye,

1. That all and every person and persons who at any time before the tenth day of November, 1642, being the time of the sitting of the first generall assembly at Kilkenny in Ireland have contrived, advised, counselled, or promoted the Rebellion, murthers, massacres, done or committed in Ireland w<sup>ch</sup> began in the year 1641, or have at any time before the said tenth day of November 1642 by bearing armes or contributing men, armes, horses, plate, money, victuall or other furniture or

habillments of warre (other then such w<sup>ch</sup> they shall make to appeare to haue been taken from them by meere force & violence) ayded, assisted, promoted, prosecuted or abetted the said rebellion murthers or massacres, be excepted from pardon of life and estate.

2. That all and every person & persons who at any time before the first day of May 1643, did sitt or vote, in the said first generall assembly, or in the first pretended counsell comonly called the supreame counsell of the confederate Catholiques in Ireland or were employed as secretaries or cheife clearke, to be exempted from pardon for life and estate.

3. That all and every Jesuitt preist and other person or persons who have received orders from the Pope or Sea of Rome, or any authoritie from the same, that have any wayes contrived, advised, counselled, promoted, continued, countenanced, ayded, assisted or abetted, or at any time hereafter shall any wayes contriue advise, counsell, promote, continue, countenance, ayde, assist or abett the Rebellion or warre in Ireland, or any the murthers, or massacres, robberies or violences, comitted against y<sup>e</sup> Protestants, English, or others there, be excepted from pardon for life and estate.

4. That James Butler earl of Ormond, James Talbot earl of Castelhaven, Ullick Bourke earl of Clanricarde, Christopher Plunket earl of Fingal, James Dillon earl of Roscommon, Richard Nugent earl of Westmeath, Moragh O'Brian baron of Inchiquin, Donogh M'Carthy viscount Muskerry, Richard Butler viscount Mountgarrett, Theobald Taaffe viscount Taaffe of Corren, Rock viscount Fermoy, Montgomery viscount Montgomery of Ards, Magennis viscount of Iveagh, Fleming baron of Slane, Dempsey viscount Glanmaleere, Birmingham baron of Athenry, Oliver Plunket baron of Lowth, Robert Barnwell baron of Trymletstoune, Myles Bourke viscount Mayo, Connor Magwyre baron

of Enniskillen, Nicholas Preston, viscount Gormanstowne, Nicholas Nettervill, viscount Nettervill of Lowth, John Bramhall late bishop of Derry, (with eighty-one baronets, knights and gentlemen mentioned by name) be excepted from pardon of life and estate.

5. That all and every person & persons (both principalls and accessories) who since the first day of October 1641 have or shall kill, slay or otherwise destroy any person or persons in Ireland w<sup>ch</sup> at y<sup>e</sup> time of their being soe killed, slaine or destroyed were not publicly entertained, and mainteyned in armes as officers or private souldiers for and on behalfe of the English against y<sup>e</sup> Irish, and all and every person and persons (both principalls and accessories) who since the said first day of October 1641 have killed, slayne or otherwise destroyed any person or persons entertained and mainteyned as officers or private souldiers for and on behalfe of the English, against the Irish (the said persons soe killing, slaying or otherwise destroying, not being then publicly enterteined and mainteyned in armes as officer or private souldier vnder the comānd and pay of y<sup>e</sup> Irish against the English) be excepted from pardon for life and estate.

6. That all and every person & persons in Ireland that are in armes or otherwise in hostilitie against y<sup>e</sup> Parliam<sup>t</sup> of y<sup>e</sup> Commonwealth of England, and shall not w<sup>ch</sup> in eight and twenty dayes after publicacōn hereof by y<sup>e</sup> deputy gen<sup>ll</sup> of Ireland, and y<sup>e</sup> comission<sup>rs</sup> for the Parliam<sup>t</sup>, lay downe armes & submitt to y<sup>e</sup> power and authoritie of y<sup>e</sup> said Parliam<sup>t</sup> & commonwealth as y<sup>e</sup> same is now established, be excepted from pardon for life and estate.

7. That all other person & persons (not being comprehended in any of y<sup>e</sup> former Qualifications,) who have borne comāund in the warre of Ireland against the Parliam<sup>t</sup> of England or their forces, as generall, leift<sup>ts</sup> generall, major gen<sup>ll</sup>, commissary

generall, colonell, Governo<sup>rs</sup> of any garrison, Castle or Forte, or who have been employed as receaver gen<sup>l</sup> or Treasurer of the whole Nation, or any province thereof, Commissarie gen<sup>l</sup> of musters, or prouisions, Marshall generall or marshall of any province, advocate to y<sup>e</sup> army, secretary to y<sup>e</sup> councell of warre, or to any generall of the army, or of any the seuerall prouinces, in order to the carrying on the warre, against the parliam<sup>t</sup> or their forces, be banished dureing the pleasure of the parliam<sup>t</sup> of y<sup>e</sup> Com<sup>w</sup>wealth of England, and their estates forfeited & disposed of as followeth, (viz.) That two third partes of their respective estates, be had taken & disposed of for the vse & benefitt of the said Com<sup>w</sup>wealth, and that y<sup>e</sup> other third parte of their said respective estates, or other lands to y<sup>e</sup> proporcion & value thereof (to bee assigned in such places in Ireland as the Parliam<sup>t</sup> in order to y<sup>e</sup> more effectual settlem<sup>t</sup> of y<sup>e</sup> peace of this Nation shall thinke fitt to appoint for that purpose), be respectiuey had taken and enioyed by y<sup>e</sup> wifes and children of the said persons respectiuey.

8. That y<sup>e</sup> deputy gen<sup>l</sup> and comission<sup>rs</sup> of parliam<sup>t</sup> have power to declare, That such person or persons as they shall judge capeable of y<sup>e</sup> parliam<sup>ts</sup> mercie (not being comprehended in any of y<sup>e</sup> former qualifications) who have borne armes against the Parliam<sup>t</sup> of England or their forces, and have layd downe armes, or within eight & twenty dayes after publicacōn hereof by y<sup>e</sup> deputy gen<sup>l</sup> of Ireland and y<sup>e</sup> Comissioners for y<sup>e</sup> parliam<sup>t</sup>, shall lay downe armes & submitt to y<sup>e</sup> power & authoritie of y<sup>e</sup> said parliam<sup>t</sup> & com<sup>w</sup>wealth as y<sup>e</sup> same is now established, (by promising & ingaging to be true to y<sup>e</sup> same) shall be pardoned for their liues, but shall forfeit their estates, to the said Com<sup>w</sup>wealth to be disposed of as followeth (viz) Two third partes thereof (in three equall partes to bee diuided, for the vse benefitt & aduantage of y<sup>e</sup> said Com<sup>w</sup>wealth, and y<sup>e</sup> other

third parte of the said respective estates, or other lands to y<sup>e</sup> proporcion or value thereof) to bee assigned in such places in Ireland as the parliam<sup>t</sup> in order to y<sup>e</sup> more effectual settlement of the peace of the Nation shall thinke fitt to appoint for that purpose (bee enioyed by y<sup>e</sup> said persons their heires or assigns respectiuey, provided, That in case the deputy gen<sup>l</sup> & Comission<sup>rs</sup> or either of them, shall see cause to give any shorter time than twenty-eight dayes, vnto any person or persons in armes, or any Guarrison, Castle, or Forte, in hostilitie against the Parliam<sup>t</sup> & shall giue notice to such person or persons in armes or in any Guarrison, Castle or Forte, That all and every such person & persons who shall not w<sup>th</sup>in such time as shall be sett downe in such notice surrender such Guarrison, Castle, or Forte to y<sup>e</sup> parliam<sup>t</sup>, and lay downe armes, shall haue noe advantage of y<sup>e</sup> time formerly limited in this Qualificacōn.

9. That all and every person & persons who have recided in Ireland at any time from the first day of October 1641, to y<sup>e</sup> first of March 1650, and haue not beene in actual service of y<sup>e</sup> parliam<sup>t</sup> at any time from y<sup>e</sup> first of August 1649, to the said first of March 1650, or haue not otherwise manifested their constant good affections to the interest of y<sup>e</sup> Com<sup>w</sup>wealth of England (the said Persons not being comprehended in any of the former Qualificacōns) shall forfeit their estates in Ireland to the said Com<sup>w</sup>wealth to be disposed of as followeth, (viz.), one third parte thereof for the vse, benefitt, and aduantage of the said Com<sup>w</sup>wealth, and the other two third partes of their respective estates, or other lands to the proporcion or value thereof (to bee assigned in such places in Ireland, as y<sup>e</sup> Parliam<sup>t</sup> for y<sup>e</sup> more effectual settlement of y<sup>e</sup> peace of the Nation shall thinke fitt to appoint for that purpose) bee enioyed by such person or persons their heires or assigns respectiuey.

10. That all and every person & persons (haueing noe reall estate in Ireland nor personall Estate to the value of ten pounds,) that shall lay downe armes, and submitt to the power and Authoritie of the Parliament by the time limited in the former Qualificacōn, & shall take & subscribe the engagem<sup>t</sup> to be true and faithfull to the Comōnwealth of England as the same is now established, within such time and in such manner, as the deputy Generall & commissiōn<sup>rs</sup> for the Parliam<sup>t</sup> shall appoint and direct, such persons (not being excepted from pardon nor adiudged for banishm<sup>t</sup> by any of the former Qualificacōns) shal be pardoned for life & estate, for any act or thing by them done in prosecution of the warre.

11. That all estates declared by the Qualificacōns concerning rebells or delinquents in Ireland to be forfeited shal be construed, adiudged & taken to all intents and purposes to extend to y<sup>e</sup> forfeitures of all estates taylor, and also of all rights & titles thereunto which since the five and twentieth of March 1639, have beene or shal be in such rebells or delinquents, or any other in trust for them or any of them, or their or any of their vses, w<sup>th</sup> all reversionis & remainders thereupon in any other person or persons whatsoever.

And also to the forfeiture of all

estates limited, appointed, conueyed, settled, or vested in any person or persons declared by the said Qualificacōns to be rebells or delinquents with all reversionis or remainders of such estates, conueyed, uested, limited, declared or appointed to any the heires, children, issues, or others of the blood, name, or kindred of such rebells or delinquents, w<sup>ch</sup> estate or estates remainders or reversionis since the 25th of March 1639 have beene or shal be in such rebells or delinquents, or in any their heires, children, issues or others of the blood, name, or kindred of such rebells or delinquents.

And to all estates graunted, limited, appointed or conueyed by any such rebells or delinquents vnto any their heires, children, issue, w<sup>th</sup> all the reversionis and remainders therevpon, in any other person of the name blood or kindred of such rebells or delinquents, provided that this shall not extend to make voyd the estates of any English Protestants, who haue constantly adhered to the parliam<sup>t</sup> w<sup>ch</sup> were by them purchased for valuable consideracōn before y<sup>e</sup> 23<sup>rd</sup> of October 1641, or vpon like valuable consideracōn mortgaged to them before y<sup>e</sup> tyme or to any person or persons in trust for them for satisfaction of debts owing to them.

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#### NOTE WWW, p. 195.

I have not been able to ascertain the number of Catholic clergymen who were executed or banished for their religion under Charles I., and under the commonwealth; but I possess an original document, authenticated by the signatures of the parties concerned, which contains the names and fate of such Catholic priests as were apprehended and prosecuted in London between the end of 1640 and the summer of 1651 by

four individuals, who had formed themselves into a kind of joint-stock company for that laudable purpose, and whosolicited from the council some reward for their services. It should, however, be remembered that there were many others engaged in the same pursuit, and consequently many other victims besides those who are here enumerated.

“The names of such Jesuits and Romish priests as have been appre-

hended and prosecuted by Cap<sup>t</sup> James Wadsworth, Francis Newton, Thomas Mayo, and Robert de Luke, messengers, at our proper charge; whereof some have been condemned; some executed, and some reprieved since the beginning of the parliament (3 Nov. 1640): the like having not been done by any others since the reformation of religion in this nation:—

- “ William Waller, als. Slaughter, als. Walker, executed at Tyburne.
- “ Cuthbert Clapton, condemned, reprieved and pardoned.
- “ Bartholomew Row, executed at Tyburne.
- “ Thomas Reynolds, executed at Tyburne.
- “ Edward Morgan, executed at Tyburne.
- “ Thomas Sanderson, als. Hammond, executed at Tyburne.
- “ Henry Heath, alias Pall Magdelen, executed at Tyburne.
- “ Francis Quashet, dyed in Newgate after judgment.
- “ Arthur Bell, executed at Tyburne.
- “ Ralph Corbey, executed at Tyburne.
- “ John Duchet, executed at Tyburne.
- “ John Hamond, als. Jackson, condemned, reprieved by the king, and died in Newgate.
- “ Walter Coleman, condemned and died in Newgate.
- “ Edmond Cannon, condemned and died in Newgate.
- “ John Wigmore, als. Turner, condemned, reprieved by the king, and is in custodie in Newgate.
- “ Andrew Ffryer, alias Herne, als. Richmond, condemned, and died in Newgate.
- “ Augustian Abbot, als. Rivers, condemned, reprieved by the king, and died in Newgate.
- “ John Goodman, condemned and died in Newgate.
- “ Peter Welford, condemned and died in Newgate.
- “ Thomas Bullaker, executed at Tyburne.
- “ Robert Robinson, indicted and proved, and made an escape out of the King’s Bench.

“ James Brown, condemned and died in Newgate.

“ Henry Morse, executed at Tyburne.

“ Thomas Worseley, alias Harvey, indicted and proved, and reprieved by the Spanish ambassador and others.

“ Charles Chanie (Cheney) als. Tomson, indicted and proved, and begged by the Spanish ambassador, and since taken by command of the councill of state, and is now in Newgate.

“ Andrew White, indicted, proved, reprieved before judgment, and banished.

“ Richard Copley, condemned and banished.

“ Richard Worthington, found guiltie and banished.

“ Edmond Cole, Peter Wright, and William Morgan, indicted, proved, and sent beyond sea.

“ Philip Morgan, executed at Tyburne.

“ Edmond Ensher, als. Arrow, indicted, condemned, reprieved by the parliament and banished.

“ Thomas Budd, als. Peto, als. Gray, condemned, reprieved by the lord mayor of London, and others, justices, and since retaken by order of the councill of state, and is now in Newgate.

“ George Baker, als. Macham, indicted, proved guiltie, and now in Newgate.

“ Peter Beale, als. Wright, executed at Tyburne.

“ George Gage, indicted by us, and found guiltie, and since is dead.

“ James Wadsworth.

“ Francis Newton.

“ Thomas Mayo.

“ Robert de Luke.”

This catalogue tells a fearful but instructive tale; inasmuch as it shows how wantonly men can sport with the lives of their fellow-men, if it suit the purpose of a great political party. The patriots, to enlist in their favour the religious prejudices of the people, represented the king

as the patron of popery, because he sent the priests into banishment, instead of delivering them to the knife of the executioner. Hence, when they became lords of the ascendant, they were bound to make proof of their orthodoxy; and almost every execution mentioned above

took place by their order in 1642, or 1643. After that time time they began to listen to the voice of humanity, and adopted the very expedient which they had so clamorously condemned. They banished, instead of hanging and quartering.

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NOTE XXX, p. 242.

*Revenue of the Protector.*

When the parliament, in 1654, undertook to settle an annual sum on the protector, Oliver Cromwell, the following, according to the statement of the sub-committee, was the amount of the revenue in the three kingdoms:—

Excise and customs in England .. .. .	£80,000
Excise and customs in Scotland .. .. .	10,000
Excise and customs in Ireland .. .. .	20,000
Monthly assessments in England (at 60,000 <i>l.</i> ) .. ..	720,000
Monthly assessments in Ireland (at 8,000 <i>l.</i> ) .. ..	96,000
Monthly assessments in Scotland (at 8,000 <i>l.</i> ) .. ..	96,000

Crown revenue in Guernsey and Jersey .. .. .	2,000
Crown revenue in Scotland .. .. .	9,000
Estates of papists and delinquents in England .. ..	60,000
Estates of papists and delinquents in Scotland .. ..	30,000
Rent of houses belonging to the crown .. .. .	1,250
Post-office .. .. .	10,000
Exchequer revenue .. .. .	20,000
Probate of wills .. .. .	10,000
Coinage of tin .. .. .	2,000
Wine licenses .. .. .	10,000
Forest of Dean .. .. .	4,000
Fines on alienations .. ..	20,000
	<hr/>
	£1,200,000

[From the original report in the collection of Thomas Lloyd, Esq.]

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NOTE YYY, p. 274.

*Principles of the Levellers.*

The following statement of the principles maintained by the Levellers is extracted from one of their publications, which appeared soon after the death of Cromwell, entitled, "The Leveller; or, The Principles and Maxims concerning Government and Religion, which are asserted by

those that are commonly called Levellers, 1659."

*Principles of Government.*

1. The government of England ought to be by laws and not by men: that is, the laws ought to judge of all offences and offenders, and all

punishment and penalties to be inflicted upon criminals, nor ought the pleasure of his highness and his council to make whom they please offenders, and punish and imprison whom they please, and during pleasure.

2. All laws, levies of moneys, war and peace, ought to be made by the people's deputies in parliament, to be chosen by them successively at certain periods. Therefore there should be no negative of a monarch, because he will frequently by that means consult his own interest or that of his family, to the prejudice of the people. But it would be well if the deputies of the people were divided into two bodies, one of which should propose the laws, and the other adopt or reject them.

3. All persons, without a single exception, should be subject to the law.

4. The people ought to be formed into such a military posture by and under the parliament, that they may be able to compel every man to obey the law, and defend the country

from foreigners. A mercenary (standing) army is dangerous to liberty, and therefore should not be admitted.

### *Principles of Religion.*

1. The assent of the understanding cannot be compelled. Therefore no man can compel another to be of the true religion.

2. Worship follows from the doctrines admitted by the understanding. No man therefore can bind another to adopt any particular form of worship.

3. Works of righteousness and mercy are part of the worship of God, and so far fall under the civil magistrate, that he ought to restrain men from irreligion, that is, injustice, faith-breaking, oppression, and all other evil works that are plainly evil.

4. Nothing is more destructive to true religion than quarrels about religion, and the use of punishments to compel one man to believe as another.

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### NOTE ZZZ, p. 299.

That Sir Anthony Ashley Cooper was deeply engaged in the intrigues of this busy time is sufficiently manifest. He appears to have held himself out to every party as a friend, and to have finally attached himself to the royalists, when he saw that the royal cause was likely to triumph. Charles acknowledged his services in the patent by which he was created Lord Ashley, mentioning in particular "his prudent and seasonable advice with General Monk in order to the king's restoration."—Dugd. ii. 481. From this passage we may infer that Cooper

was one of Monk's confidential advisers; but his admirers have gone much farther, attributing to him the whole merit of the restoration, and representing the lord-general as a mere puppet in the hands of their hero. In proof they refer to the story told by Locke (iii. 471)—a story which cannot easily be reconciled with the more credible and unpretending narrative of Clarges, in Baker's Chronicle, p. 602, edit. 1730. But that the reader may form his own judgment, I shall subjoin the chief heads of each in parallel columns.

#### CLARGES.

1. Scot, Hazelrig, and others sought and obtained a private interview with Monk at Whitehall; and

#### LOCKE.

1. Bordeaux, the French ambassador, visited Monk one evening, and Mrs. Monk, who had secreted her-

Clarges, from their previous conversation with himself, had no doubt that their object was to offer the government of the kingdom to the general.

2. The council of state was sitting in another room; and Clarges, sending for Sir A. A. Cooper, communicated his suspicion to him.

3. After some consultation it was agreed that, as soon as Monk, having dismissed Scot and Hazelrig, should enter the council-room, Cooper should move that the clerks be ordered to withdraw.

4. When this was done, Cooper said that he had received notice of a dangerous design; that some seditious persons had made "indecent proposals" to the general; and of such proposals he desired that the council might have a full discovery.

5. Monk, unwilling to expose them, replied that there was very little danger in the case; that some persons had, indeed, been with him to be resolved in scruples respecting the present transactions in parliament; but that he had sent them away well satisfied (p. 602).

6. Bordeaux offered to Monk through Clarges the aid of Mazarin, whether it were his object to restore the king, or to assume the government himself. Monk refused; but consented to receive a visit of civility from the ambassador, on condition that politics should not be introduced (p. 604).

It may be thought that Locke's narrative derives confirmation from another version of the same story in the Life of Lord Shaftesbury, lately edited by Mr. Cooke, with the following variations. Bordeaux is made to accompany the republicans; the greater part of the night is spent in consultation, and Monk not only consents to assume the government, but

self behind the hangings, heard him offer the aid of Mazarin to her husband, if he was willing to take the government on himself, which offer the general accepted.

2. Mrs. Monk sent her brother Clarges to communicate the discovery of her husband's ambitious design to Sir A. A. Cooper.

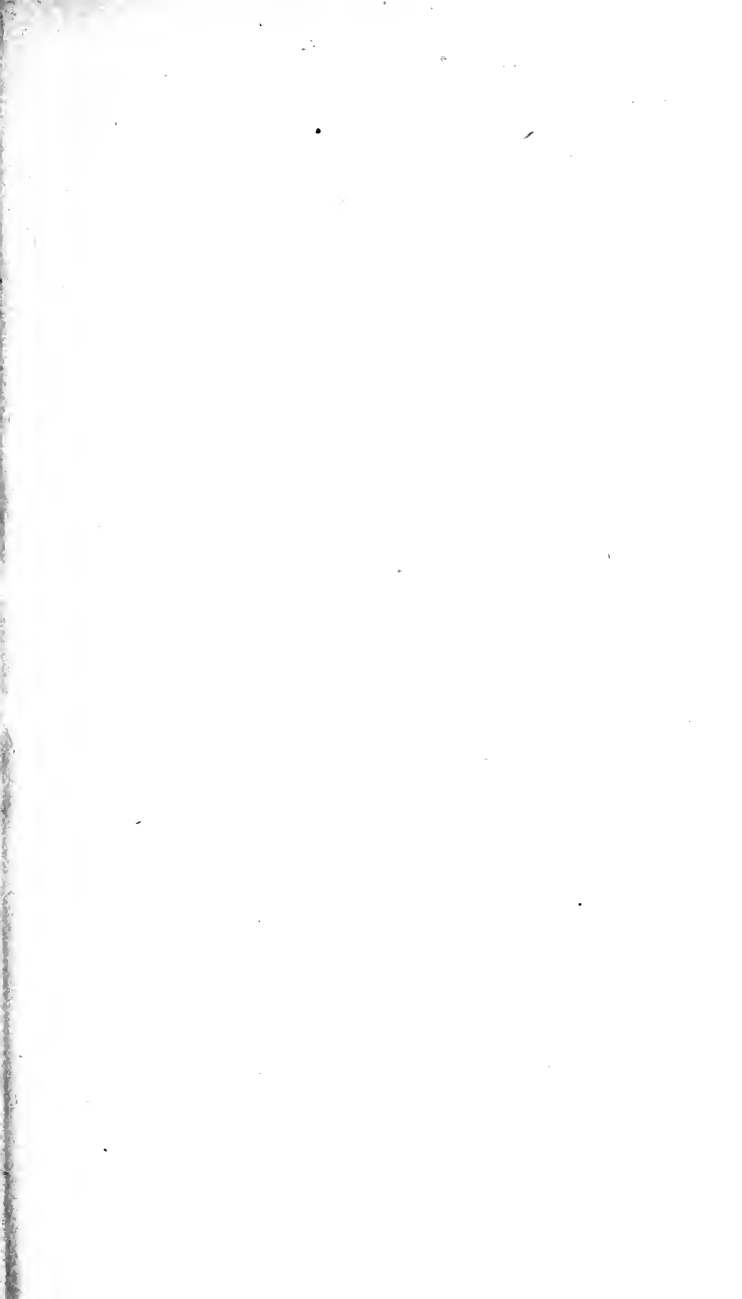
3. Cooper caused a council to be called, and, when they were met, moved that the clerks should withdraw, because he had matter of consequence to communicate.

4. He then charged Monk, "not openly, but by insinuation, that he was playing false with them, so that the rest of the council perceived there was something in it, though they knew not what was meant."

5. Monk replied that he was willing to satisfy them that he was true to his principles. Then, said Ashley, replace certain officers of suspicious character by others of known fidelity. This was done on the spot; the command of the army by the change was virtually taken from Monk; and he was compelled to declare for Charles Stuart.

resolves to arrest in the morning Cooper and several other influential individuals (p. 232—235). But that life cannot be considered as an authority; for the documents from which it is said to have been compiled are neither quoted nor described by its author, nor have ever been seen by its present editor.















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